

MINE FRAUD SUIT TO BE HEARD BY JUDGE

Trial of the suit recently begun by Herman J. Nathanson against the Eureka Ore company and five individuals to recover an alleged interest in the Madrid mine of which he says he was fraudulently deprived, will be heard by one of the district judges without a jury. Judge Cant yesterday signed an order denying a motion of Nathanson's attorney to submit to a jury for determination, certain issues involved.

Nathanson says Walter Markham, B. P. Smith, Henry Johnson, Harry Osterberg and Henry Siegel entered into a conspiracy to deprive him of an interest in the Madrid mine lease. When the time in which he had to take over the lease had expired, they obtained it through the Eureka Ore company after getting from him certain confidential information regarding values and output, he alleges.
