

# ASSAIL DAY'S STORY OF SHOOTING BECK

## Oklahoma Authorities Say His Statement Is Unsatisfactory From a Defense Viewpoint.

## AGREES TO GO BEFORE JURY

### Consents to Repeat His Version at Coroner's Inquiry—Mrs. Day Describes Tragedy.

*Special to The New York Times.*

OKLAHOMA CITY, Okla., April 5.—The body of Lieut. Col. Paul Ward Beck of the Aviation Service, who was killed early yesterday morning by Judge Jean P. Day in the latter's home, will be sent to Washington Saturday for burial in Arlington Cemetery. This was the announcement of Major P. J. Lanphier of Post Field today. Major Lanphier and Captain Albert Marlow of the medical section flew over from Fort Sill and received from Justice of the Peace McWilliams the personal effects of Colonel Beck. These consisted of a diamond ring, a fountain pen, a gold watch, maps and books, and \$16 in money.

Major Lanphier said that a board of air service officials of which he is chairman has been appointed to represent the service before the Coroner's Jury when it convenes Saturday. He made no reference to rumors that the War Department would make an investigation of the tragedy.

County authorities today picked to pieces bit by bit the signed statement of Judge Day, and some of them found it unsatisfactory from the viewpoint of a defense. What most men have asked is why Judge Day, seeing his wife in danger of attack, deliberately climbed a stairway to get a revolver instead of plunging into the room at once in his wife's defense.

Judge McWilliams today declared that there was no doubt Day fired a revolver, although the ball had not been located.

#### Mr. and Mrs. Day Won't Talk.

Whether Mrs. Day saw her husband enter the house and climb the stairs also is eliciting inquiry of the Prosecutor. A detective announced tonight that he probably would be ready to say tomorrow whether there was another person in the room at the time of the tragedy.

The condition of Mrs. Day was improved today. Last night there was fear that she might not recover.

Judge Day, having been released on bond, spent the day at home.

"I can say nothing more than has been said," he said, "and Mrs. Day is not in condition to talk. Our attorney left town today, and we would not say more if we were inclined."

Handsome, tall, straight, gray of temple, deliberate of speech, keen of eye, methodical of movement, the former jurist sits alternately indoors and on the porch and smokes. The gravity of the situation has sunk deep within him. His daughter Doris reached home yesterday from Norman, where she is attending the State University. The girl, 20, is talented and aspires to a literary career.

Brother officers of the dead airman removed all his insignia and decorations. The action was taken upon orders of Major Lanphier, it was said.

#### Day to Testify at Inquiry.

OKLAHOMA CITY, Okla., April 5.—Jean P. Day's story of the killing of Lieut. Col. Paul Ward Beck in the fashionable Day home here early Tuesday will be told at the Coroner's inquest Saturday, he announced tonight.

Day, wealthy oil operator and attorney, who is held under bond, declared he would take the first opportunity to relate under oath how he found his wife struggling in the arms of Beck and then struck Beck with a loaded revolver.

"I will tell the truth, the very first chance I get," Day declared in reply to reports that he would decline to testify.

Day said that both he and Mrs. Day would testify at the inquest.

Day has admitted that he struck Beck with a pistol, but declared, however, that the explosion of the revolver was accidental. Authorities are also trying to ascertain whether the discharge of the weapon was a contributing cause of death.

#### Fourth Person in Room?

County Attorney Forrest Hughes said he was endeavoring to check up the possibility that a fourth person might have been in the Day home when Beck was slain.

He added that he was seeking the names of other persons said to have attended a party there preceding the tragedy. He said that unless new evidence was brought out his only recourse would be to file either a murder or manslaughter charge against Day.

Major Thomas George Lamphier, head of a military board, appointed at Fort Sill, of which Beck was Assistant Commander, to investigate the slaying, came here today in an airplane with Captain Alexander Mileau Jr. and conducted a preliminary inquiry.

The entire military board will fly here Saturday to attend the Coroner's inquest, he said. When the board's investigation is completed a report will be forwarded to the Adjutant General of the army at Washington.

The body of Beck will be sent to Washington tomorrow accompanied by an officer. Burial will be in Arlington National Cemetery.

Day, in an interview, declared he had no thought of killing Beck when he returned to his home and, he alleges, found the army officer struggling with Mrs. Day. His only intent, Day said, was to drive Beck from his home. He thought Beck might be armed, he said, and obtained a revolver.

He said the army officer drew back one hand and then he struck Beck on the head with the revolver. The discharge of the weapon was accidental, he asserted. Officials declared it appeared the impact of the blow was sufficient to cause death.

Declaring he "loved Beck like a brother," Day asserted he acted as almost any "red-blooded American, who finds his confidence violated, his home invaded and his faithful wife insulted and violently attacked."

#### Mrs. Day Tells of Tragedy.

Mrs. Day today gave her version of the events leading up to the shooting of Beck.

"Beck visited our home on numerous occasions," Mrs. Day said. "One time he called when Mr. Day was away, but it was a very brief visit. However, each time he came, previous to Monday night, he acted as a perfect gentleman in every respect, coming into our home merely as a friend, and one whom we were glad to see because of his geniality. We greatly enjoyed having him, inasmuch as he was brilliant and an acceptable addition to any company."

"Early Tuesday morning, however, after Mr. Day left in the automobile to take the other guests home, he seized me by the wrists and threw one arm around me. It was a terrible surprise to me. Nothing like that ever occurred before and I was dumfounded by his action. As he held me, he made improper proposals to me. I struggled vainly to free myself from his grasp."

"It was while I was thus struggling that Mr. Day opened the door and walked in. He immediately went upstairs. It seems to me that several minutes must have passed before I heard him coming down the stairs again. I remember very distinctly that he was standing on the landing, a pistol in his hand. When I first saw him I was terrified. I remember distinctly that I screamed several times."

"After that I remember nothing more. Weakened by the struggle to free myself from Beck's grasp, I felt myself fainting. The whole room swam before my eyes and passed away. The next thing I remember is indistinct. Some one was undressing me and telling me to be quiet—that I needed rest."

"What happened after I saw Mr. Day on the landing there I am unable to tell. I just remember that everything seemed to dim before my eyes and faded out."