

**CIVIL WAR CANNON  
1863 HOOPER NAPOLEON CANNON  
1,200 POUND**

**NOW IN STORAGE**

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# No criminal charges filed in cannon case

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There will be no criminal charges issued in a case involving a Civil War cannon which was mysteriously sold out from under the city of Petoskey in 1999.

According to Lt. Randy Weston, the cannon — which is described as a 1,200-pound 1863 Hooper Napoleon, valued at around \$70,000 — had been loaned out by the city in the late '90s to Mike Dainoviec, a former city employee and member of the local chapter of the Disabled American Veterans, who had plans to restore the cannon.

After more than 10 years, the cannon was discovered in the backyard of Steve Dainoviec Jr.'s home at 1212 Hill St., the son of the cannon's alleged owner — Steve Dainoviec Sr., on Nov. 3, 2009.

Weston said this discovery was only the beginning of what had already been a month-long investigation into the cannon's disappearance.

In October 2009, city officials charged Weston with the task of recovering the lost Civil War artifact.

Officials had been aware of the cannon's disappearance long before; however, the case did not get the push it needed until Bob Meistrell, a Civil War historian from Kansas, alerted city officials in April 2009, that the cannon was being sold on the Internet.

Meistrell reportedly came across the cannon on [www.gunbroker.com](http://www.gunbroker.com) in November 2008, where he said it was being sold for \$74,950.

During the next several months, Meistrell researched the cannon's foundry identification number (293) and its federal registration number (271) through the National Registry of Known Surviving Civil War Artillery, and discovered that it belonged to the city of Petoskey.

Petoskey city officials attempted to investigate the cannon's disappearance, but eventually turned the case over to Weston in early October 2009.

From that point on, Weston began an intensive Internet search, which



FILE PHOTO

On Nov. 3, 2009, Rob Eichler, a boom operator for the city of Petoskey, lifts a 1,200-pound Civil War cannon, belonging to the city of Petoskey, out of the backyard of Steve Dainoviec Jr.'s home at 1212 Hill St.

included the issuance of several electronic search warrants.

Not long after his investigation commenced, Weston became aware that the cannon was for sale on [www.cannonsuperstore.com](http://www.cannonsuperstore.com) at a reduced price of \$59,950.

After doing some digging, Weston also uncovered that the broker for [cannonsuperstore.com](http://cannonsuperstore.com) was located in Malaysia, and communicating with a seller in Petoskey.

Weston was eventually able to locate the cannon, which was resting on wood pilings in Dainoviec Jr.'s backyard on Hill Street.

As Weston began his criminal investigation into the cannon's disappearance, he was able to retrace its steps back to Mike, the city employee that had taken it upon himself to restore the cannon.

In March 1999, however, several months after taking possession of the cannon for restoration, Mike had a debilitating stroke, which left him unable to communicate.

The local chapter of the Disabled American Veterans then took possession, and four months later, on July 9, 1999, sold it to Mike's brother, Steve Dainoviec Sr., for \$1,000.

"It's very clear, Steve Dainoviec Sr. purchased the cannon in good faith," Weston said.

After interviewing several members of the Disabled American

Veterans, a local chapter which disbanded in 2004, Weston said he was told that Mike had donated the cannon to their organization.

Following a search of the organization's records in the local American Legion Hall, Weston said he was unable to find records proving one way or another that this story was accurate.

"In a nutshell, I can't prove, or disprove, that the (Disabled American Veterans), or officers of the (Disabled American Veterans) did anything illegal ... trying to investigate a case that is this cold is very difficult," Weston said.

After discussing the situation with Emmet County Prosecutor Jim Linderman, Weston and he and Linderman decided against issuing criminal charges.

"The documentation to prove wrongdoing is not there and the individuals involved are elderly and not well ... the possibility of proving the case beyond a reasonable doubt would be difficult," Linderman said.

Weston officially closed this case on Jan. 5.

As for the Civil War cannon's future, Al Hansen, Petoskey's director of parks and recreation, said there are plans to purchase a \$15,000 base for it and eventually dedicate it to Arlington Park.