

STATE NOT READY

The Case Against Levine Bros. Dismissed.

OPINION OF MR. LEVINE

He Believes the Prosecution Against the Firm Is Only an Attempt at Intimidation.

An unusually large crowd gathered in the municipal court room yesterday forenoon when the case against Jacob and Abraham Levine was called for trial. Assistant County Attorney Davies moved for a continuance of 10 days. The ground set forth in the motion was that the principal witness, the one who had the proof of loss sworn to and submitted to the insurance companies, was absent from the city.

"Where is he?" asked the judge.

"We have received a dispatch from the insurance people at Chicago which states that he is now in New York state," was the reply.

W. N. Draper, the attorney for the defense, objected strenuously to any continuance. He said it would not be fair to his clients who were still in business, as it would greatly affect their standing with their creditors. Mr. Draper moved that the case be dismissed as the state failed to make any prosecution.

Mr. Davies claimed that the state was entitled to a continuance as there was a long established precedent in court to that effect.

Admitting this to be true, the court held that there were peculiar circumstances in this case which did not warrant him in granting a continuance. The state's motion was denied and the case dismissed. Detective Cowie when seen said that the case would not be dropped.

It is understood that many of the merchants in the city are very much pleased at the outcome of the case yesterday, as their sympathy is with the defendants.

Mr. Levine talked yesterday about the case after it was dismissed. He said that it was a case of trying to bulldoze the firm out of its insurance, that the Oakland Home does not now do business in Minnesota, and he could not therefore get at it. He was very severe upon Detective Cowie, who, he claimed had worked up a similar deal in Milwaukee a year or more ago and had got himself into trouble there, that the merchants of that city had made things hot for him.

The \$100,000 or more insurance placed by the Oakland Home in Duluth and which had been reinsured, is said to all have been cancelled by merchants.

Mr. Levine in his talk said that parties pushing this thing had taken all his clerks out of his store, and that he had now a new set all around, that higher wages in other positions were promised his old employees to turn against him.

In regard to the report that a hole had been cut in the ceiling before the fire, Exchief Smith says he was the first man on the premises after the fire was discovered, and that fire had entered up into the ceiling, and he had ordered the hole cut.