

ASHER DENIES THE BRUTALITY CHARGE

Coroner's Physician Testifies "Old
Injury" Causes Death of
Yancauskas

Philadelphia, Dec. 19.—Taking the witness stand in his own behalf, James L. Asher, a prohibition agent on trial in the Federal District Court on a charge of second degree murder to-day, denied allegations of brutality during the raid on the saloon of Peter Yancauskas, who died two months later from peritonitis said by the prosecution to have resulted from a beating administered by Asher.

At the conclusion of the Commonwealth's testimony, Federal Judge Dickinson refused a motion to take the case from the jury and ordered Asher's acquittal. The court stated that the questions raised by Assistant Federal District Attorney Francis B. Biddle, counsel for the defense, that the testimony of the State's witnesses was too weak to sustain the charge of second degree murder, was for the jury to decide.

Asher admitted that he had refused to allow Acting Patrol Sergeant John McCann to take Yancauskas to a hospital for treatment after the fight. "There was nothing the matter with Yancauskas," said the witness. "He was only scratched under the chin and Yancauskas said himself he was not hurt."

Dr. William S. Wadsworth, coroner's physician, testified that his post mortem showed that the saloon-keeper had died from peritonitis caused by an "old injury." Dr. Wadsworth declared that he had found no external evidence of injuries.

peter_yancauskas (16)

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