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Bench and Bar

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BENCH AND BAR

VOLUME 79, NORTH DAKOTA REPORTS, NOW AVAILABLE

Mr. W. W. Ferguson, Supreme Court Reporter, announces that Volume 79 of the North Dakota Reports has recently come off the presses. Copies may be obtained at a cost of \$5.00 per volume by writing to Mr. Ferguson at Bismarck, North Dakota.

January 31, 1956

North Dakota Law Review
University of North Dakota School of Law
Grand Forks 3 North Dakota

Gentlemen:

We know you will be pleased to learn that beginning with the February, 1956 red cumulative issue of Shepard's North Dakota Citations we will show citations to cases and statutes as cited in the North Dakota Law Review beginning with Volume 31.

You will probably want to include a notice to this effect in the next issue of the North Dakota Law Review.

Very truly yours,
L. A. DeBow

DISTRICT COURT DIGESTS

The following are digests of opinions selected by the judges of the District Courts of North Dakota as dealing with interesting or significant points of law. Because these opinions are not regularly published, the *North Dakota Law Review* presents these digests in the hope they will be of value to the bar.

PUBLIC UTILITIES — PERMISSIBLE EXTENSIONS
OF POWER LINES

Williams Electric Cooperative, Inc. v. Montana-Dakota Utilities Co. District Court of Williams County, Eugene Burdick, Judge.

This was an appeal from an order of the Public Service Commission dismissing the complaint of the Williams Electric Cooperative (hereinafter the Cooperative) against the Montana-Dakota Utilities Company (hereinafter MDU). The Cooperative had contended before the Public Service Commission that the construction of certain electric transmission and distribution lines by MDU unreasonably interfered with the Cooperative's system and was also

illegal because MDU had not secured a certificate of public necessity and convenience from the Commission. The Court ruled that on the appeal it was the duty of the District Court to try the proceeding de novo on the record, but that the review was limited to the specifications of error assigned by the Cooperative in perfecting its appeal from the order of the Commission.¹

The Cooperative raised two basic issues. The first of these was that an agreement for settlement of disputes between the parties concerning extensions of service had been executed by the parties and that MDU was violating it. The Cooperative therefore asked that MDU be required by the Public Service Commission to cease violating the terms of this agreement. The Public Service Commission had dismissed this contention on the ground that it had no jurisdiction to construe or enforce a contract which, as a commission, it had never approved. The Cooperative argued that this was an abdication of the Commission's statutory duty to regulate the transmission and distribution of electricity.

The District Court held that this contention was moot. It accepted the argument of MDU that the contract had been terminated by mutual consent of the parties, as manifested by their conduct prior to the commencement of the proceedings. The ruling of the Public Service Commission on this issue was therefore affirmed.

The Cooperative's second contention was that MDU had extended its service without a certificate of public convenience and necessity as required by N.D. Rev. Code §49-0301 (Supp. 1953). This section reads as follows:

No public utility henceforth shall begin in the construction or operation of a public utility plant or system or extension thereof, without first obtaining from the commission a certificate that public convenience and necessity require or will require such construction and operation. This section shall not be construed to require any such public utility to secure such certificate for:

1. An extension within any municipality or district within which it has lawfully commenced operations;
2. An extension within or to territory already served by it necessary in the ordinary course of its business; or
3. An extension into territory contiguous to that already occupied by it and not receiving similar service from another utility, or electric cooperative corporation or if

1. N. D. Rev. Code §28-3219 (1943); *In re Wheatland*, 77 N.D. 194, 42 N.W.2d 321 (1950); *In re Northern Pacific Ry.*, 74 N.D. 416, 23 N.W.2d 49 (1946).

no certificate of public convenience and necessity has been issued to any other public utility.

If any public utility in constructing or extending its line, plant, or system, unreasonably interferes with or is about to interfere unreasonably with the service or system of any other public utility, or any electric cooperative corporation, the commission on complaint of the public utility or the electric cooperative corporation claiming to be injuriously affected, after notice and hearing as provided in this title, may make such order enforcing this section with respect to such public utility and prescribe such terms and conditions as are just and reasonable.

With respect to the construction of this section, the District Court made the following rulings:

1. The words "municipality or district" used in the foregoing statute did not include the whole of Williams County. "The authority of MDU to make 'an extension within any municipality or district within which it has lawfully commenced operations' must be limited to the geographic limits of the area within the confines of the territory covered by its certificate of public convenience and necessity or other area being lawfully served by MDU. To illustrate, under *this* exception MDU could extend its distribution lines within the City of Tioga but not beyond."

2. Subdivision 3 of the foregoing statute, under the rule that a double negative may be read as an affirmative, could be restated as follows:

This section shall be construed to require any such public utility to secure such certificate for:

3. An extension into territory contiguous to that already occupied by it and receiving similar service from another utility or electric cooperative corporation or if a certificate of public convenience and necessity has been issued to any other public utility.

3. If the Cooperative had secured a certificate of public necessity and convenience covering the unserved areas of Williams County upon making its original application "for authority to construct, operate and maintain" its distribution lines, MDU would clearly need a certificate of public convenience and necessity for all extensions made within the purview of the third subdivision of the foregoing statute. The lack of such a certificate on the part of the Cooperative limited it to showing that the third subdivision of section 49-0301 had been violated by MDU through making an extension into territory already served by the Cooperative.² If MDU's

2. The court mentioned but did not decide the question of whether the cooperative was now to be considered a public utility within the meaning of Title 49 of the code (Public Utilities) in view of the amendments to the powers of electric cooperative corpo-

extension was into territory contiguous to that already served by it which did not receive similar service from another utility or cooperative, such extension was justified.

4. The meaning of the word "contiguous" varies with the context in which it is used.³ In determining its meaning it was proper to consider the general statutory scheme and the functions and powers of the cooperatives and utilities as they may serve the public interest.⁴ Prior to the advent of electric cooperative corporations the public depended entirely on utilities. Extensions of services into contiguous territory not covered by the utility's certificate of public convenience and necessity were often made. This was a broad interpretation of the term "contiguous."

"Considering these circumstances, the Court concludes that the phrase 'territory contiguous to that already occupied' by a public utility, as used in Sec. 40-0301, prior to amendment, meant an area composed of one or more tracts of land owned by one or more persons, joined together by common boundaries on all or part of one or more sides, the composite area or territory having a boundary on all or part of one or more sides common with the territory in which the utility was authorized to serve or in which it had lawfully commenced operations, and which area or territory of proposed service was not separated from the authorized territory by tracts 'receiving similar service from another utility' or for which a certificate of public convenience and necessity had not been issued to another public utility." The Court added one qualification to this definition derived from an amendment to the statute enacted in 1953, (N.D. Laws 1953, c. 285) which limited "contiguous territory" to territory not receiving service from an electric cooperative.

5. "The term 'receiving similar service' has obvious reference to service in fact as distinguished from merely authorized service."

6. The construction of the statute adopted by the court means that a utility may provide service to those in territory contiguous to that already occupied by it who may prefer to obtain service from the utility. "Under this view the patron or customer is ex-

rations made by N. D. Rev. Code §10-1309 (Supp. 1953). Such issue was outside the scope of the proceedings. It cited the following cases as relevant to the question: *Cherry Lake v. Kerace*, 157 Fla. 848, 26 So.2d 434; *State ex rel. Lohman & Farmers Mutual Telephone Co. v. Brown*, 323 Mo. 818, 195 S.W.2d 1048; *Bookhart v. Central Electric Power Cooperative, Inc.*, 65 S.E.2d 781 (S.C. 1951); *Garkane Power Co. v. Public Service Commission*, 98 Utah 466, 100 P.2d 571, 132 A.L.R. 1490 and Note, 132 A.L.R. 1495; *Rural Electric Co. v. State Board of Equalization*, 57 Wyo. 451, 120 P.2d 741; *Inland Empire Rural Electrification, Inc. v. Department of Public Service*, 199 Wash. 527 92 P.2d 258; 43 Am. Jur., *Public Utilities and Service*, §6 and supplement.

3. *Griffin v. Denison Land Co.*, 18 N.D. 246, 119 N.W. 1041.

4. *Harding v. City of Dickinson*, 76 N.D. 71, 33 N.W.2d 626.

tended the preference. He may choose the service that best suits his needs and convenience." The customer may also discontinue service from the utility and patronize the cooperative or vice versa.⁵

The court made the following applications of the statute as so construed:

1. MDU was not required to obtain a certificate for extension of service within the cities of Williston, Ray and Tioga, since it already possessed appropriate certificates for its operations in those cities.

2. MDU was not required, prior to the 1953 statute, to obtain certificates for extensions made into territory contiguous to the cities mentioned, since these were not receiving similar service from another utility and no other utility had received authority to render such service.

3. Tracts of land adjoining such cities which were receiving service from MDU prior to the 1953 statute became, on passage of the 1953 statute, territory already occupied by MDU within the meaning of the third exception to §49-0301.

4. These determinations held valid even though the practical construction of the statute by the Public Service Commission had been otherwise, since practical construction is to be given weight only where the statute is of doubtful meaning,⁶ and the extensions made by MDU had in fact been made with knowledge of the administrative officers of the Commission.

5. In applying the statute to each questioned extension of service by MDU it was necessary to determine (1) whether the extension was made into territory contiguous to that already occupied by MDU, (2) whether the territory had been receiving similar service from a utility or cooperative, (3) whether the extension interfered unreasonably with the lines or service of the cooperative. Primary jurisdiction to make such determinations is vested in the Public Service Commission.⁷ On appeal the Courts will give great weight to the Commission's considered judgment on an issue of fact.⁸ The cooperative had failed to establish that the Commission's findings of fact were clearly erroneous. Hence the decision of the Commission was affirmed.

5. *Missouri Power & L. Co. v. Lewis County R. E. Co-op Ass'n*, 149 S.W.2d 881 (Mo. 1941); *Sheridan County Electric Co-op. v. Montana Dakota Utilities*, 270 P.2d 742 (Mont. 1954).

6. *Payne v. Board of Trustees*, 76 N.D. 278, 35 N.W.2d 553; *Jordan v. Western States Insurance Co.*, 78 N.D. 902, 53 N.W.2d 860.

7. *In re Ditsworth*, 78 N.D. 3, 48 N.W.2d 22.

8. *Northern States Power Co. v. Commission*, 73 N.D. 211, 13 N.W.2d 779.

OIL AND GAS — TITLE TO MINERAL RIGHTS
UNDERLYING PUBLIC HIGHWAYS

Bina v. Hunt Oil Company. District Court of Williams County, N. D. Eugene Burdick, Judge.

This was an action to quiet title. The plaintiff had acquired various mineral interests by purchase from the defendant Nylander and contended that these interests included oil and gas rights under 8.02 acres of land which the North Dakota State Highway Department had acquired in 1940 by condemnation proceedings under Chapter 128, N. D. Laws 1933, from Nylander. Defendant Hunt Oil Company held two oil and gas leases covering mineral rights under the 8.02 acres, one lease being from Nylander and the other from the State of North Dakota. In its answer, the company stated that it was unable to determine the true ownership of the mineral estate underlying the land and offered to tender into court the lessor's share of royalties from oil which it had produced from the land in controversy. The State of North Dakota thereupon filed a complaint in intervention, claiming to be the owner in fee of the property involved.

The court held that the State of North Dakota was not the owner of oil and gas rights underlying land condemned for highway purposes under the provisions of Chapter 128 of the North Dakota Laws of 1933, *supra*, because in 1953 the Legislative Assembly had enacted a statute (N. D. Laws 1953, c. 177) vacating and reconveying to the former owners, their heirs, successors and assigns, all oil and gas rights underlying such property. The State of North Dakota contended that this statute was unconstitutional under section 185 of the North Dakota Constitution, which forbids donations of public property to private persons, since the effect of the statute was to convey state-owned oil and gas rights to private persons in violation of the principle of *Solberg v. State Treasurer*, 78 N.D. 806, 53 N.W.2d 49, and *Herr v. Rudolph*, 75 N.D. 91, 25 N.W.2d 961.

In ruling on this contention, the court held as follows:

1. When the land involved in the action was first acquired by eminent domain proceedings under N.D. Laws 1933, c. 128, the State of North Dakota acquired a fee simple title therein, *State Highway Commissioner v. State*, 70 N.D. 673, 297 N.W. 194, with the exception of a tract two rods in width on either side of a section line traversing the tract over which the state already had an

easement under the rule of *Rutten v. Wood*, 79 N.D. 436, 57 N.W.2d 112.

2. The fee simple estate which the state acquired, however, was not an unqualified estate, since N.D. Laws 1933, c. 128, provided for a possibility of reverter by the following language:

"The State Highway Commission may vacate any land or part thereof, or rights in land which have been taken or acquired for highway purposes under the provisions of this Act by executing and recording a deed thereof, and said vacation shall revert the title to the lands or rights so vested in the persons, their heirs, successors or assigns in whom it was vested at the time of the taking."

The court stated:

"Considerable merit could be found in the contentions of counsel for the State on the 1953 enactment (N.D. Laws 1953, c. 177) being violative of Sec. 185 of the North Dakota Constitution were it not for the fact that Laws 1933, Chap. 128, carried a specific provision which authorized the State Highway Commission to revert title to the lands or any part thereof or rights in land which have been taken or acquired for highway purposes so that the same become vested in the persons, their heirs, successors or assigns in whom title was vested at the time of the taking. In other words it appears clear that the statute contemplated a possibility of reverter to the owner whose lands or rights were being taken by condemnation proceedings."

3. Since the legislature had authorized such a reconveyance in the statute which originally authorized the taking, the legislature could require that such a reconveyance be made.

DIRECTORY OF THE GRADUATES OF THE UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW

In 1950 a Directory of the Law School graduates was published. There has been a demand for a new directory. We express our thanks to J. Lloyd Stone, Director of Alumni Relations at the University of North Dakota for preparing the contents of this directory. If any errors or omissions are noted, please notify the Alumni Office. Changes of office or residence addresses should be promptly sent to J. Lloyd Stone or to the University of North Dakota School of Law.

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- 1910
- EASTWOLD, FORDYCE C., LL. B., 12702 Pine St., Garden Grove, Calif.
 EDMUNDS, OSCAR W., LL.B., 816 Sherman Ave., Couer d' Alene, Idaho
 *FOSNESS, ALFRED K., LL.B.

- GRANDY, LOUIS M., LL.B., St. Thomas, N. D.
- *GUNDERSON, S. D., LL.B.
- HABERLIN, WILLIAM J., LL.B.
- HAYNE, GEORGE R., LL.B.
- JOHNSON, THOMAS G., LL.B., Hillsboro, N. D.
- *KING, HARRY B., LL.B.
- *LEE, CHARLES O., LL.B.
- LEE, WILLIAM J., LL.B., Granite Falls, Minn.
- *LINSTEDT, EDWIN, LL.B.
- LYNN, HARRY C., LL.B., Linton, N. D.
- *McCANNA, SIMON M., LL.B.
- *NAPLIN, O. A., LL.B.
- NELSON, NORRIS H., LL.B., 200 Eastway Boise, Idaho
- NETCHER, ARTHUR L., LL.B., Edwards Bldg., 20 Broadway, Fargo, N. D.
- *PLANTE, JAMES O., LL.B.
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- *SAMSON, CHRISTIAN J., LL.B.
- SATHRE, PETER O., LL.B., 710 15th St., Bismarck, N. D.
- SEVERAID, EPHRAIM, LL.B., Wanamingo, Minn.
- STUART, THADDEUS S., LL.B., Crosby, N. D.
- *SWENSON, JOHN A., LL.B.
- THOMPSON, BURKE E., LL.B., 1660 Northwestern Bank Bldg., Minneapolis, Minn.
- *THOMPSON, MARTIN O., LL.B.
- THORPE, JOHN C., LL.B., 2041 Palace St., St. Paul, Minn.
- *THRALL, J. B., LL.B.
- TWENGE, W. P., LL.B., 1300 Foshay Tower, Minneapolis 2, Minn.
- *ULSRUD, JOHN H., LL.B.
- WESTERGAARD, HAROLD W., LL.B.
- *WINEMAN, ANSEL G., LL.B.
- YACEK, R. H., LL.B., Rudyard, Mont.
- 1911
- No graduates.
- 1912
- ALYMER, ALBERT L., LL.B., 600 West School St., Compton, Calif.
- CAMPBELL, VICTOR W., LL.B., Grassy Lake, Alberta, Canada
- DRYDEN, JOHN RAY, LL.B., 103 Fenton, Grand Forks, N. D.
- DUFFY, CLYDE F., LL.B., 823 Sixth St., Devils Lake, N. D.
- *ESBERG, SOLOMON, LL.B.
- *FLASTAD, MARTIN W., LL.B.
- JACKMAN, WILLIAM L., LL.B.
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- KEIME, ALIVN M., LL.B.
- MACKOFF, HERBERT A., LL.B., Dickinson, N. D.
- MONSON, LEIGH J., LL.B., Springfield, Ore.
- *PINKHAM, RAY C., LL.B.
- RAY, WALTER J., LL.B., Medora, N. D.
- ROBINSON, THOMAS F., LL.B., 1517 Santee St., Los Angeles, Calif.
- *SHAFER, GEORGE F., LL.B.
- SWEINDSEID, THEODORE LL. B., Marmarth, N. D.
- TORGESON, THEODORE A., LL. B., Box 500, Estevan, Sask., Canada
- WOLD, ALBERT E., LL.B., 2927 W. 43rd, Minneapolis, Minn.
- 1913
- AUSTINSON, JOSEPH B., LL.B., Fertile, Minn.
- BROCKOFF, FREDERICK J., LL. B., 132 Custer St., Evanston, Ill.
- DOUGHERTY, THOMAS G., LL. B., Manville, N. D.
- EASTMAN, DAN VICTOR, LL.B., Johnstown, N. D.
- *ELKEN, CLARENCE L., LL.B.
- ELLERY, CLINO R., LL.B.
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- HARRIS, WILBUR W., LL.B., 3005 Vine, Paso Robles, Calif.
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- *JOHNSON, SVEINBJORN, LL.B.
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- MAHER, HOWARD, LL.B., 804 Fifth St., Devils Lake, N. D.
- *MURPHY, LOUIS F., LL.B.
- O'REILLY, JOHN D., LL.B., Portage La Prairie, Manitoba, Canada
- POOLE, WILLIAM G., LL.B.
- STAMBAUGH, LYNN U., LL.B., Export-Import Bank of Washington, Washington, D. C.
- STOUDT, KARL HENRY, LL.B., 14654 Nordhoff St., Van Nuys, Calif.
- TORGESON, WILLIAM R., LL. B., 833 Lake Drive, Grand Rapids, Michigan

*VINJE, ARNE, LL.B.
WOLD, EDGAR OLIVER, LL.B.

1914

*COOPER, HARRY H., J. D.
DAHL, THORWALD, LL.B., Graf-
ton, N. D.
DAWSON, CLAUDE L., LL.B.,
1012 14th N. W. Washington 5,
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FEETHAM, LAWRENCE R., LL.
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*METZGER, IVAN V., LL.B.
OLSON, OSCAR OLAF, LL.B., c/o
State Bank of Deer Park, Deer
Park, Wisconsin

PALMER, ARCHIE JAMES, LL.B.
Halliday, N. D.

SHAW, LaRUE L., LL.B., Mandan,
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*SMITH, LESTER M., LL.B.
STORMON, JOHN A., LL.B., Rolla,
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SWENSON, HJALMER, WM., LL.
B., 930 Parma Ave., Los Altos,
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*THOMSON, HAROLD P., LL.B.
WATNE, CARL A., LL.B., Minot,
N. D.

1915

ANGELL, BERNARD O., LL.B.,
3956 Colorado, St., Louis Park,
Minnesota

BANGS, PHILIP R., J. D., 504 Rec-
ves Drive, Grand Forks, N. D.

BENSON, ASMUNDER, LL.B.,
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GIES, VICTOR, LL.B., 1415
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HOLMES, WILLIAM S., J. D.,
New Marlboro Berkshire County,
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KELSCH, CLEMENS P., LL.B.,
Mandan, N. D.

LINSTROM, ALBERT L., LL.B.,
Minnewaukan, N. D.

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N. D.

*MOSES, JOHN, J.D.
MULREADY, JOHN J., LL.B., 815
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PAGE, FRANKLIN, LL.B., Hamil-
ton, N. D.

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SCHLOSSER, WALTER H., LL.B.,
Northland Utilities Limited, Ed-
monton Alberta, Canada

SWEINDSEID, RALPH, LL.B.

1916

ARONSON, AXEL THEODORE,
LL.B., Kalispell, Mont.

BEISEKER, MARVIN H., LL.B.,
250 West Ave., Bridgeport 4,
Conn.

*CHASE, MURRAY CHAPMAN,
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*ELLEFSON, OLE, LL.B.

*FRANCIS, ERNEST A., LL.B.

*GEORGE, MELVILLE J., LL.B.

*KELLEY, CLARENCE D., LL.B.

*KENNEDY, LAWRENCE E., LL.B.

*KRAUSE, THEODORE J., LL.B.

*McCLINTOCK, GEORGE D.,
LL.B.

McDONALD, WALTER G., LL.B.,
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OWEN, OWEN TUDOR, LL.B.,
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PONATH, ALBERT WILLIAM,
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ton, Wisconsin

RIGLER, SAMUEL P., LL.B., Rice
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RYAN, PAUL J., LL.B., 4686 59th
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SHEETS, ALBERT E., J.D. Forum
Bldg., Sacramento, Calif.

*SMITH, GORDON B., J.D.

*SWIGGUM, EDWIN A., LL.B.

TELLNER, LOUIS G., LL.B., 318
N. Del Mar, San Gabriel, Calif.

TEMPLETON, FRANCIS H.,
LL.B., 303 Munsey Bldg., 1329
E. St. N.W., Washington, D. C.

THORESON, T. H. H., LL.B., 615
Raymond, Bismarck, N. D.

TRAYNOR, MACK V., J.D. Devils
Lake, N. D.

VOBAYDA, LUDVIG C., LL.B.,
3548 Humboldt Ave., So., Min-
neapolis, Minn.

WHELAN, THOMAS E., LL.B., St.
Thomas, N. D.

1917

- ELMSLIE, WILLIAM G., LL.B.,
Devils Lake, N. D.
- *HOVERSON, CLARENCE T.,
LL.B.
- KELLOGG, AURA MAUD, LL.B.,
Flaxton, N. D.
- *KING, HAROLD F., LL.B.
- LOWE, ROBERT ALLEN, LL.B.,
1209 Sixth Ave., Grand Forks. N.
D.
- METZGER, HERBERT A., LL.B.,
Socony Vacuum Oil Co., Aber-
deen, S. D.
- MOORE, CUTHBERT S., LL.B.,
138 W. Malvern, Fullerton, Calif.
- MURPHY, JAMES R., LL.B., Vice-
Pres., First Nat'l. Bank, Portland,
Ore.
- NILLES, HERBERT G., LL.B.,
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- NOLLMAN, RAY GEORGE, LL.B.,
Firestone Store, Salem, Ore.
- OPPEGARD, GOODWIN J., LL.B.,
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ington, D. C.
- PAPERMASTER, GEORGE, LL.B.,
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Wis. Ave., Milwaukee, Wis.
- ROHWEDDER, JOHN T., LL.B.,
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Minn.
- SCHWAM, HARRY L., LL.B., 15
N. 5th St., Grand Forks, N. D.
- SNOWFIELD, JOHANNES MAG-
NUS, LL.B., Langdon, N. D.
- STIENING, HENRY CARL, LL.B.,
915 South 4th St., Moorhead,
Minn.
- *VORACHECK, FRANK L., LL.B.
- *WEBSTER, HORACE G., LL.B.

1918

- COTLOW, SANDER, LL.B., 14833
Burbank Blvd., Van Nuys, Calif.
- *STIENING, MARIE K. E., LL.B.

1919

- *CLYNCH, ALFRED J., LL.B.
- KOPS, ALANSON HENRY DE
BRUYN, 1300 E. San Antonio St.,
San Jose, Calif.
- LYNCH, JAMES WM., LL.B., Fort
Benton, Mont.
- *NEVIN, JOHN B., J.D.
- SCHWOEBEL, LYNN W., LL.B.,
New Rockford, N. D.

1920

- *ARNOLD, BRUCE W., LL.B.
- BANIK, ADOLF T., LL.B., 119
Park Ave., Grand Forks, N. D.

- FLECK, JOSEPH P., LL.B., Man-
dan, N. D.
- FORBES, ARNOLD C., LL.B.,
Bemidji, Minn.
- GREENBURG, BENJAMIN, LL.B.,
1525 Nairn Ave., Los Angeles 22,
Calif.
- *LYNCH, CECIL J., LL.B.
- MATTSON, EDGAR P., LL.B.,
New Rockford, N. D.
- MELDAHL, ELMER T., LL.B.,
Finley, N. D.

1921

- BUCHANAN, JOHN GERALD, L
LL.B., Carrington, N. D.
- RAND, ALBERT G., LL.B., 307
So. 5th St., East Grand Forks,
Minn.
- SOULE, GEORGE A., LL.B., P. O.
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1922

- AVERY, MARIAN DEWEY, LL.B.,
1388 Goodrich St. Paul, Minn.
- *BREW, IVAN W., LL.B.
- CHRISTIANSON, VICTOR JAY, L
LL.B., Watford City, N. D.
- HIAASEN, CARL A., LL.B., Bank
and Trust Co., Fort Lauderdale,
Fla.
- *JOHNSON, G. McLAIN, LL.B.
- SHAFT, HAROLD DEWITT, LL.
B., Grand Forks, N. D.

1923

- BENSON, OSCAR B., LL.B., Bot-
tineau, N. D.
- HANSON, ELDON O., LL.B., 910
So. Mich. Ave., Chicago, Ill.
- HIGGINS, MILTON K., LL.B.,
Box 366 Bismarck, N. D.
- PIERCE, EARL R., LL.B., Ephrata,
Wash.
- *SEESE, EDWARD R., LL.B.,
- SMITH, LELAND J., LL.B., 37
North 8th St., Fargo, N. D.
- WESTON, ELI A., LL.B., 901
Kootenai Ave., Boise, Idaho

1924

- BUECHLER, MARK A., LL.B.,
LaMoure, N. D.
- CONMY, JAMES F. X., LL.B., 1006
Second St., Bismarck, N. D.
- *CRUM, C. LIEBERT, LL.B.
- FREEMAN, WILLIAM H., LL.B.,
5509 Knoll Drive, Minneapolis 10,
Minn.
- JAHR, AARON T., LL.B., P. O.
Box 368, Indianapolis, Ind.
- *LINDELL, GUSTOF A., J.D.

NELSON, HENRY A., LL.B., Customs Office, St. Vincent, Minn.
 NILLES, JOHN J., LL.B., 809 11th St. So., Fargo, N. D.
 PALETZ, SAMUEL E., LL.B., 419 First National Bank Bldg., Grand Forks, N. D.
 SCHNELLER, CLIFFORD F., LL. B., Box 906, Wahpeton, N. D.
 SWENSON, HARLEY G., LL.B., 1818 Ford Parkway, St. Paul 5, Minn.

1925

ANGUS, ALICE, LL.B., U. S. Dept. of Labor, Washington, D. C.
 BLAISDELL, LEONARD E., LL. B., Hawthorne, Nevada
 BRATTLAND, ARMAND D., LL. B., 1135 Magnolia Ave., Long Beach, Calif.
 DOERR, AUGUST, LL.B., Napoleon, N. D.
 *HAGEN, OSWALD, LL.B.
 JUNGE, ALTON F., LL.B., 320 W. 27th St., Sioux Falls, S. D.
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 PLOYHAR, ROY A., LL.B., Box 338, Valley City, N. D.
 *STEWART, HARRY, LL.B.
 WATSON, RICHARD, LL.B., 55 "B" St., Salt Lake City 3, Utah

1926

COFFEY, GEORGE V., LL.B., Minto, N. D.
 DePUY, WILLIAM T., LL.B., Grafton, N. D.
 *HANSON, PETER C., LL.B.
 JACOBSEN, WILLIAM A., LL.B. Watford City, N. D.
 JOHNSON, NELS G., J.D., Box 575 Bismarck, N. D.
 KEEFE, WILLIAM H., LL.B., Weyburn, Sask., Canada
 KILEY, WILLIAM M., LL.B., 3300 Kerchoff, San Pedro, Calif.
 LaBREE, GORDON W., LL.B., Grygla, Minn.
 MASSEE, EDGAR A., LL.B., 423 North 1st St., East Grand Forks, Minn.
 MOHN, WALTER, LL.B., 215 Third St. N., Bismarck, N. D.
 ROSOFF, JESSE, LL.B.
 *SHAFER, CHARLES H., LL.B.
 *SLINDE, EDWARD O., J.D.
 TINNES, LLOYD CHILDS, LL.B., 620 7th Ave. So., Grand Forks, N. D.

1927

ASH, BENJAMIN, LL.B., 507 Pence Bldg., Minneapolis, Minn.
 *BACKSTROM, WALTER M., LL.B.
 BERGET, P. JALMER, LL.B., Montana Power Co., Butte, Mont.
 BURK, WALTER OLE, J.D., Williston, N. D.
 EDWARDS, HEBER L., LL.B., Bismarck, N. D.
 *CORDON, PHILIP WM., LL.B.
 HAGLUND, ALBERT N., LL.B., 846 Midland Bank Bldg., Minneapolis, Minn.
 MAYER, JUDSON WM., J.D., 1405 Brooklane Corvallis, Oregon
 *McDONALD, JOHN KENNETH, LL.B.
 McMAHON, THOMAS W., LL.B., 815 Palace Bldg., Minneapolis, Minn.
 MURTHA, THOMAS F., LL.B., 11th Ave. N. Fargo, N. D.
 *MUUS, JALMER OLIVER, J.D.
 PLAIN, KARL A., LL.B., 1202 West Willard St., Stillwater, Minn.
 REDETZKE, ROY K., LL.B., 1430 11th Ave. So., Fargo, N. D.
 SPERRY, FLOYD B., LL.B., Golden Valley, N. D.
 TEXLEY, ALFRED G., LL.B., G-4 Section, First Army, Governors Island, N. Y.
 VEUM, BURNEY C., LL.B., 216 Hursley Ave. Sault Sainte Marie, Mich.

1928

BAKER, JOSEPH P., LL.B., 3615 Buckman Rd. Alexandria, Virginia
 GEMMILL, LYNN J., LL.B., 1507 E. 76th St., Seattle 5, Washington
 LINQUIST, CARL A., Scobey, Mont.
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 REX, SCOTT THEO., LL.B., 1541 Seventh St. S., Fargo, N. D.
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 STEPHAN, LEONARD A. W., J.D. Valley City, N. D.

- SANTINI, ULYSSES J., LL.B.,
Nevada Credit Rating Bureau,
Reno, Nevada
- °WILSON, W. KENNETH, LL.B.
- 1929
- BERGENTHAL, CECIL, LL.B.,
221 East Buffalo, Red Star Yeast
& Prod. Co., Milwaukee, Wisconsin
- BIRDZELL, ROBERT A., J.D.,
Bank of North Dakota, Bismarck,
N. D.
- BLUME, LLOYD A., LL.B., 1065
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- NASH, ROBERT C., LL.B.,
- OTOS, HENRY D., LL.B., Maple-
ton, N. D.
- REX, MRS. AGNES MAY, LL.B.,
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Place, Seattle 6, Washington
- SULERUD, CLARK A., J.D., Hal-
stead, Minn.
- THORSEN, OLAF M., LL.B., 1517
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- TISDALE, ROSS C., LL.B., 1719
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- TINGVALL, HORACE C., J.D.,
4301 43rd Ave., N.E., Seattle,
Washington
- WALLEN, ALFRED, LL.B., 805
11th St. South, Fargo, N. D.
- 1930
- ADAMS, JOHN B., LL.B., 315
Becker Bldg., Aberdeen, Wash.
- CASSELS, ROBERT C., LL.B., 17
East Franklin St., Baltimore 2,
Maryland
- CHAPUT, OSCAR J., LL.B., 1432
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- ENGEL, LESTER, LL.B., Williston
N. D.
- HUNTER, FAY W., LL.B., 952
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N. D.
- KING, THEODORE C., LL.B.,
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- KEUBER, JOSEPH F., LL.B.,
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- RICHARDSON, RALPH, LL.B.,
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- SORLIE, ARTHUR O., LL.B., %
Starkmous Bar, Helena, Montana
- STRUTZ, ALVIN C., J.D., 816
Mandan, Bismarck, N. D.
- STURTEVANT, RICHARD D., J.
D., Legal Dept., Jewel Tea Co.,
Barrington, Ill.
- 1931
- ASMUNDSON, THORDUR B., J.
D., 2300 B. St., Bellingham,
Wash.
- CHESROWN, ROBERT, LL.B.,
Linton, N. D.
- DOLWIG, CAPT. RICHARD J.,
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- °HALVERSON, LEON W., LL.B.
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- HIASSEN, MELVIN C., LL.B.,
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- JEFFREY, HERBERT D., LL.B.,
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- JOHNSON, LYLE D., LL.B., 910
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- KENT, FRANK VAN, LL.B., 1309
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- KNUDSON, HARVEY B., LL.B.,
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- MALM, OLIVER P., LL.B., 10826
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- MILLOY, PATRICK T., LL.B.,
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- MOE, GEORGE D., LL.B., Dept.
of Public Works, Sacramento,
Calif.
- NIBBE, WALTER A., LL.B., Red
Wing, Minn.
- ONSRUD, CARLYLE D., J.D.,
Executive Director, Public Wel-
fare Board, Bismarck, N. D.
- °ROLSVIC, R. FRED, LL.B.
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- WEST, JOHN MARIUS, LL.B.,
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- 1932
- BALCH, DURWARD E., LL.B.,
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Minn.
- BLOEDAU, REUBEN J., LL.B.,
Mott, N. D.
- *BURCUM, FOSTER O., LL.B.
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- CLIFFORD, THEODORE P., LL.
B., Mohall, N. D.
- *DAY, CARROLL E., LL.B.
- DOLVE, SAMUEL H., LL.B.,
Fessenden, N. D.
- ENGER, PURL M., LL.B., Deputy
Register of Deeds, Austin, Minn.
- ERICKSON, JOHN G., LL.B., 1901
Lake Shore Escanaba, Michigan
- GIESE, EMIL A., LL.B., Carson,
N. D.
- HUTNER, ELIZABETH ANNE
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N. D.
- JONES, DONALD R., LL.B., 1140
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- LONGSTRETH, GEORGE EL-
DON, LL.B., 112 Second St.,
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- *McGRAY, ARCHIE H., LL.B.
- STEVENS, JOSEPH P., LL.B., 302
First National Bank Bldg., Minot,
N. D.
- SHERMAN, LINN, J.D., Steele, N.
D.
- STIEHM, VICTOR V., LL.B.,
Towner, N. D.
- THORSON, JOHN O., LL.B., Mc-
Clusky, N. D.
- WERNER, RAYMOND H., LL.B.,
Anderson and Werner, Creston,
Iowa
- 1933
- EICHHORST, WM. WALTER,
LL.B., Medora, N. D.
- ENGER, CLIFFORD E., LL.B.,
12745 Sunset Blvd., Los Angeles,
Calif.
- KALDOR, CHAUNCEY T., LL.B.,
Hillsboro, N. D.
- LEE, BENJAMIN H., LL.B., 710
Black Bldg., Fargo, N. D.
- MOSKAU, MILTON E., LL.B., 206
Red River Nat'l. Bank Bldg.,
Grand Forks, N. D.
- MOUNT, WILLIAM TAYLOR, LL.
B., 2021 Oak St., Burbank, Calif.
- RITCHIE, THOMAS N., LL.B.,
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- TORGERSON, EARL T., LL.B.,
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- ULMER, J. FRANCIS, LL.B.,
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D.
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- WATSON, LAWRENCE E., LL.
B., 1327 2nd St., Bismarck, N. D.
- WESTDAL, PAUL J., LL.B., 350
Post Office Bldg., Denver, Colo.
- 1934
- BRINK, LYMAN A., LL.B., Hallock
Minn.
- *BRUCHMAN, DONALD M., LL.B.
- BUCK, CARL G., LL.B., Detroit
Lakes, Minn.
- KADLOR, HARVEY N., LL.B.,
Mayville, N. D.
- *KEHOE, JOHN WIXSTEAD, J.D.
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gon
- LIMBURG, ALBERT M., LL.B.,
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ginia
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- RUSSELL, WALTON S., LL.B.,
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- SAILER, THEODORE A., LL.B.,
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- SELL, LOUIS SPENCER, LL.B.,
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- STRANDNESS, ODIN J., J.D.,
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D.
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WARTNER, ALOYS JR., LL.B.,
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1935

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D.
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cisco, Calif.
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Warren, Minn.
PALMER, EVERETT EDWIN, J.
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STARKE, JOHN JAMES, LL.B.,
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THORPE, FEROL ESTHER (Mrs.
R. C. Boucher), J.D., % Pan
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Guardia Field, N. Y.
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1936

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GODDARD, ADDISON D., LL.B.,

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BERT, LL.B.,
*HENNING, ALFRED J., LL.B.
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LL.B.,
JACOB, DONATO ALONZO, LL.
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Islands
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Mayville, N. D.
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PETERSON, WENDELL AL-
FRED, LL.B., Hudson, Wis.
SHURE, CHARLES H., LL.B., 624
9th St. S., Fargo, N. D.
THOMPSON, LLOYD BERNARD,
LL.B.
VAULE, FRIDTJOF, LL.B., Crook-
ston, Minn.

1937

AGNEBERG, PAUL L., LL.B.,
Cando, N. D.
DAWSON, EVERETT R., J.D.,
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*EASTGATE, RALPH J., LL.B.
EDENSTROM, VERNON W., LL.
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D.
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HOVET, THELMA J., (Mrs.
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KRICK, ROBERT W., LL.B., 11
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9, N. Y.
LEROM, JOHN IVER, LL.B., De-
puty Asst. Sect. for Air Reserve
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ton D.C.

O'CONNOR, LAWRENCE E., LL. B., 1930 Sounders, St. Paul 5, Minn.
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1939

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 STRIEBEL, ROBERT L., LL.B., Marmarth, N. D.

1940

BARBIE, EDWIN M., LL.B., 8760 Chalmers Dr., Los Angeles 35, Calif.
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 ERICKSON, EARL C., LL.B., Nevada City, Calif.
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- McENROE, ROSS H., LL.B.,
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- *MILLER, JAMES V., LL.B.,
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- *PAGENKOPF, CHARLES E., LL.
B.
- RONEY, DONALD E., LL.B., 1904
N.E. 67th St., Portland, Oregon
- SKORCPAT, ALEX W., LL.B., 813
Iola Dr., Valdosta, Georgia
- SWANKE, C. FRANCIS, LL.B.,
Napoleon, N. D.
- SWINLAND, WILLIAM ARTHUR,
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Minn.
- WARD, STEVE, LL.B., Minne-
waukan, N. D.
- WEISS, ROLAND B., LL.B., 6722
S. Duchess Dr., Whittier, Calif.
- WIKENHEISER, LEO A., LL.B.,
Strasburg, N. D.
- 1941
- BJELLA, ARLEY R., LL.B., 1010
3rd Ave. E. Williston, N. D.
- BOOSTROM, LYLE C., LL.B.,
Lakota, N. D.
- CASHEL, JOHN M., LL.B., 5408
Maplehurst Los Angeles 4, Calif.
- HALVORSON, HALVOR L., LL.B.,
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N. D.
- *JOHNEJACK, EMIL H., LL.B.
- LYCHE, CYRUS N., LL.B., 211
Red River National Bank Bldg.
Grand Forks, N. D.
- McCARTHY, THOMAS D., LL.B.,
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Minn.
- MOLBERT, RALPH N., J.D., Tap-
pen, N. D.
- NESTE, ROY A., LL.B., Park River,
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- NEWTON, WILMER D., LL.B.,
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Minn.
- PYES, HUGO H., LL.B., 220 N.
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- RUND, RAYMOND R., LL.B.,
Hope, N. D.
- SAND, PAUL M., LL.B., Attorney
General's Office, Bismarck, N. D.
- SORLIE, GEORGE E., LL.B.,
Buxton, N. D.
- TOPP, DARRELL GEO., LL.B.,
Grace City, N. D.
- 1942
- ANDERSON, JOHN A., LL.B., 681
E. Oxford Englewood, Colorado
- AUSTINSON, OLIVER E., LL.B.,
Ada, Minn.
- BLACK, WILLIAM H., 821 Cali-
fornia Ave. W., St. Paul, Minn.
- BROWN, KENNETH W., LL.B.,
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- CALNAN, BETTY C. (Mrs. L. R.
Sorenson), LL.B., 4109 Bell Ave.,
Bell, Calif.
- CASEY, TOBIAS D., LL.B., 2139
Pierce St., San Francisco, Calif.
- DALE, HAROLD JOE, LL.B.,
Round Lake, Ill.
- GLADSTONE, SCOTTY, LL.B.,
Sundance, Wyo.
- KNUTSON, KENNETH M., LL.B.,
%Radio Station KLPM, Minot,
N. D.
- MUGGLI, NORBERT J., LL.B.,
Box 511, Dickinson, N. D.
- O'GRADY, LOWELL A., J.D.,
1510 S. 10th St., Grand Forks, N.
D.
- OLIVER, RALPH S., LL.B., Lari-
more, N. D.
- RAUSCH, RICHARD P., LL.B.,
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- ROVELSTAD, ROBERT W., LL.
B., Noonan, N. D.
- SAXOWSKY, GILBERT E., LL.B.,
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N. D.
- SCULLY, DANIEL J., LL.B., 6100
E. Spring St., Long Beach, Calif.
- STEFEN, MARVIN E., LL.B., 504
Waukesha Ave., Norfolk, Virginia
- WHITESIDES, F. LORENE, LL.
B., Park River, N. D.
- 1943
- BOSSERT, MICHAEL JOHN, LL.
B., Karlsruhe, N. D.
- BURNETT, GORDON FULTON, L.
L.B., 1529 Eighth St. S., Fargo,
N. D.
- ECKES, J. KENNETH, LL.B., Kill-
deer, N. D.
- OWEN, HENRY G., LL.B., Box
536, Grand Forks, N. D.
- McGRAW, WILLIAM FRANCIS,
LL.B., 525 Ogelthorpe St. N.W.,
Washington, D. C.
- PURCELL, RICHARD ALVIN, LL.
B., 7022 Normal, Chicago 21,
Illinois
- ROLFSTAD, TELMAR EMMET,
LL.B., 114 W. Eighth St., Willis-
ton, N. D.
- 1944
- ALPHSON, GRACE B. (Mrs. Hor-
ward A. Melgard) J.D., 806 Walnut
St., Grand Forks, N. D.

GRAVES, CHESTER W., LL.B.,
5742 W. 44th St., Cleveland 29,
Ohio

1945

FORSGREN, FLOYD LESLIE, J.
D., Crosby, N. D.

WALLACE, LYLE J., LL.B., J.D.,
New Leipzig, N. D.

MOUM, HOWARD A., 605 North
Erray, Dallas, Texas

WOELL, JOSEPH H., LL.B., Box
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1946

HAVIG, ARNOLD, LL.B., 1521
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LORSHBOUGH, WALTER H., J.D.
West Pub. Co. St. Paul, Minn.

TRIPP, WARREN A., LL.B., Mc-
Clusky, N. D.

VAALER, PAUL ROBERT, LL.B.,
Day, Stokes, Vaaler & Gillig,
Grand Forks, N. D.

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D.

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HEEN, DOUGLAS B., LL.B.,
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HOLAND, DONALD C., LL.B.,
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RONEY, THOMAS A., LL.B.,
Carrington, N. D.

1948

BAKKEN, ALBERT C., LL.B.,
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Att. Franklin J. Van Osdel, Fargo,
N. D.

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Penn.

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TJON, LOWELL O., LL.B., Lisbon,
N. D.
ULSETH, GEORGE W., J.D., Ul-
seth Insurance Agency, Grand
Forks, N. D.
°VAALER, MABEL P., LL.B.
WALLIN, ROBERT G., LL.B.,
Hettinger, N. D.

1949

FEBRUARY 1, 1949

BEEDE, WILLIAM M., J.D., Elgin,
N. D.
CHRISTIANSON, ELMO T., LL.B.,
Cavalier, N. D.
GARAAS, JOHN OSCAR, LL.B.,
Watford City, N.D.
HANSEN, DONALD R., LL.B., 504
Black Bldg., Fargo, N. D.
HANSEN, RICHARD WILLIAM,
LL.B., West Fargo, N. D.
WEISS, HERMAN, LL.B., James-
town, N. D.

JUNE 10, 1949

AAS, LYNN W., LL.B., 1517 Broad-
way, Fargo, N. D.
BURGUM, JOHN L., LL.B., 320
Seventh St., Riverdale, N. D.
BUTTS, DUDLEY W., J.D.,
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CASE, ROBERT A., J.D., Forman,
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CONMY, MARTIN P., LL.B., 122
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CHRISTIANSON, MELVIN M., J.
D., Minnewauken, N.D.
DREY, DAVID LEO, LL.B., Wash-
burn, N. D.
DZUBUR, MARGARET H., (Mrs.)
LL.B., Grand Forks, N. D.
FLINT, DONALD WM., LL.B.
YMCA, Grand Forks, N. D.
FOSAAEN, ALVIN J., LL.B., Can-
do, N. D.
FOUGHTY, FRANCIS E., J.D.,
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Grand Forks, Minn.
MURPHY, EDWARD J., LL.B.,
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sity of Nerth Dakota, Grand
Forks, N. D.
STREHLOW, WILLIAM M., LL.
B., Casselton, N. D.
STUART, LYLE G., LL.B., Het-
tinger, N. D.
SWANSON, GLENN K., LL.B.,
Bottineau, N. D.
WHEELER, RONALD W., LL.B.,
%Public Service Commission, Bis-
marck, N. D.
WILSON, BERT L. JR., LL.B.,
Bowbells, N. D.

AUGUST 11, 1949

BAIRD, ROBERT B., LL.B., Dick-
inson, N. D.
FLATEN, AMOS A., LL.B., 1671
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HALSTEAD, HAROLD H., LL.B.,
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McINTEE, JOSEPH C., LL.B.,
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1950

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LOVELL, ORRIN B., LL.B., Dick-
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RILLING, JOHN E., Box 1242,
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