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Letter to Governor Langer regarding Foreclosure Moratorium, 1933

Clyde Duffy
Sinness & Duffy

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TORGER SINNESS
CLYDE DUFFY

76

SINNESS & DUFFY
LAWYERS
DEVILS LAKE, NORTH DAKOTA

September 12, 1933.

Hon. William Langer,
Bismarck, North Dakota.

Dear Governor:

J. Bakhamaa, of Rock Lake, on December 9, 1930, gave to the First National Bank of Cando a chattel mortgage securing the payment of \$210.00 and covering one 1929 Ford Sedan, two horses, a couple of pieces of machinery, and all household furniture. During the succeeding three years the indebtedness has been reduced to \$155.00, and we may safely assume that the security has depreciated faster than the debt.

The mortgagor is not able to pay anything this fall or at least is not going to. The bank has offered to take the Ford car in settlement of its note and to release the balance of the security, but the mortgagor declines and tells them he won't pay and they can't foreclose. The Ford would probably sell for enough to pay the note if it could be fixed up and sold this fall. If the mortgagor forces a lawsuit or succeeds in keeping the property until next year, the bank will have to take all its security to come out.

This looks like a case of somebody trying to take advantage of the moratorium without trying to be square. The bank apparently is being absolutely fair in the deal.

Under these circumstances, we are asking for an order permitting us to go ahead with the foreclosure. We may say that we are writing Mr. Burdick and suggesting that perhaps his Holiday Association could convince the mortgagor that he ought to play fair and get the matter settled without a foreclosure. However, if that effort should fail, we would like to be in a position to go ahead.

Yours truly,

SINNESS & DUFFY

By

Clyde Duffy

CD:J

84 Acknowledged
JCL