

**FOOT BALL TACTICS ON
PROHIBITION VIOLATORS****Former Dry Agent So Testifies at
Philadelphia Trial**

Philadelphia, Dec. 18.—Prohibition agents are justified in using foot ball tactics on violators of the prohibition law who resist their efforts to obtain possession of intoxicating liquors as evidence, Francis V. Hertzig, a witness for the Commonwealth, testified to-day at the trial in the Federal district court of James L. Asher, federal prohibition agent, on a charge of second degree murder in connection with the death of Peter Yancauskas, a saloonkeeper.

The State, which is prosecuting the case, claims that Yancauskas died from peritonitis resulting from a beating and kicks in the stomach administered by Asher during a raid on his saloon. It is also claimed that in resisting the prohibition officers, Yancauskas and his wife believed them to be robbers. Asher, who is known as the "Lone Wolf," is being defended by the federal district attorney.

Describing what he called a free-for-all fight that followed the agents' entry into the saloon, Hertzig, a former prohibition agent who accompanied Asher in the raid, said that Mrs. Yancauskas "flew at us like a tigress and her husband rushed at us like a wild bull." Hertzig denied that the saloonkeeper had been given an unjustified beating.

Thomas A. McCann, a policeman, testified that although Yancauskas was bleeding from wounds on the head and face, Asher refused to allow him to be taken to a hospital for medical treatment. McCann was in charge of the patrol which took the saloonkeeper to the federal building after the fight.

"I saw Yancauskas' face was bleeding, that his forehead and head were cut and that blood was spattered on his clothing," said McCann. "From his condition I thought he needed medical attention and I asked Asher, who was in the patrol with us, to let me take Yancauskas to a hospital for treatment before taking him to the federal building, but Asher said, 'No, take him to the post-office.'" The witness said that Asher bore no mark of the encounter.

Testimony of Mrs. Yancauskas yesterday that David Erskine, another agent, who assisted Asher in the raid, had hit her husband on the head with a black jack and had threatened to shoot him, was denied to-day by Erskine. He declared that he had neither struck the saloonkeeper nor displayed his pistol.

The court sat an hour longer than usual to-day in the hope of concluding the trial this week.

peter_yancauskas (31)

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