PAGE EIGHT

April 19, 1934

High schools of the county will

Since any achool winning this

or another grip by winning again

Klamath high school's repre-sentatives in the contest are Wini-tred Tucker, dramatic reading; Don Johnson, humorous; Robert

Stevenson, extempore speaking;

On Thursday night Rev. W. T.

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 Manning murder trial Wednesday, the

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 quota-tions 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 Man-ning 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 at-Manning's desk. It also has in-

shooting.

noon session.

Walker Testifics

tributed 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 attor-neys of this county. Ralph Horan was the only ingrate among them. "That man was like

fightning. 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."

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.

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 testimony stage wednesday. Manning was quoted state witness in the trial which for were manning as quoted by Walker, third state witness in the trial which to well hat othe testimony stage wednesday. Manning was quoted several times by Walker, Rex Mc-maning and Sheiff Lloyd Low, fourth state witness. Low main the trial which dame to the Underwood building offices, scene of the shooting, ad-wised her husband not to talk about the case and that he maswered. "all right, I won't." Wednesday saw much of the base come of the shooting, ad-wised her husband not to talk about the case and that he maswered. "all right, I won't." Wednesday saw much of the base state's exhibits, and that process was marked of the the tast mon't to take about the case and that he maswered. "all right, I won't." Wednesday saw much of the bin into the inner office, talked to Whitlock. Manning to the observed Horan on the floor with a nickel-plated revolver in bis left hand. Shortly, he said, Dr. George Adler, coroner, came

tercu as states exhibits, and that with a nickel-plated revolver in process was marked by an almost his left hand. Shortly, he said, continuous fire of objections and Dr. George Adler, coroner, came in and pronounced Horan dead. counsel. At one time the battle over introduction of a picture of to the outer office, and Van Vacture of tor went into the death room.

Defenders of Manning

May King Photo-Courtesy Oregonian George Roberts of Medford (at right), chief counsel for Horace M. Manning, charsed with first degree murder of State Legislator Ralph Horan, presented opening arguments for the defense yes-terday morning. D. R. Vandenberg, Klamath Falls attorney (cen-ter) and Mark Weatherford, Albany attorney, are assistant coun-sels for the defense sels for the defense.

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

Bottle Label Topic Roberts asked McMillan if Sheriff Low sat in the red chair.

troduced testimony and exhibits to show that two cards, bearing the name of Theima Guthrie and a note, were lying under or near the hands of Horan. Lloyd Low Testifies The jailer said he could not re-member if Low sat in the chair before photographs were taken. The defense chief asked Mc-Roberts learned from Walker that investigators were in the death room until about 1:30

the hands of Horan. Those are the bare outlines of theory and conflict as they began to appear in the first day of tak-ing evidence. The trial, of course, has only started, and what E. O. "I "Was there a lot of smoking?" locked and removing the exhibits he asked the officer. "I wouldn't say a lot," said Walker. has only states, and what is been state of the state of t

"Was there any drinking?" "Not to my knowledge." Walker was questioned again about the bullet found near Hor-

still a closed book. The witnesses examined during the day were H. G. Finch, civil engineer who drew the state's plat of Manning's office; Jailer McMillan, State Policeman Walkan's foot on the floor, and about the bullet Powell was supposed to have handed Walker. The ofther said he did not see Powell get the bullet out of a book-case, but he, Walker, put his mark on the bullet. Sheriff Low followed Walker "Yes." er and Sheriff Low, who went to Manning's office shortly after the

to the stand. Replying to Gillen-Walker's festimony was the outstanding feature of the afterwas the waters' questions, he told how he received a call and eventually went to Manning's office the night of February 12.

Low Relates Happenings

taken, no one had sat in it "to his knowledge." Low next identified three load-

ed shells and two empties he said were taken from the Smith and Wesson revolver (the gun Manthe body of Horan waxed so hot tor went into the death room. the jury was dismissed and the walker said he was left with manning and that he believed before the judge. Earl Whitlock was there. Earl Whitlock was there.

opposing attorneys argued it out before the judge. Pictures Shown The defense objection was that the picture was gruesome and no part in the trial 76 the case. The state insisted the picture was The state i

The state insisted the pleture was sesential to show the jurors the position of the hands and feet of the decased. Circuit Judge Fred Wilson emulating Solomon, decided to cut the disputed exhibit in two—or rather three. He removed those portions of the pleture showing the hands and feet of the body, and admitted them as exhibits, with the remainder kept out. The hand and foot pletures went in over defense objections. About that time, Walker said, a man came in, who he later about the scramble for guns, that he was kind-hearted and Horan, the only "ingrate" among young Asked how Horan was dressed, Low said he wore a dark suit, light hat and black slipover sweater. He promised to produce the clothing for court Thursday mornices



package.

looks ashamed.

A short recess is called. Judge Wilson says the jury will enjoy

By JANE EPLEY Wednesday. This is the: 113th judicial day of the December term. 13th judicial district of

Oregon. Oregon. 913-C is the number of the case of State vs. Horace M. Manning. Thirteen seats have been re-served for the Manning family and friends in the court room.

It is 8:49 a. m. The second floor hall of the court house is filled with people walting to get into the circuit court room. The jurors, accom-panied by their attentive balliffs. 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. can't get through the crowd. One of the bailiffs opens the door to the judge's private chambers and leads the way for the jurymen, through the attorneys room, into

circuit court, "Were the beds good?" asks newspaperman near the jury

box, "They sure were," re Juror Frank Howard with replies Juror Frang Howard with en-phasis. The court room doors are thrown open at 8:50 and all spectator seats are filled within eight minutes.

Millan about keeping the office

Judge Fred Wilson takes the bench as Bailiff "Matt" Mattoon announces that court is now open. The state table is vacant. The judge tells a bailiff to notify the district attorney's office that "we're a little early." It is

\$:58. He Smiles

He Smiles Defense Attorney Roberts smiles when the judge tells the jurors that sometimes lawyers' objections and statements may seem heated, but that this is only regular court procedure. Dewey Powell interrupts Gil-lenwaters' opening speech when he extreme with a barra black point

lenwaters' opening speech when he enters with a large black note There is a stir in the court room when Roberts indicates in corner.

his opening statement that Mrs. Manning may testify. The judge moves over to the edge of the bench closest to the

The mid-morning recess come

quickly. The tempo is rapid. Everyone is waiting for some-thing to happen. Deputy District Attorney Van

Deputy District Attorney Van Vactor has difficulty opening the large, unwieldy sheet of paper on which is the plat of Manning's of-fices. The paper crackles. Court Reporter Crane of The Dailes tries to assist him. Bailliff John Morgan starts to help them set up the easel. It falls with a crash. Finally it's up, thumb-tacked to a pale green beaver-board. It's

on slightly crooked. Pressmen find that it shuts off their view of the witness stand. Some of them move over by the jury box.

Ghostly Chairs Two men come in, carrying the chairs found in Manning's private office. The chairs look ghoatly, wrapped in brown paper and tied

with twine. Rex McMillan brings in two packages wrapped in tissue paper. They must be the guns. A great clatter marks the set-ting up of the olive-green steel ting up of the olive-green steel bookcase. One of the shelves comes loose. There are no books

in it. This is the first time the dehas been announced first prize winner in the first division of the annual Poppy Poster contest which closed Friday. smiles. Gillenwatera 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 court room this afternbon. She can't see her hushand as the plat

And bookcase are in her way. Manning watches Walker with check resting on hand. He obvi-ously is deeply affected when the state policeman quotes his re-marks about Horan.

Sheriff Low distributes gum around the press table. Gillen-waters puts a Life Saver in his mouth. It's the last one in the People are beginning to look sleepy. The breeze from the open windows and the current from

the fan do not quite meet in the center of the court room. A woman in the front row of compete for the Bert C. Hall forensic cup in the annual declamation contest to be held in

The courtroom is getting warm. Mrs. R. H. Hovey is sitting be-side Florence Elliott, sister of Mrs. Raiph Horan, next to the press table. spectators yawns broadly and her Court is adjourned for lunch two minutes early. It began two minutes ahead of time.

upper false teeth fail out. She catches them half way to her lap and puts them back in her mouth. The judge says, "It's been a pretty long day and you've work-od hard." ed hard. the first time last year and was State Police Sergeant Marion

He adjourns court at 4:46 p. m. won by Chiloquin, which had a margin of two points over Klam-



In the state, too.
Tapplied a giass of water," his decision seems to satisfy the state, too.
Tapplied a giass of water," samable top.
People outside open the door
People outside open the door
People outside open the door
The state, too.
Tapplied a giass of water," he dented to be the state, too.
Tapplied a giass of water," he dented throughout the city. The budge a cloth and wipe off the beak regata on this bench. Samable top.
People outside open the door a crack and peop in. There state, too.
Tapplied a giass of water," he to the dest and the following inscription:
The state, too.
Tapplied a giass of water," he to the dest and wipe off the the state, too.
The pologize as he asks a balliff to bring a cloth and wipe off the beak and the following inscription:
The outside open the door a crack and peop in. There state, top.
The outside open the door a crack and peop in. There state, top.
The outside open the door a crack and peop in. There state, top.
The state and wipe off the being a cloth and wipe off the being accord at a

bench's marble top. People outside open the door a crack and peop in. There still are 50 or 60 of them in the ball. The jurymen seem vory warm, workers to cooperate with other They are in a badly ventilated

and Perry Hawkins, oratory,

Corner. Manning's beautiful desk is state's exhibit No. 13. Not 80 Funny Roberts says "Johuny Walk-er's gin." and soveral spectators laugh loudly. The judge repri-mands them severely. "Silly looks ashamed Portland Campaign A resolution asking the cliy of Portland to cease all opposition to rulings of the Oregon milk board, and recommending that the Portland chamber of com-merce use all influence in bring-ing about such action, was passed by the agricultural committee of Robert asks for another recess the is always asking for recesses, the press whispers thankfully. Their hands are tired from taking the agricultural committee of

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.

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 gratefal. Mrs. Don F. Hamlin enters. Her husband is Manning's law associate. She site with the Man Montana is the only state in the Union which suffered a de crease in population during the last decade

associate. She sits with the Man-ning family. State Policeman Walker raises than atoms.

The provinces of Quebec, Ontarlo and British Columbia are each larger than the state of Texas: Quebec is more than twice

> **Good News for Kidney Sufferers**

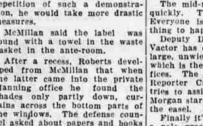
> > at for Foley

Ask

â

STRAIGHT EDGED COGS OF

TEMPERED RUBBER





McMillan was excused

Clifford Hall of Mills school

which

"Yes." "Was there drinking there that night? "No." Judge Angered "Now the next morning, after ou had been there smoking and doing other things, this Johnny Walker gin label-" The courtroom rocked with

laughter. Roberts looked at the judge, "There is nothing funny in this trial and there will not be any-thing funny in it," said the court.

trial and there will not be any-the difference of the second sec repetition of such a demonstration, he would take more drastic measures.

found with a towel in the waste basket in the ante-room.

After a recess, Roberts devel-oped from McMillan that when the latter came into the private Manning office he found the shades only partly down, cur-tains across the bottom parts of the windows. The defense coun-sel asked about papers and books on the desk and learned McMillan

Manning's desk as something on which to place his camera tripod.

had not made a list of the things on the desk. He learned the jailer had moved a rug from the anteroom and placed it behind

before any one else could see them. He quizzed McMillan concern He quizzed McMillan concern-ing a gin bottle label the jailer said he found in a waste basket in the ante-room off Manning's private office. This was found the morning after the shooting. "There was an officer in there all nicht wasn't thars?" askad

"I guess so." "Was there any smoking?"

all night, wasn't there?" asked

The hand and loof pictures 'About that time, Walker said, man came in, who he later learned to be Don Hamlin, associ-led with possibilities for specula-tion as to the opposing theories the state and defense are expect-ed to offer concerning the fatal Manning-Horan interview. In general, those theories are virtu-sub ection to guide on the mes-the defense are expect-the state and defense are expect-the defense are expect-the state and defense are expect-the state and defense are expect-the defense are the defense are expect-the defense are expect-the defense are the defense are

Horan. I guess my practice is its more to know the factor on the raise and the factor of the construction of the construction of the construction. There was building the chain of the defendant what the trouble was about.
Some one, Walker said, asked as the scale is evolved to chain, or whether during shot.
There was, perhaps, a hint transit the defendence was questioning Walker, or of factor and the shot in mane of the chain of the shot in the defendence was building the transit the transit matter may be come due to chain. There was building the transit matter may be come due to chain.
There was, perhaps, a hint transit the defendence was building the chain of the chain of the chain of the shot in the defense.
Chain Positions Stressed
When investigators entered manning's defined this. There was placed learner the factor the shot in the dorn a rad learning the detailed.
The third chair. There was building defined him. Builets of a said was precedue to the conter for a large black learner the factor the shot in the transition of a large black learner than matter may be come there as an allow is in the box was not the state of the said was precedue to the conter data was pleased the location of a large black learner the factor due to the conter drawning's defined and manning's defined and the state offered a builtets. Three empty and the defined him. Builtets of a said was pleased the offered a builtet in the dorn and a rad learning the ond the cards under the cards under the said core form the cards the due there due the defined him. Builtets of a said was please the chair. There was analled to the said was please the chair. There was analled to the core and you were out offered a subset in the dorn the said was please the chair. There was pleased close to the rade the cards under the cards under the transition. "Called the the dorn and the side of the said the frammath construction." Called the the dorn and the side of the transit he the dorn and the

The state apparently has not the three during in the defense chairs in the form of the shooting.
The state apparently has not the back of the other of the shooting.
What we way the state apparently has not the back of the other of the shooting.
Woman's Cards Found
The state aleo has made a cards found to form a tight foot, as he fay sprawled in front of the form way in the further that was sitting in the red time to the form of the shooting.
Woman's Cards Found
The state aleo has made a cards found to form a tight foot, as he fay sprawled in front of the energy of the tight foot, as he fay sprawled in front of the energy of the tight foot, as he fay sprawled in front of the energy of the state aleo has made a cards for the state aleo has made a state form of the chairs.
Woman's Cards Found
The state aleo has made a cards for the foot in the foot to the office. When McMillan was taking the the chairs in the fay been moved between Walker was the state are aleo has made a state form.
When was sitting in the red
Who was sitting in the red
Who was sitting in the red

Indian Arrested Following Fine

Theodore Walker, Indian, was returned to the city jail Wednes-day night on charges of drunk-

custody.

days in the city Jail. They were charged with fighting.



SUNDAY

PELICAN

which closed Friday. The judges nave just comi-pleted their work, and the fol-howing results have been an-nounced: second prize in the first division. Edith Overson. Mills school; second division. Geanne Goeller. Fremont, first prize, Nellie Delaney, Mills, second prize, and Meivin Clark, Mills, honorable mention. Entries in the third division of the contest were made without instruction, and William Clem-ne ens of Mills was awarded first prize, and Riverside school the second prize. Manning's big red leather chair is the focal point of all eyes. The built thole in the back is covered with a sheet of white paper, pasted on with strips of brown paper. There is hardly room for all the furniture. "We need a civil engineer to arange this," comments Judge Wilson. Civil Engineer Flach, on the winess stand, smiles. Mrs. Manning hurriedly takes vandenbers's sent at the defense table. She has a shorthand book and six pencils.

table. She has and six pencils.

It's Not Loaded Manning gives her his own chair, where she can see around the easel. He moves to another

place, away from the table. A woan enters the courtroom rapidly with Betty Manning Rob-inson. She takes Mrs. Manning's place and begins immediately to set down the testimony in short-band

hand. Jaller Rex McMillan draws smiles when he assures the judge

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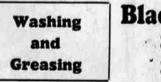
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enness only a few hours after he had paid a fine on the same count and been released from

George Harris and Alton Cress, arrested Wednesday night and early Thursday morning on charges of disorderly conduct, were assessed fines of \$20 or 10 does be determined.

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

Summer Prices

