

DRY AGENT DENIES CHARGE BRUTALITY

Physician Testifies Post Mortem Showed Saloon Keeper Died From Peritonitis Caused by an Old Injury.

Philadelphia, Dec. 19 (AP).—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 today, 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. He also denied that he had kicked Yancauskas in the stomach as alleged by a witness for the prosecution who preceded him on the stand, and declared that he was not in the room in which the kicking was said to have been done.

At the conclusion of the commonwealth's testimony, Federal Judge Dickinson refused a motion to take the case from the jury and order 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.

peter_yancauskas (22)

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