

Finding Aid to the Cass County, N.D. Civil Case Files

North Dakota. District Court (Cass County)

Cass County, N.D. Civil Case Files, 1875-1944

ca. 374 linear ft.

Collection number: Mss 339

[Biography](#)

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OVERVIEW

Links: [Finding aid to the Cass County Divorce Case files](#)
[Online database to Cass County Civil & Divorce Cases](#)

Access: The collection is open under the rules and regulations of the Institute.

Provenance: Deposited by the Cass County Clerk of Court, 2001 (Acc. 2618)

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Citation: [Identification of item]. Cass County, N.D. Civil Case Files (MS 339), Institute for Regional studies, North Dakota State University, Fargo

History

The North Dakota Constitution of 1889 created a system of district courts to serve as courts of original jurisdiction below the Supreme Court. It prescribed the numbers and sizes of the original districts, as well as providing for judges and their terms of office. District Three was created in 1889, to include Cass, Steele and Traill counties. Presiding judges included William B. McConnell 1889-1896, Charles A. Pollock 1897-1916, and Albert T. Cole 1917-1919.

In 1909 the North Dakota Legislature enacted a law providing that district court judges should hence forth be elected on a no-party ballot. This measure became effective with the 1910 election. (1909 N.D. Sess. Laws ch. 82, §1). The 1919 Legislature reorganized the district court system, reducing the number of districts to six, but for the first time establishing multi-judge districts. Additional judges were added in 1919, 1955, and 1967. District One, created in 1919 included Nelson, Grand Forks, Griggs, Steele, Barnes, Traill, and Cass counties. Three judges were assigned initially and two additional judges were added in 1967.

In 1979 the Supreme Court directed a complete reorganization of the district court system. The state was divided into seven districts identified in terms of their geographic locations. Cass County became part of the East Central Judicial District, together with Steele and Traill counties. The 1991 North Dakota Legislature unified the trial courts by abolishing the county courts and combining their functions into the district court.

Scope and Content

The Cass County Civil Case Files span from the beginning of the court system in Cass County and conclude in 1944. The divorce case files were originally part of these records, however they were pulled from the collection and made a separate collection to aid in their retrieval and use. The online database includes both the general civil cases and the divorce cases. Currently the database includes only the plaintiff and defendant names. Enhancing the database will be an ongoing process to include dates, attorney names, type of case, and descriptive information.

The clerk of court maintained indexes to these records through four ledgers which were also transferred to the archives. The first set cover from 1875 to 1922 and the second set from 1922 to 1944. The indexes were used to develop the database.

The order of the **Civil Case Files Series** has been retained as established by the Cass County Clerk of Court. The original numerical filing system was retained, which consists of the PH number followed by the actual case number. PH is the abbreviation for “pigeon hole” which was the number assigned to the drawer compartments in the clerk of court office in which the case was filed. The case number is a sequential number. The PH-Case File numbers generally are in chronological sequence. But, some cases were filed under a much higher PH number likely because of drawer compartment space consideration, and thus they are out of chronological sequence. Files are known to be missing that appear in the master indexes. A significant gap of files is known from PH 165 until they begin with 176-9572.

Roughly 60% of the case files have been fully processed (through PH 544) to include unfolding the original tri-fold packets and placing them in acid-free folders. Processing will be an ongoing project.

The **Miscellaneous Files Series** are various files apparently kept at the Clerk of Court office under a ‘Miscellaneous’ filing system. Miscellaneous I, II or IV are noted on the packet envelopes, while one has ‘27’. Also included in this series are several other files that were deposited by the Cass County Clerk of Court as part of their records. Of particular note is the court petition file from 1881 related to the St. Paul,

Minneapolis, Manitoba Railway Company obtaining the right-of-way to construct its railroad line from the south through Casselton and continuing north. It appears it involved land in Richland, Cass and Traill counties. The file also includes quite a number of court filings, including damage claims against the railroad brought by individuals.

The **Oversize Series** records were deposited by the Clerk of Court office some years later than the other general civil case files. There are only three files in this series, all of them trusts. Due to the size of the files they apparently were kept in a separate location in the clerk of court office, with the designation 'III' used plus the case number.

The **Abstract of Judgment Series** was created by the archives staff, pulling this particular type of record from the general case files as they are processed and made a separate series. It appears that a single PH number was set aside each year for these particular documents.

The **Appeal Cases Transcripts Series** were deposited by the Clerk of Court office at a later time than the general civil cases and include several cases from 1969 to 1972. All are assumed to have been appealed to the North Dakota Supreme Court. Of interest is the bid specification manual for the Omega Navigation Station built at La Moure, N.D. With what court case it is associated is not known. The manual has a sticker attached labeled 'Plaintiff's Exhibit' and dated 2-28-72.

BOX AND FOLDER LIST

Box PH-Case number

1/1 Finding aid

Plaintiff's & Defendant's Index to Civil Action Series

Vol. A-K, 1875-1922

Vol. L-M, 1875-1922

Vol. A-K, 1922-1944

Vol. L-Z, 1922-1944

Civil Case Files Series

1	1	to	2-299
2	3-18	to	4-23177
3	5-139	to	7-652
4	8-544	to	13-1414
5	14-982	to	16-3455
6	16-3467	to	18-5271
7	18-5277	to	20-328
8	20-329	to	31-1723

9	22-700	to	23-998
10	24-1000	to	25-1291
11	25-1183	to	26-5464
12	27-1362	to	28-1674
13	28-1680	to	29-1994
14	30-1503	to	31-2273
15	31-2275	to	32-4079
16	33-1275	to	34-2799
17	34-2800	to	36-3017
18	36-3019	to	37-3285
19	37-3286	to	39-3503
20	39-3504	to	41-3783
21	41-3784	to	42-4120
22	43-4182	to	48-2717
23	48-2718	to	50-2786
24	50-2795	to	51-2869
25	51-2871	to	53-2884
26	53-2887	to	55-3146
27	55-5354	to	56-6574
28	57-JPI5	to	57-6606
29	58-2265	to	59-3161
30	59-3200	to	60-6708
31	60-6709	to	62-3458
32	62-5400	to	63-5653
33	64-3185	to	65-6995
34	65-6976	to	66-7194
35	67-2527	to	68-3566
36	68-3569	to	69-4325
37	70-1747	to	71-4287
38	71-4388	to	73-3333
39	73-3523	to	74-4550
40	75-3282	to	76-4640
41	76-4664	to	78-4518
42	78-4573	to	80-3955
43	80-3967	to	82-4095
44	82-4145	to	84-7196
45	84-7197	to	86-7263
46	86-7340	to	91-7651
47	92-4066	to	93-7716
48	94-3639	to	95-10763
49	96-1888	to	98-4819
50	98-4811	to	100-5104
51	100-5105	to	102-7910
52	103-4170	to	105-10763

53	106-5119	to	108-3974
54	108-4677	to	111-8093
55	111-8160	to	113-5644
56	114-4495	to	116-8147
57	116-8207	to	119-8528
58	119-8585	to	122-8787
59	123-5952	to	129-8910
60	130-8778	to	135-9064
61	136-8918	to	140-8366
62	141-37	to	141-735
63	141-736	to	141-999
64	141-1000	to	144-1224
65	143-6792	to	146-6760
66	146-6762	to	149-6920
67	150-3315	to	153-9086
68	154-9211	to	154-8879
69	156-8933	to	160-9343
70	161-8141	to	164-9382
71	164-9440	to	180-8609 (no files from 165 until 176-9572)
72	180-8764	to	182-9340
73	182-9366	to	184-9859
74	184-9861	to	186-9907
75	186-9912	to	188-9363
76	188-10372	to	189-10146
77	190-10414	to	191-10781
78	191-10823	to	192-10901
79	193-10463	to	194-10669
80	194-10879	to	196-10371
81	197-9973	to	199-10247
82	199-10249	to	201-10369
83	201-10370	to	203-10467
84	204-10573	to	206-10642
85	206-10643	to	208-10296
86	209-1043	to	210-10875
87	210-10920	to	212-10995
88	212-11035	to	214-11075
89	214-11076	to	216-10844
90	216-10932	to	218-10542
91	218-10543	to	220-11241
92	220-11247	to	222-11273
93	222-11274	to	224-11422
94	225-11324	to	227-11357
95	227-11396	to	229-11269
96	229-11448	to	231-11610

97	231-11610	to	233-11708
98	233-11709	to	235-11488
99	235-11521	to	236-11874
100	237-11305	to	238-11965
101	239-11342	to	240-1202
102	240-12022	to	242-12086
103	247-11848	to	244-12185
104	244-11934	to	246-12222
105	247-11636	to	248-12268
106	249-12134	to	251-12390
107	251-12391	to	253-12303
108	253-12344	to	255-12638
109	255-12358	to	256-12638
110	256-12643	to	258-12701
111	258-12702	to	264-12885
112	264-12897	to	266-12984
113	167-12598	to	268-13062
114	268-13063	to	270-13069
115	270-13098	to	272-13135
116	272-13199	to	274-13295
117	275-13049	to	277-13188
118	277-13202	to	278-13188
119	278-13386	to	281-13453
120	281-13454	to	283-13558
121	283-13558	to	285-13714
122	286-13467	to	288-13489
123	288-13635	to	291-13854
124	291-13855	to	294-13925
125	294-13926	to	297-14038
126	297-14053	to	300-14042
127	300-14057	to	302-14151
128	302-14164	to	305-14268
129	305-14269	to	307-14366
130	307-14367	to	310-14346
131	310-14383	to	313-14232
132	313-14242	to	315-14542
133	315-14548	to	318-14404
134	318-14471	to	321-14754
135	321-14755	to	324-14285
136	324-14658	to	325-14969
137	327-14045	to	328-14853
138	328-14865	to	330-15049
139	331-14758	to	333-15085
140	334-14761	to	336-15129

141	336-15139	to	338-15296
142	339-14637	to	340-15345
143	341-14946	to	343-15316
144	343-15317	to	345-15398
145	345-15420	to	348-15155
146	348-15250	to	351-15167
147	351-15211	to	355-15423
148	355-15511	to	357-15534
149	357-15571	to	359-15696
150	359-15707	to	362-15787
151	362-15746	to	365-15619
152	365-15738	to	367-15897
153	367-15900	to	370-15976
154	370-16003	to	372-16064
155	373-13440	to	374-15935
156	374-15994	to	376-15531
157	376-15607	to	377-16119
158	377-16123	to	380-16157
159	380-16163	to	382-15381
160	382-15704	to	383-16186
161	383-16189	to	385-16298
162	385-15887	to	387-16311
163	387-16313	to	388-16417
164	388-16419	to	390-15341
165	390-15341	to	390-15341
166	390-15341	to	390-15341
167	391-15464	to	392-16480 (393-15223 in box 372)
168	393-15524 (continued in next box)		
169	393-15524	to	394-16497
170	396-16006	to	398-16588
171	399-15966	to	402-16656
172	403-15825	to	407-16289
173	407-16343	to	410-16428
174	410-16672	to	412-16923
175	412-16955	to	417-16799
176	417-16870	to	421-16576
177	421-16794	to	424-16545
178	424-16691	to	426-17229
179	426-17233	to	429-17116
180	429-17148	to	431-17266
181	431-17346	to	434-17482
182	436-8847	to	438-17602
183	439-16869	to	441-17450
184	441-17455	to	443-17702

185	443-17710	to	446-17688
186	446-17719	to	450-17728
187	450-17731	to	452-18007
188	454-16801	to	456-17188
189	456-17193	to	458-18033
190	458-18098	to	460-18244
191	460-18251	to	463-18084
192	463-18102	to	465-18185
193	465-18186	to	467-18327
194	467-18350	to	469-18509
195	470-17279	to	473-18222
196	473-18630	to	476-18168
197	476-18308	to	478-18670
198	478-18672	to	480-18682
199	480-18720	to	483-18687
200	483-18688	to	485-18641
201	485-18699	to	486-19079
202	487-18360	to	489-18864
203	489-18867	to	491-17891
204	491-17892	to	493-19065
205	493-19104	to	495-19335
206	495-19352	to	497-19311
207	497-19315	to	500-19503
208	500-19505	to	503-19122
209	503-19202	to	504-19699
210	505-17879	to	507-19734
211	507-19735	to	509-19634
212	509-19665	to	511-19774
213	511-19788	to	514-19968
214	514-19969	to	516-20056
215	516-20059	to	520-20068
216	520-20078	to	522-19977
217	522-20083	to	524-20343
218	524-20369	to	526-20473
219	526-20455	to	528-20372
220	528-20446	to	529-20588
221	529-20598	to	530-20656
222	530-20658	to	532-18965
223	532-19501	to	532-20757
224	534-20777	to	537-20494
225	537-20523	to	539-20602
226	539-20692	to	540-20937
227	540-20938	to	542-20703
228	542-20704	to	543-20994

229	544-19548	to	544-20422 [end of processing]
227	544-20440	to	546-21049
228	546-21056	to	549-21125
229	549-21126	to	552-21208
230	552-21219	to	556-21417
231	556-21420	to	559-21496
232	559-21504	to	561-21477
233	561-21500	to	564-21573
234	564-21574	to	567-21723
235	567-21724	to	570-21704
236	570-21716	to	573-21765
237	573-21791	to	577-21955
238	577-21964	to	580-22095
239	580-22096	to	584-22151
240	584-22154	to	587-22259
241	588-21796	to	591-22094
242	591-22146	to	592-22354
243	593-22127	to	596-22475
244	597-21493	to	601-22464
245	601-22465	to	604-21605
246	604-22177	to	606-22780
247	608-21943	to	611-22904
248	611-22908	to	614-23059
249	614-23062	to	618-23140
250	618-23143	to	621-23132
251	621-23134	to	624-23162
252	624-23207	to	628-22980
253	628-23061	to	631-23215
254	631-23365	to	635-23253 (632-19935 in box 372)
255	635-23312	to	639-23609
256	639-23634	to	642-23527
257	642-23533	to	645-23827
258	645-23832	to	648-23550
259	648-23785	to	651-23793
260	651-23800	to	655-24170
261	655-24176	to	658-24197
262	658-24206	to	661-23534
263	661-23715	to	662-24319
264	663-24322	to	668-24171
265	668-24302	to	671-24486
266	671-24516	to	673-24720
267	673-24436	to	676-24722
268	676-24731	to	680-24624

269	680-24666	to	683-24972
270	683-24973	to	686-25127
271	686-25135	to	689-25158
272	689-25168	to	692-25240
273	692-25242	to	696-25259
274	696-25297	to	699-25411
275	699-25432	to	702-25313
276	702-25441	to	704-25652
277	704-25564	to	707-25765
278	708-25724	to	711-25862
279	712-25904	to	715-25567
280	715-25662	to	718-26078
281	718-26086	to	721-26148
282	721-26153	to	724-26191
283	724-26198	to	728-25643
284	728-25649	to	731-26416
285	731-26426	to	734-26493
286	734-26500	to	738-24717
287	738-26089	to	741-26253
288	741-26563	to	744-26515
289	744-26529	to	747-26811
290	748-26600	to	751-26838
291	751-26915	to	754-26911
292	754-26913	to	757-26969
293	757-26972	to	760-27016
294	760-27032	to	763-27087
295	763-27113	to	766-27183
296	766-27206	to	770-27279
297	770-27282	to	773-27417
298	773-27431	to	776-27416
299	776-27421	to	778-27680
300	779-27514	to	781-27765
301	782-27302	to	784-27814
302	785-27405	to	787-27832
303	787-27836	to	791-27880
304	792-27446	to	795-28007
305	795-28017	to	798-27868
306	798-27871	to	801-28088
307	801-28094	to	804-28141
308	804-28183	to	807-28256
309	807-28264	to	810-28005
310	810-28149	to	813-28360
311	813-28364	to	816-28499
312	816-28529	to	819-28567

313	819-28575	to	822-28625
314	822-28640	to	825-28694
315	825-28714	to	828-28406
316	828-28700	to	832-28756
317	832-28759	to	836-28608
318	836-28814	to	839-29041
319	840-28889	to	842-29134
320	843-28568	to	845-29218
321	846-28112	to	849-29307
322	850-29138	to	853-29347
323	853-29349	to	856-29393
324	856-29440	to	859-29505
325	859-29511	to	864-29540
326	864-29549	to	867-28465
327	867-28474	to	870-29514
328	870-29560	to	873-29177
329	874-29020	to	877-28914
330	877-28915	to	882-28404
331	883-28226	to	885-28129
332	886-27817	to	888-27729
333	889-27494	to	892-27174
334	892-27175	to	895-26784
335	896-26433	to	898-26298
336	898-26299	to	902-25776
337	902-25777	to	905-25405
338	905-25410	to	909-24553
339	909-24554	to	912-24005
340	912-24007	to	916-22032
341	916-22038	to	918-21616
342	918-21617	to	921-20432
343	922-19724	to	925-18908
344	925-18916	to	928-17970
345	928-17971	to	930-17649
346	931-17037	to	933-29648
347	935-16378	to	938-15578
348	938-15579	to	941-15513
349	942-14455	to	944-14451
350	945-13524	to	949-13131
351	949-13137	to	952-12711
352	952-12715	to	955-12079
353	955-12088	to	958-11662
354	958-11663	to	961-11244
355	961-11245	to	964-10648
356	964-10653	to	967-10420

357 967-10421 to 970-28463
 358 970-28464 to 973-9619
 359 973-9620 to 977-9264
 360 978-9028 to 981-29745
 361 981-29558 to 984-8023
 362 984-8024 to 987-7217
 363 987-7228 to 990-29772
 364 990-29773 to 993-6919
 365 993-6922 to 996-6048
 366 996-6050 to 999-4932
 367 999-4987 to 1001-4615
 368 1001-4616 to 1004-2191
 369 1004-18884 to 1008-29834
 370 1009-29835 to 1011-29888
 371 1012-20824 (Northwestern Mutual Investment Co. Receivership)
 372 393-15223 & 632-19935, 1015-24098 to 1016-27367
 373 1017-29890 to 1019-29936
 374 1021-29954 to 1023-29992

Miscellaneous Files Series

375 Miscellaneous I—
 “Proceedings of John C. Pollock to Contest Nomination of Emanuel Sgutt as Candidate for Office of States’ Attorney, Cass Co., N.Dak. – Order for Judgment of Dismissal and Judgment, files Aug. 4, 1930”
 “Miscellaneous Estate Papers filed. No Estate Proceedings”
 “Estate of Edward E. Bayse, Deceased”, 1933 (resident of California)
 “Search Warrant of John Doe, whose true name is unknown. Cancellation of Proceedings and Docket Entries” (417 N.P. Ave., Fargo, N.D.)
 “Administration of Trust Created by William Moran. See Probate Minutes Under Date of Oct. 19. 1932”

375 Miscellaneous II—
 Receipts of Last Will and Testaments files, A-J, K-S, T-Z

375 Miscellaneous IV—
 “Oath of Office and Bond of George C. Clausen, Public Administrator (three files covering from 1961 to 1973)
 Oath of Office and Bond of King J. Brown, Public Administrator,” 1957-1961
 “Appointment of Deputies and Court Reporter”

375 Miscellaneous 27
 H. A. Sandvig, Plaintiff against I. E. Cady, Defendant”, 1932

375 Unnumbered Files—
 Oath of Office of Members of Mental Health Board
 ‘In the Matter of the Petition of the St. Paul, Minneapolis, Manitoba Railway’, 1881-1882
 Index ledger to personal items in custody of Cass County Clerk of Court, 1945-1967

Oversize Files Series

- 375 III-26387 Alex Trangrud Trust
- 375 III-27126 Cornelius Boyle Trust
- 375 III-28336 Cornelius Rust Trust

Appeal Cases Transcripts Series

- 375 *Francis Aberle, Plaintiff, v. North Dakota B & B Permanent and Temporary Personnel Systems, Inc., Defendant* – Appeal Transcript, September 8-9, 1969
- 375 *Alron Company, Inc., a corporation, Plaintiff v. Mary Sue Hovland, Defendant* – Transcript on Appeal, July 27, 1971
- 376 *Betty M. Armstrong, Plaintiff, v. Harold A. Miller, Barney’s Transport, Inc., and Melvin J. Mickelson, Defendants* – Transcript on Appeal, May 25, 1970
- 376 *State of North Dakota, Plaintiff v. Donald O. Lende, Sr., Defendant* – Preliminary Hearing Reported May 26, 1970
Transcript of Jury Trial, Vol. I and Vol. II, Reported June 15-18, 1970
- 376 *State of North Dakota, Plaintiff v. Joseph Koerner, 1899*, ‘Records on appeal to the Supreme Court’ (Filed at North Dakota Supreme Court, April 18, 1899 & returned to Cass County, March 24, 2003)
- 376 *Marie C. Valenta, also known as Mrs. Francis Valenta, Plaintiff, v. Life Insurance Company of North America, a corporation* – Transcript of Proceedings, [Vol. I] and Vol. II, Reported May 17, 18, 19, 20, 21, 1971
- 376 [Case unknown] – Plaintiff exhibit 3 (Feb. 28, 1972): *Omega Navigation Station, North Central USA at La Moure, N.D.* NAVFAC Specification No. 21-69-0095

Abstract of Judgments Series

- 1 PH 290
- 2 PH 326, 342
- 3 PH 354
- 4 PH 378, 395
- 5 PH 435, 471, 482 (part)
- 6 PH 482 (part), 498
- 7 PH 533, 554
- 8 PH 565, 575, 582 (part)
- 9 PH 582 (part), 590, 598, 607 (part)
- 10 PH 607 (part), 615, 626 (part)
- 11 PH 626 (part), 652, 666 (part)
- 12 PH 666 (part), 677, 695 (part)
- 13 PH 695 (part), 717, 750, 790 (part)
- 14 PH 790 (part)
- 15 PH 814, 860, 946

