

RICH OIL MAN KILLS GUEST, AIR OFFICER, IN WIFE'S DEFENSE

Judge Day Slays Colonel Beck After a Midnight Party in Former's Oklahoma Home.

AVIATOR A FAMILY FRIEND

Husband, Returning From Tak- ing Guests Home, Finds Him

Struggling With Mrs. Day.

HITS HIM WITH A REVOLVER

Day Says Blow Discharged the Gun —Released in \$5,000 Ball—Dry

Chief Also Investigating.

Special to The New York Times.

OKLAHOMA CITY, Okla., April 4.—Lieut. Col. Paul W. Beck of the Army Air Service was shot to death early this morning by Jean P. Day, wealthy oil operator, former State Supreme Court Justice and leading lawyer. The killing took place at 2:30 A. M. in Day's home. Day says he found Mrs. Day struggling with the army officer and struck Beck over the head with a pistol. The gun exploded and blew Beck's head off.

Day has been released in \$5,000 bond pending determination of what, if any, charge shall be lodged against him.

The dead man, a regular army officer and an overseas veteran, was in command of Post Field aviation station at Fort Sill, Okla. His father was a Brigadier General and the history of his family is intimately interwoven with that of the fort. Day, an ex-member of the Supreme Court Commission, a Democratic politician of standing, head of several oil companies and an attorney in many big cases, is one of the best known figures in this city and State.

The prominence of the two men, the dramatic outcome of a social evening among friends, the location of the tragedy in one of the most fashionable homes in town, all have served to stir the capital as has no event since the shooting of Jake L. Hamon, Republican National Committeeman, by Clara L. Hamon in Ardmore in March, 1921.

So sudden and unexpected was the killing that men who had parted from Beck and the Days only a few moments before were shocked when they read in the newspapers today that Day had left them, gone home to his wife and the guest, who was to have spent the night in their home, and killed the man.

Day's Version of the Tragedy.

Mrs. Day has been too hysterical to give any coherent account of the shooting. Beck is dead. This is Day's story:

Day and his wife gave a little party at which Beck, an old family friend, was the guest of honor. About 2 A. M. Day left to take friends who had attended the festivities to their homes.

Half an hour later Day returned. Through a French window he saw his wife struggling to escape from the grasp of Beck.

"It was an awful battle between them," says Day.

The Colonel sprang from the settee as he saw the husband. He retreated behind the curtains separating living and dining rooms.

The husband ran upstairs, snatched his pistol from a drawer and raced down again. The army officer was still there. Day, pistol in hand, stalked into the dining room.

"You get out of here," Day afterward quoted himself as saying.

Instead, according to the husband, Beck "raised his hand as if to strike."

Day smashed his pistol down on the army man's head. It exploded. Beck died instantly. He fell half-way in the dining room and half-way in the living room.

The oil man telephoned to the police that he had killed a man. Patrolmen Miller and Montgomery went to the house. They found the body untouched. The dead man had a handkerchief in one hand.

The policemen telephoned to Police Captain Frank Haefner, who notified the county authorities. C. C. York, a county detective, and Deputy Sheriff R. J. Lanyon took charge of the case for the county. They went to the house and attempted to arrest Day. There was a long delay in bringing him to the Court House. Lanyon explained that when they tried to take Day out of the house his wife clung to him, sobbing and tearing her hair. The two men could not leave with their prisoner until they had quieted Mrs. Day.

Before the county officials left they were joined by Judge A. W. McWilliams, the Coroner. He viewed the body and ordered it removed to an undertaker.

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There County Attorney Forrest Hughes had it photographed, as he was dissatisfied with the lack of detail in descriptions of the injury.

Day was turned over to the custody of the Sheriff and held until noon. Meantime it had been ascertained that the Government could not intervene, since the army officer had been killed on private property, and the question of what to do with Day was under debate. Hughes was confronted with the fact that he could not force either Day or his wife to testify, though Day had made a full statement.

In the end he decided to await the action of a Coroner's jury, which will convene at 2 o'clock on Saturday afternoon, though he said he would not be bound, necessarily, by its finding. In a letter to the Sheriff instructing that official to accept a \$5,000 bond and release Day, the County Attorney wrote: "Owing to the fact Beck was killed in the Day home and to the fact that these men had been extremely good friends, up to a few minutes before the fatal act, and owing further to the prominence of both of these citizens, it is my desire to investigate thoroughly and minutely every phase of this unfortunate killing before any final action.

"I do not know whether or not Judge Day, or his wife, the only witnesses to the killing, will take the stand at that time. The State could not force either to testify if they did not so desire.

"Inasmuch as I cannot say at this time what turn the Coroner's inquest may take, it is possible that either a manslaughter or murder charge may be filed against Judge Day following the inquest."

Prohibition Agent to Investigate.

Day hurried back to his wife at their home, 411 West Nineteenth Street, as soon as he had been released. He is 50 years old. Mrs. Day is a little younger. They have one child, a college girl.

A separate investigation is to be conducted by the Federal prohibition authorities, who want to learn whether any illicit liquor was drunk at the entertainment which preceded the shooting. M. F. Meadows, Federal Prohibition Director for Oklahoma, announced this afternoon that he would examine into that phase of the affair.

Day's first statement of what happened was made to newspaper men. It was taken down by the County Attorney as he related it. Subsequently the story of the night was pieced out from the statements of others. It was learned that Mrs. Day and Beck had attended a theatre together. Day was to have been one of the party, but business prevented. He joined his wife and their friend after the theatre. L. R. Prichard and P. R. Anderson, both oil men, were in the party. They, too, were invited to the Day house, where it already had been arranged that Beck should spend the night.

Prichard said he had never been in Day's home, but accepted the invitation. The gathering went over to the Day home, just around the corner from the Prichard's.

"It was late, probably about midnight, when we got there," Prichard said. "I didn't look at my watch and I couldn't be sure about the time.

"We stayed there about an hour. It was after midnight when we left. It might have been as late as 2 o'clock. When we left everything was agreeable and pleasant. We knew nothing of what had happened until we read the papers this morning.

Beck was in his forty-sixth year. He is survived by his mother, who lived with him at Fort Sill, and by a son, Lieutenant Paul W. Beck Jr., an ordnance officer stationed at Watertown, Mass. Beck's father was with the Fifth Cavalry, the old Custer's Seventh, and the Tenth, which built the first army post at Fort Sill.

Beck had been a widower about a year. His wife died at Atlantic City. When the Colonel was notified that her condition was precarious he started for her bedside in an airplane from Fort Sill. He crashed near Chicago, but got to Atlantic City by train before she died. The slain man was in the infantry dur-

ing his World War service abroad, but returned to aviation when he was sent back to this country.

Day Tells Full Story.

OKLAHOMA CITY, Okla., April 4 (Associated Press).—J. P. Day tonight amplified his earlier statement about the killing of Lieut. Col. Beck and recounted details of the tragedy.

"Could any red-blooded American do anything else when his confidence is violated, his home invaded and his faithful wife insulted and violently attacked!" he demanded.

Clad in house coat and slippers, with a burned-out cigar between his fingers, Day sat on the front porch of his home and calmly related the details.

"So help me God, I never meant to kill Beck," he declared. "I loved Beck like a brother.

"He had my complete confidence. He had the run of my home. He was at liberty to come in unannounced for dinner or as an over-night guest. He had entertained us often at Post Field. No man could have trusted a brother more. He came up last night unannounced. He was sitting on the porch when I drove up at 5:30 P. M., said he was coming to stay all night."

After attending the theatre, Mrs. Day and Beck, Day said, agreed to pick him up later at the hotel where they had dined. Beck and Mrs. Day returned to the hotel and met Mr. and Mrs. L. H. Prichard, Mr. and Mrs. P. H. Anderson and Major R. B. Paddock of Fort Sill. They left a note saying they had gone to Prichard's home, and asked Day to go there. Judge Day went there and the party danced.

"It was midnight or after when we left Prichard's home," Judge Day said. "I suggested that they all come over to my house and dance, and we came. It may have been after 1:30 o'clock when the Prichards started for home. The Andersons had no car, so I offered to drive them home.

"Mrs. Day was tired, and did not accompany me. Beck said he would stay and entertain Mrs. Day. I may have been gone half an hour. When I stopped my car on the driveway, I heard a commanding voice coming from somewhere.

"The blinds in front were all up. I came up the side steps and saw Beck struggling with the purest, dearest woman in the world. He was attempting to assault her, and as I hurried to the door I could hear her begging and pleading and trying to shame him.

"I do things methodically. When I saw what was doing on, I decided to drive him out of the house.

"Just before I turned the knob, it occurred to me that army officers often go armed and that I had better get my gun.

"Beck jumped up from the couch as quickly as a cat as I came in the door and went toward the dining room. When I got my revolver and came downstairs I paused in the landing looking into the living room, but Beck was not to be seen. Then I turned around and went down a short flight of steps to the kitchen. I thought I would find him if I made the circuit.

"It occurred to me that Beck had left the house as I started through the kitchen. I passed into the breakfast nook and looking through into the dining room I saw the portieres bulged together. I walked in and Beck stepped out boldly. He looked me in the eye. I was just four feet from him.

"I said, 'Now you get out of my house, you cur.'

"His right hand was clenched and he had hold of his Sam Brown belt. He pulled that arm back. It may have been for a blow. I thought he might be armed. I did not know.

"I jumped in and brought my gun down on his head with great force. The impact discharged the weapon. That is the truth."

The bullet which was discharged when the gun struck Beck's head had not been found tonight.

"From the appearance of the wound the bullet did not lodge in the skull or brain, but passed out and struck somewhere in the woodwork of the house," said Coroner A. W. McWilliams.

"When I arrived, there were sliced oranges and bottles about the room. Mrs. Day was frantic and nothing could be drawn from her as to the advances Beck is alleged to have made."

WATERTOWN, Mass., April 4.—Lieutenant Paul W. Beck Jr., a student officer at the Watertown Arsenal and a son of Lieut. Col. Paul W. Beck, left tonight for Fort Sill, Okla., where army officials are holding the body of his father. Lieutenant Beck received a telegram from the Commanding Officer at Fort Sill, reading:

"Your father has been shot. Details unknown. Will look after your grandmother."

Lieutenant Beck is in the ordnance branch of the army service and is taking a course prescribed by the War Department at the Massachusetts Institute of Technology.