

"ROUGH HOUSE" LAID TO DRY MEN

Asher Charged With Using
Blackjacks In Raid When
Man Died.

WIDOW TAKES STAND

(Continued from First Page.)

is alleged to have kicked Yancauskas in the stomach several times after having knocked him down and the Commonwealth contends that the saloonkeeper died two months ago later from peritonitis which developed from the beating.

Punctuating her testimony with sobs, Mrs. Yancauskas said she was behind the bar when the three men came in. Asher rushed behind the bar, she declared, and tried to seize a pitcher he believed contained liquor.

"I asked him who he was," the witness said, "but he didn't answer. I tried to prevent him from taking anything from the place, and in the struggle he knocked over several glasses which broke on the floor. My husband, who was telephoning at the end of the bar, heard the noise and rushed to my assistance. He was seized by the other two men, while Asher dragged me from behind the bar, threw me out the door and put me in an automobile."

Warrant Is Served.

Mrs. Yancauskas identified the men who had seized her husband as Francis V. Hertzog and Davis Erskine, who with Asher and James Fine, a deputy United States Marshal, went to the saloon to serve a warrant on her husband.

She said she seen Erskine hit the saloonkeeper on the head with a blackjack. Fine who also was a witness for the Commonwealth, testified that he had served the warrant on Yancauskas, directing him to appear the next day before a Federal commissioner, but had left the place immediately and had not seen the fight. He said the three prohibition agents were still in the place when he left.

In addressing the jury counsel for the State said that Yancauskas believed he was being attacked by robbers and that there was no justification for the alleged actions of the defendant.

Peter Yancauskas _5b

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