

# Manning Quoted on Gun Scramble in Court Wednesday

## Defendant Called Horan Ingrate, Is State's Testimony

A scramble for guns in the drawer of Horace M. Manning's desk preceded the fatal shooting of Ralph W. Horan, Manning told investigators the night of the tragedy, according to prosecution testimony at the Manning murder trial Wednesday.

This, together with testimony that Manning referred to Horan as an "ingrate" in that emotion-filled first hour after the shooting February 12, highlighted the quotations attributed to Manning. They fell on the ears of the jury and an audience straining to catch every word the defendant is alleged to have said before his lips were sealed by a word of caution from Mrs. Manning.

In what was the dramatic climax of a tense day in court, Walter S. Walker, state policeman, quoted Manning as the latter paced in his outer office while Horan's body still lay on the floor of the adjoining room. This is the statement Walker attributed to Manning:

"I never could believe this would ever come to me. I'm the most kind-hearted man in the state of Oregon. I've helped many of the young attorneys of this county. Ralph Horan was the only ingrate among them. That man was like lightning. The guns were in my drawer. We both scrambled for them. He got one and I got one. He shot twice and I shot and I guess I got him. I wish it had been me he got instead of me getting him. Then my troubles would have been over and his just begun."

Manning, sitting at the defense table, was visibly moved as the words came from the witness stand. His face was flushed, and there appeared to be tears in his eyes. But he maintained the same composure that has marked his appearance in court since the trial opened. Those were the words Manning as quoted by Walker, third state witness in the trial which got well into the testimony stage Wednesday. Manning was quoted several times by Walker, Rex McMillan, juror, and Sheriff Lloyd Low, fourth state witness. Low said that Mrs. Manning, who came to the Underwood building offices, scene of the shooting, advised her husband not to talk about the case and that he answered, "All right, I won't."

Wednesday saw much of the physical evidence in the case, as the state's exhibits, and that process was marked by an almost continuous fire of objections and sharp questioning by defense counsel. At one time the battle over introduction of a picture of the body of Horan waxed so hot the jury was dismissed and the opposing attorneys argued it out before the judge.

**Pictures Shown**  
The defense objection was that the picture was gruesome and would incite sympathy which had no part in the trial of the case. The state insisted the picture was essential to show the jurors the position of the hands and feet of the deceased.

Circuit Judge Fred Wilson, emulating Solomon, decided to cut the disputed exhibit in two—or rather three. He removed those portions of the picture showing the hands and feet of the body, and admitted them as exhibits, with the remainder kept out.

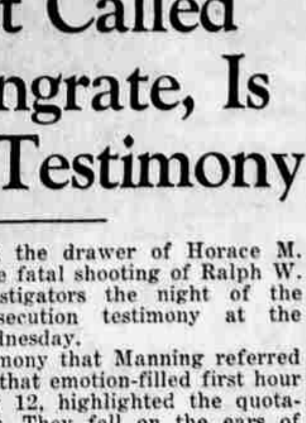
The hand and foot pictures went in over defense objections.

**Third Chair Important**  
The day's developments bristled with possibilities for speculation as to the opposing theories the state and defense are expected to offer concerning the fatal Manning-Horan interview. In general, those theories are virtually certain to divide on the question as to whether Manning shot Horan and then fired two extra shots himself, as the state is expected to claim, or whether the two men engaged in a duel in which Manning killed Horan in self-defense.

There was, perhaps, a hint that the defense was building the groundwork for the duel theory when, in cross examination, Walker stressed the location of a large black leather chair in Manning's law office, scene of the shooting. This third-chair matter may become increasingly important as the trial proceeds.

**Chair Positions Stressed**  
When investigators entered Manning's office after the shooting, they found a red leather chair behind Manning's desk. Across the desk, with one of Horan's feet under it, was a smaller, oak chair. There were bullet marks on both chairs.

### Defenders of Manning



May King Photo—Courtesy Oregonian  
George Roberts of Medford (at right), chief counsel for Horace M. Manning, charged with first degree murder of State Legislator Ralph Horan, presented opening arguments for the defense yesterday morning. D. R. Vandenberg, Klamath Falls attorney (center) and Mark Weatherford, Albany attorney, are assistant counsels for the defense.

leather chair when you were there? Was Sheriff Low in the chair?" Roberts asked. Walker said no one was in the chair.

**Lloyd Low Testifies**  
Roberts learned from Walker that investigators were in the death room until about 1:30 a. m.

"Was there a lot of smoking?" he asked the officer.

"I wouldn't say a lot," said Walker.

"Was there any drinking?" "Not to my knowledge."

Walker was questioned again about the bullet found near Horan's foot on the floor, and about the bullet Powell was supposed to have handed Walker.

"There was an officer in there all night, wasn't there?" asked Roberts.

"I guess so."

"Was there any smoking?" "Yes."

"Was there drinking there that night?" "No."

**Judge Angered**  
"Now the next morning, after you had been there smoking and doing other things, this Johnny Walker gin label."

### Highlights of Yesterday's Session of Manning Trial

By JANE EPLEY  
Wednesday.

This is the 13th judicial day of the December term. 13th judicial district of Oregon.

913-C is the number of the case of State vs. Horace M. Manning.

Thirteen seats have been reserved for the Manning family and friends in the courtroom.

It is 8:49 a. m. The second floor hall of the court house is filled with people waiting to get into the circuit court room.

The courtroom is getting warm. Mrs. R. H. Hovey is sitting beside Florence Elliott, sister of Mrs. Ralph Horan, next to the press table.

Court is adjourned for lunch two minutes early. It began two minutes ahead of time.

State Police Sergeant Marion Barnes needs all his strength to regulate the shouting mob that tries to rush through the door after noon recess.

Tight Squeeze  
All seats are filled within a few minutes. A crowd is left in the hall when Sergeant Barnes forces the door closed.

Van Vactor and Cordon squeeze through.

"Boys," says Defense Attorney Roberts, "did you have to use a shoe horn to get in?"

A murmur of admiration sweeps the room when Manning's walnut desk is carried in by four men. It is a beautiful thing.

Judge Wilson knocks over a glass on his bench. Water falls on prosecution photographs on the floor. Gillenwaters picks them up and wipes them carefully with his handkerchief.

The judge reminds spectators of Solomon, when he orders the photographs out to eliminate features objectionable to the defense. His decision seems to satisfy the state, too.

"I spilled a glass of water," he apologizes as he asks a bailiff to bring a cloth and wipe off the bench's marble top.

People outside open the door a crack and peep in. There still are 50 or 60 of them in the hall. The jurymen seem very warm. They are in a badly ventilated corner.

Manning's beautiful desk is state's exhibit No. 13.

Not So Funny  
Roberts says "Johnny Walker's gin" and several spectators laugh loudly. The judge reprimands them severely.

"Silly laughter," he calls it. Everybody looks ashamed.

Roberts asks for another recess. He is always asking for recesses, the press whispers thankfully. Their hands are tired from taking rapid notes in longhand.

The judge, Gillenwaters, and Sheriff Low are consulting at the corner of the bench. "Electric fan," is all listeners can overhear.

In a few minutes Low brings in a large fan and concentrates it on the jury box. The jurors look grateful.

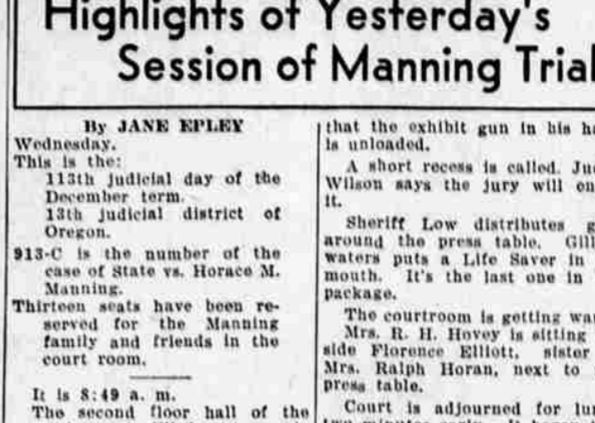
Mrs. Don F. Hamlin enters. Her husband is Manning's law associate. She sits with the Manning family.

State Policeman Walker raises smiles. Gillenwaters asks him what Exhibit Two is. Walker looks at it appraisingly.

"It's a chair," he answers.

Oh, My Teeth  
Mrs. Gillenwaters is in the courtroom this afternoon. She can't see her husband as the plat and bookcase are in her way.

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### High Schools Hold Forensic Meet Tonight

High schools of the county will compete for the Bert C. Hall forensic cup in the annual declamation contest to be held in the K. U. H. S. auditorium at 8 o'clock tonight and tomorrow night. This cup was offered by Bert Hall, local hotel man, for the first time last year and was won by Chiloquin, which had a margin of two points over Klamath.

Since any school winning this trophy three years gains permanent possession of it, the competition is expected to be keen, with Chiloquin defending its temporary hold on the cup and trying for another grip by winning again this year.

There will be four divisions of the contest. On Thursday night the extemporaneous speeches and orations will be given, and on Friday humorous and dramatic readings will be presented. There will be no charge Thursday, but Friday night there will be a ten-cent admission fee, the returns of which are to be used to help meet contest expenses and pay for medals, which are to be awarded at the close of the program.

The topic for extemporaneous speaking this year is "The New Economic Policy." This topic has been divided into ten sections, treating of the different phases of the social and economic effects of the new deal. At least four of these divisions will be discussed by students who have been studying this subject for the past month.

Klamath high school's representatives in the contest are Wintford Tucker, dramatic reading; Don Johnson, humorous; Robert Stevenson, extempore speaking; and Perry Hawkins, oratory.

On Thursday night Rev. W. T. Spriggs, A. F. H. C. Merriman, Mrs. E. D. Lamb, Rev. L. B. Sibley, and Enola Hawkins will judge. Bob Swenson, Katherine Walton, Jane Epley, Ted McDonnell, and Margaret Nye will award the decisions Friday evening.

The provinces of Quebec, Ontario and British Columbia are each larger than the state of Texas; Quebec is more than twice as large.

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### Junior Chamber Plans Regatta

Eugene Fulton, employe of the California Oregon Power company, and William Mathers of the Old River Exchange were elected members of the Junior chamber of commerce Tuesday night.

The chamber discussed plans for the boat regatta on Upper Klamath lake next June. The selection of committees was completed.

Three thousand buttons boasting the event will be circulated throughout the city. The buttons, blue on white, will carry a picture of a speed boat and the following inscription:

"Upper Klamath Lake Boat Regatta, June 17."

It was announced that the Harold Ayres piano concert would be held here early in June.

The chamber went on record favoring a Citizens Fire Prevention committee and will elect workers to cooperate with other clubs in the city.

### Chamber Objects to Portland Campaign

A resolution asking the city of Portland to cease all opposition to railings of the Oregon milk board, and recommending that the Portland chamber of commerce use all influence in bringing about such action, was passed by the agricultural committee of the Klamath county chamber of commerce Wednesday.

This resolution was endorsed by the executive board in regular session following the committee meeting.

Montana is the only state in the Union which suffered a decrease in population during the last decade.

Wireless rays may be a mile long, while X-rays are shorter than atoms.

**MILLS STUDENT CONTEST WINNER**  
Clifford Hall of Mills school has been announced first prize winner in the first division of the annual Poppy Poster contest which closed Friday.

The judges have just completed their work, and the following results have been announced: second prize in the first division, Edith Overson, Mills school; second division, Geanne Goeller, Fremont, first prize; Nellie Delaney, Mills, second prize, and Melvin Clark, Mills, honorable mention.

Entries in the third division of the contest were made without instruction, and William Clemens of Mills was awarded first prize, and Riverside school the second prize.

**Indian Arrested Following Fine**  
Theodore Walker, Indian, was returned to the city jail Wednesday night on charges of drunkenness only a few hours after he had paid a fine on the same count and been released from custody.

George Harris and Alton Cress, arrested Wednesday night and early Thursday morning on charges of disorderly conduct, were assessed fines of \$20 or 10 days in the city jail. They were charged with fighting.

Bacteria taken from a fox's fur and cultivated on gelatin gave off the characteristic odor of the fox when heated to 99 degrees Fahrenheit.

"Why worry about the kind of weather we'll have next month after what we have had in this?"

**WOOD Summer Prices**  
BLOCK WOOD  
Double Load ..... \$5.00  
Single Load ..... \$3.75  
1/4-Double Load ..... \$2.25

Blocks at Yard Per Cord, \$2.60  
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100-lb. Sack ..... 60c  
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