

Prohibition Agent Is Declared Not Responsible for

DEATH OF PETER YANCAUSKAS

Philadelphia, Dec. 23.—James L. Asher, prohibition agent known as the "Lone Wolf," was acquitted by a jury in the Federal District Court to-night of charges of second degree murder and manslaughter in connection with the death of Peter Yancauskas, a saloonkeeper. The jury returned a verdict of not guilty after deliberating about five hours.

Counsel for the Commonwealth of Pennsylvania, which prosecuted the case, contended that Yancauskas died as the result of a beating and kicks in the stomach administered by Asher during a raid on his saloon in April, 1923. The saloonkeeper died about five weeks later from peritonitis, which the Commonwealth alleged, developed from the kicks.

Asher denied having used unnecessarily rough measures in arresting Yancauskas and the assistant federal district attorney, who defended the prohibition agent, maintained that the alleged injuries received during the raid had nothing to do with his death.

In his charge Judge Dickinson pointed out that the principal question for the jury to decide was whether Yancauskas was killed or had died from natural causes. He made only brief reference to the testimony. Criticizing what he declared had been the federal policy of issuing "John Doe warrants by the wholesale," Judge Dickinson told the jury that this practice "savored much of the 'lettres de cache'" of France which were responsible for the downfall of the Bastille. On the day of the Yancauskas raid Deputy United States Marshals toured the city with sixty-one "Doe" warrants for the arrest of liquor dealers.

After asserting that Asher was in no way responsible for the issuing of these warrants, the court said the objection to them was that "they partake too much of the lettres de cache, in the sense they were blanket authority for the arrest of anyone and kept them in jail as long as they pleased."

Trial of the case lasted five days with each side introducing about a score of witnesses. Charges of attempted bribery to absent himself from the jurisdiction of the court was testified by one of the witnesses of the Commonwealth, and in turn was alleged by Commonwealth witnesses to have attempted to extort \$1,000 from Asher.

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