

# FAILS TO SECURE ANOTHER TRIAL

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## Understood That Max Shapiro Will Appeal His Case.

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Judge Cant in the district court yesterday denied the motion of the plaintiff, in the case of Max P. Shapiro against H. C. Burchell and others, for a new trial. It is understood an appeal will be taken to the supreme court from the ruling of Judge Cant.

The case is the result of the construction of a building at Eveleth, Shapiro suing to recover from the defendants, the contractors who erected the structure for the plaintiff, some money he paid out to Paine & Nixon for brick and lime. Shapiro claimed that the contractors under the agreement entered into should have paid for the material and that he simply forwarded the money as a convenience. The defendants contended that by the terms of the contract the plaintiff was in duty bound to pay for the material.