

GUS LEVIN IS ACQUITTED

JURY IN MUNICIPAL COURT SAYS
HE DIDN'T SELL FUSEL
OIL.

VERDICT WAS NO SURPRISE

BOWERY SALOONKEEPERS ARE
MUCH ELATED.

Effort Will be Made to Amend Law
So Convictions Can be Se-
cured.

Gus Levin, proprietor of a saloon at Fifth avenue West and Superior street, prosecuted for selling whisky containing fusel oil, was acquitted by a jury in the municipal court yesterday afternoon.

The jury was out only a short time, and there did not seem to be any difficulty in arriving at a verdict. Before the members came in, bets were offered among the spectators that the verdict would be "not guilty," but there were no takers.

This is the third "fusel oil" case to be tried. The first, against Capt. Savage, resulted in a verdict of guilty, and an appeal was taken to the district court. This appeal is still pending. The second was against Charles R. Carlson, in which a verdict was directed by the court for the defendant. The result of the third case, which was against Levin, will probably mean the dropping of the other cases under the present pure food law, and an effort to amend the same so as to make it more possible to secure convictions. "It is extremely difficult to secure convictions under the present law," said Assistant City Attorney Holmes recently. "The wording of the law is such that it is almost impossible to draw a complaint that will stick."

C. O. Baldwin was the attorney for Levin, and he attacked the validity of the law and the sufficiency of the evidence under the complaint. Senator Baldwin was a member of the legislature which passed the law, and there was some joking comment current regarding his success in overcoming the statute which he himself assisted in passing.

The Bowery saloon keepers interested in the fusel oil prosecutions were extremely jubilant last evening over the acquittal of Levin.