

BIG VERDICT NOT ALLOWED TO STAND

David A. Miller's Award of \$15,000 for Alienation of Wife's Affections Is Set Aside.

The biggest verdict ever returned in Minnesota for alienation of affections was yesterday ordered set aside and a new trial granted by Judge Dibell in the district court, as being excessive.

The plaintiff in the action is David A. Miller, a Duluth jeweler. The defendants are Isaac, Henry and John Helstein, Joseph Littman, Morris Hartley, Robert Ashinsky and Joseph Fox. The verdict which the jury returned was for \$15,000 in Miller's favor.

Miller alleged that a conspiracy was entered into by the defendants to place him in a compromising situation with a woman of loose character with the intention of alienating his wife's affections so that Fox could marry her, and that the conspiracy was successful.

He was arrested in a local hotel with a woman of such character, it was alleged at the trial, and as a result his wife became alienated from him. He asserted that he merely met the woman at her room to look at some old jewelry she wanted to sell him.

Trial of the action occupied nearly two weeks, and when the jury returned the verdict, which was for the entire amount asked for by Miller in his complaint, there was considerable surprise, for while many expected a verdict of some size, none anticipated that such a large amount would be given.