

# Monthly Bulletin

of the

## American Title Association

(Formerly the American Association of Title Men)

Vol. 2

SEPTEMBER, 1923

No. 9

# The Association Program for the Coming Year

## THE DIRECTORY TO BE ISSUED

### NATION WIDE MEMBERSHIP CAMPAIGN

Torrens Brief to be Published; Initiating of Movement for Simplification of Land Laws; Many Other Things to be Done.

There was a new spirit at the convention this year. It seemed everyone there came not with a feeling of indifference and of being on a pleasure trip but from a motive of interest and a spirit of responsibility.

Probably never before has there been such a convention in the Association's History where the crowd was bent on seriousness and a determination to take a part.

The Association has been organized for 16 years now, 12 of which were spent in an existence and development evidenced by hard and unselfish work, kept alive by men with a vision. Many gave of time and money to interest the title men of the country in an association to promote the title business, advance its welfare and the interests of those engaged in it.

The Fourteenth year brought about the realization that the demands were too great for voluntary leaders to handle and a permanent organization was needed.

The ground work was made at the Nashville meeting and the next three years saw the organization perfected, plans for financing made and the beginning of accomplishments.

However, just as four years ago it was realized something more was needed, and that something was organization, so this year everyone realized a new era of activity should begin, that the organization was now available and it should be

used by the membership to solve the problems of the title interests.

This thought has been growing for some time now. The officials have sensed it for a long while and it seemed to have permeated the membership. Those who came to the meeting had it on their minds, wanted to express it and take a part in the renewed and enlarged activities.

There was a seriousness on the part of those present and it was not a meeting "just attended" but one which everyone there got into it, took a part, and, as a result, it can be said the Association is entering upon a new period—is going to do many things and the members be the recipients of a great deal of direct and practical value.

The Membership drive will be one of the biggest things ever attempted and also do a great deal to promote the title business as a whole and the State and National Associations in particular.

Its success will depend upon the support and assistance given by the various state officials. They have already been apprised of the scheme and know their responsibility in helping with it.

The directory and the value of the publicity thereof is the biggest inducement ever offered to add members to the state associations. There are hundreds of abstractors and title companies through the United States that should be members.

Here is the opportunity to get them interested. With proper support from state officials the Membership should be doubled this year.

The committee in charge is composed of Roy Johnson, Albright Title Co., Newkirk, Oklahoma, Chairman, and the Presidents and Secretaries of each state association.

First, the Association realized that its strength lies in the spirit and number of the membership. The number and morale lie within the strength and activities of the state associations. Much attention is going to be given to the state organizations this year. The weak ones will be assisted, the stronger ones encouraged and the National Association will do everything to make every state association active and functioning.

There are many state associations doing fine work, being of real value to the titlemen in their states and can boast of a right to live.

Other state organizations are dormant except for an annual meeting or payment of yearly dues.

Still others have ceased activities altogether. Every state organization will be offered assistance. The National association is going to do everything possible to be of real value and aid. The value of its help and the results obtained therefrom will be squarely up to the co-operation given by the state officials.

Every state should have a live working Association. The officials cannot do it alone, neither will the state organizations function without the interest and work of the few chosen as officials to carry on the work.

State officials are urged to make use of the National Association and to present their problems and ideas to the Executive Secretary's Office. It will assist in their work and also furnish a speaker or representative to every state convention.

Everyone is interested in the new directory. This is realized as a necessity for our own use alone. It also presents an advertising medium of National possibilities and will be so used. It is something that can be used to advertise the association, the title business and do it in a practical and beneficial way.

This will have a minimum distribution of 25,000 copies. It will contain the names of the members by county, state and city. It will also list where title insurance is available, have a section for title examiners and give a valuable list of the titlemen and facilities given all over the country.

It will be gotten up neatly and have a brief explanation of the Title Association and its purposes.

Copies will be distributed to association members, to members of the National Association of Real Estate Boards, Farm Mortgage Bankers Association and others.

This is the biggest and most valuable thing the Association has ever attempted to advance the interests of the title business as a whole. Only members of the Association

Everyone is interested in the publication of the Torrens matter and having complete information about this tender subject on hand at all times to be used in combating the influences constantly arising to promote it.

The Association has been gathering material for over a year now and something will be done this year so every assistance necessary can be given whenever and wherever needed to combat this agitation.

The biggest thing the association could do would be to spread a nation wide influence for the simplification and unification of land laws throughout the various states.

The Association's Fifteen Proposals present the start of and solution of the problem in most states. It is the duty and responsibility of our profession to take the initiative in the enactment of laws simplifying and expediting real estate transactions.

Mr. Doherty, in his report as Executive Secretary last year, expressed it when he said:

"If we are to have uniform title laws, who is to prepare those laws? Not the real estate man. He is only indirectly interested in title laws. Nor the lawyer. The lawyer has only as a part of his practice matters that have to do with titles. Nor the banker, nor any other profession but the title man's. If you are to have a simple, effective, rapid means of conveying title from one person to the other or encumbering with a mortgage or a bond issue, it is up to the title man to be the pioneer in that work. If you leave it to some other man or profession, the work will only be half done. It is done the way they wish it and not with the title man's ideal with the title man's professional knowledge of title laws."

This is going to be a big year in the Association and one in which the membership will be worth many times the cost. Remember, you, as a titleman, have the Association able and willing to serve you. Use it—call upon it—know that it is necessary to the profession and can be of value to you.

The regular October Bulletin will have a complete report of the Convention and tell you many interesting things.

The membership is promised a big improvement in the bulletin this year. It is realized that the bulletin is very important and can be exceedingly valuable to the membership.

With this in mind plans have been made to enlarge it and a number of contributors have been secured to furnish articles for the coming year. Members are urged to submit interesting data or information, also to submit any subject anyone might want to have discussed.

# Monthly Bulletin

of

## The American Title Association

(Formerly The American Association of Title Men)

Vol. 2

OCTOBER, 1923

No. 9

### *Seventeenth Annual Convention Most Important in History of Association*

*Program for Coming Year Begins New Epoch in the Association—Geo. E. Wedthoff Elected President, Frederick P. Condit, Vice President—Name of Organization Changed—New Orleans Next Meeting Place*

The convention at Omaha just ended marks the beginning of a new era in the life of the American Title Association (for that is the new name).

There may have been meetings before just as good and interesting as this one but none where the spirit of a realization of the great value of the organization and a determination to go forward predominated.

It was a successful meeting in every respect. President Brewer had arranged a well balanced program, full of interesting and valuable matter and yet with an idea of bringing out practical matters that would result in the start of a future program of results and constructive accomplishments.

The attendance was good and those present in a receptive mood.

The atmosphere was saturated with hospitality and one knew immediately upon arriving that his visit was anticipated and nothing had been overlooked to make his stay welcome and pleasant.

To begin with, words of praise should be given the management of the Hotel Fontenelle. They were looking for us, were glad when we came and we were sorry to leave. Such attentiveness and courtesy is seldom found and we say again, our best thoughts to them for their treatment.

Then there was the Happy Hollow Country club where the password was "titleman," saying that meant the place was yours. Here the ladies were entertained at tea and the golf bugs chased the ball up hill and hunted for it in the ravines.

The Omaha Athletic club welcomed us to its roof garden.

The show at Ak-Sar-Ben was a wonder. It was the equal of any stage production to be seen anywhere. The spirit of that organization is representative of the united effort of the citizenry of Omaha and shows why it is

distinctly Omaha—a city which makes friends of all who enter her gates.

Ak-Sar-Ben showed some of the brethren a little more attention than others, but those of us who slipped in the back way or else got excused because we wore glasses are glad we received a little less than others.

The ladies were entertained Tuesday night at a theatre party while the men were at the Den. Too bad they could not have looked on as the selected few were going through the squirrel cage, thrown through the brick wall and otherwise treated to the courtesies of the order. However, they say no woman has ever graced the interior of the Ak-Sar-Ben Den with her presence.

The banquet was a banquet supreme—just as fine as one could be. It was augmented by pleasant and real entertainment. There was an orchestra of exceptional merit—a quartette of singers and "amusers" from the Real Estate Board of Omaha. It was hard to realize those talented, genial fellows were just real estate men entertaining us that night, ready the next day to ask: "Is that abstract ready—if not, why not and when?"

Vern Hedge, of Lincoln, was the toastmaster and "master" is the word. There may be many kinds of hedges, but only one Vern.

Short responses were given by many of the title men and an exceptional talk by a local speaker.

In all it may be said nothing had been overlooked to provide for our every wish and convenience.

It was Henry Fehrman's party in his own country and he had the united support and help of all the title men of Omaha and the state of Nebraska. The Chamber of Commerce and business interests of Omaha were enthusiastic in their support and the newspapers gen-

erous in consideration of the meeting.

Omaha deserves the name of "The Convention City of America," and verily we say "The strength of Nebraska lies in its citizenship."

For those who could not attend we only say you certainly missed a great time but we hope you can be in New Orleans next fall at the eighteenth annual convention.

#### **Name of Association Changed.**

Everyone will be pleased to learn that the name of the organization has been changed to one that will more clearly express the meaning and personnel.

It is now "THE AMERICAN TITLE ASSOCIATION." The new name is broader and more representative. The various state associations will be asked to change their names to conform thereto.

#### **New Orleans Our Next Host.**

New Orleans is our next meeting place. Everyone was pleased to have the invitation from this great city of the south. There is only one New Orleans—it is a city great in its individuality. Everyone should make a special endeavor to attend. This is Perry Bouslog's home town. Just as there is only one New Orleans so there is only one Perry Bouslog.

Perry has long planned for the time when he could invite us to his town and many of us have anticipated the invitation. Let us resolve now to break attendance records at this meeting.

Mr. Bouslog was supported in his invitation by those of W. A. Simpson, President of the New Orleans Chamber of Commerce; Andrew J. McShane, mayor; John M. Parker, governor of the state, and others.

#### **The New Officials.**

The following officers were elected for the coming year.

General Organization: President, Geo. E. Wedthoff, Northern Title & Trust Co., Bay City, Michigan; Vice President, Frederick P. Condit, Title Guarantee & Trust Co., New York City; Treasurer, Tom M. Scott, Scott Title Co., Paris, Texas, reelected; Executive Secretary, Richard B. Hall, The Hall Abstract Co., Hutchinson, Kansas, (reelected by the Executive Committee).

The following were elected to the Executive Committee: P. W. Allen, Weld County Abstract and Investment Co., Greeley, Colo.; Joseph P. Durkin, Peoria, Ill. Retiring President Brewer also becomes a member of the Committee, ex-officio.

Title Examiners' Section: President, Henry J. Fehrman, Peters Trust Co., Omaha, Nebraska. (Overwhelmingly and unanimously reelected and voted a life job). Secretary, J. R. West, Security Title Co., Nashville, Tenn.

Title Insurance Section: President, Walter M. Daly, Title & Trust Co., Portland, Ore.; Vice President, Mark M. Anderson, Guarantee Title Trust Co., St. Louis, Mo.; Secretary, J. W. Thomas, Bankers Guarantee Title & Trust Co., Akron, Ohio.

#### A Few Words About the New Officials.

No introduction to any of them is needed. They are known to the membership through their unselfish interest and their untiring efforts and hard work to the Association.

Every business or profession has some man in its ranks held in especially high esteem and respect by every one. The new President, George Wedthoff, is this man in our profession. He has long been regarded as the "Grand Man of the Association." Always unassuming, unselfish and working hard for the best interests of the organization he goes into office with the best wishes and support of everyone. The Association will prosper and advance under his administration and he may know everyone is eager and willing to help him.

For years Mr. Wedthoff declined to accept any office, though always serving on committees and in the ranks. He was prevailed upon to become Treasurer in 1919 and held that office through 1920 and 1921. Overwhelming sentiment elected him as Vice President in 1922 and President in 1923, although he could have been sooner would he have preferred that to working as a layman.

Frederick P. Condit, Vice President, has been known in the Association for only two years, yet there was a unanimous sentiment for him from abstractors, examiners and the title insurance interests to be the Vice President this year and President next.

He was instrumental in the organization of the New York Association. We became acquainted with him at the Des Moines convention two years after the organization of his state association. He worked hard at his first convention, served on committees that

year and was elected President of the Title Insurance Section, where he conducted some very constructive work not alone for that branch of the title business but also in directing the survey of title conditions in all its phases throughout the country. We saw him again at the Cedar Point meeting last year and he was Chairman of the Judiciary Committee in 1922.

He is a man of ideas, energy and one who gained popularity immediately. He is broad-minded and sincere and his absence at this meeting had nothing to do with his election. Everyone wanted him. Being Chairman of the Executive Committee he will play an active part in Association affairs this year.

One hardly knows what to say about the President of the Title Examiners' Section. This is because of lack of space and proper words of expression. Mr. Fehrman has made a peculiar success in building up this section. He seems especially suited to the job and can undoubtedly have it as long as he will take it. Records are not available to show just how long he has been President of the Examiners' Section but everyone knows of his work. Though very busy, himself, he has always given of his time and effort to not only add members to the association but to make it profitable for an examiner to belong.

Through his influence the Association has gained the fellowship of the leading examiners of the country and the title examiners' part of the programs of the last several conventions have been most profitable and interesting.

J. R. West, Secretary of the Title Examiners' Section, was reelected. Maybe he will be given a permanent job with Mr. Fehrman.

Mr. West will be remembered as one of our hosts at the Nashville meeting—one of the most pleasant in the history of our conventions. He has ever since been active in its interest, ready to do his part and characterizes his work and suggestions with practicability and common sense.

Walter Daly has attended many conventions and been active in the Association for years. Somehow he escaped any real responsibility and office for quite a time. Now he is President of the Title Insurance Section and began immediately to put some of his good ideas and energy into action.

The Title Insurance Section has a big work this year but is fortunate in having Mr. Daly to direct the work.

Mark Anderson, chosen Vice President of the Section, heard the call after quite an absence and the gang celebrated his return to the ranks and visit to a convention by this recognition and responsibility. He was Secretary of the Association in 1917 and one of the hosts at the St. Louis convention the following year.

J. W. Thomas, elected Secretary of the Section, is another one recently initiated into the Association, who showed interest and was immediately put to work. He was Secretary of the Ohio Association last year, and elected President of it this year. He has been prominent in his state organization and is one of the active young men of the profession. He was Chairman of the Special Advertising Committee of the National Association this year. Mr. Thomas is a man of worthy ideas and lots of energy, and will do some effective work in his new capacity.

Tom Scott, Treasurer, thought he would get to retire this year. Not so—they would not let him. The year just ended numbered his eleventh consecutive one as an official. They elected him again not to just make it an even dozen but in recognition of his faithfulness and because he was needed.

Mr. Scott has made sacrifices of time, money and energy in behalf of the Association. He has for years been recognized as one of the hardest workers, the "balance wheel" of the organization. Through his influence the Association has benefited in many ways and owes much of its spirit of integrity and utter lack of commercialism to him.

He was Treasurer in 1912, 1913, 1914, 1915 and 1922; Vice President in 1916; President in 1917; Member of Executive Committee in 1918, 1919, 1920 and 1921. Surely an enviable and admirable record!

The two new members of the Executive Committee begin their first years as officials of the organization although both have been hearty supporters and workers.

Mr. Allen has been faithful in attendance. He is a progressive abstractor and was particularly active in the organization of the Colorado Association in 1920. He was president of his state association last year and is held in high esteem by the title men of the Rocky Mountain States.

Mr. Durkin is well known to every visitor to the conventions. He has been a faithful and regular attendant for years. He has served on many committees and always did his part well. Always interested and dependable, his sincere and unassuming manner has won him many friends and there was a unanimous sentiment to give him an active voice in the affairs of the Association.

Three members of the committee continue over in their second year. M. P. Bouslog is a name familiar to every title man in the country. He is often called the "dean of title men" and is certainly deserving of the title. He has sometimes been an officer, other times the "impelling influence" but always a worker. He is one of those to whom are assigned the tasks to work out the advanced steps, to frame the plans and course of procedure. His work on the

Federal Land Bank Committee and its organization is history in the Association.

The constitution of the Association is largely his effort and the rewriting of it, the additions and improvements have come mostly from him. If he did not originate them, it is safe to say he put them into words.

A man of wide experience and thoroughly familiar with all problems and phases of the title business, he has always been ready and willing to work and give of his best to the Association and the title fraternity.

He was made Vice President in 1912, President in 1913, and a member of the Executive Committee ever since.

Much of the success and advancement of the Association is due to his keen thought and willingness to work.

J. W. Woodford is another who has always given of his very best, and was soon recognized by the membership. "Jim" attended a meeting or two—took a lively interest and always functioned when given a job.

His apprenticeship consisted of doing odd jobs for a year or two, actively serving on committees and otherwise doing good. His report last year as Chairman of the Judiciary Committee was one of the most valuable things written into the Association's records.

He was elected member of the committee at Cedar Point and has rendered valuable service.

Henry E. Monroe came to Cedar Point last year, all the way from San Francisco. It was his first meeting, but he showed so much interest, gave so many valuable suggestions and entered into the spirit of it so enthusiastically that he was elected to the committee just because he was wanted. He continues as a member for another year.

Mark Brewer automatically becomes a member of the Executive Committee, under a provision of the by-laws making the retiring president member ex-officio. Thus will he continue in the activities of the Association. And well it is so for he has been a loyal and faithful worker for many years. One looking back through the proceedings almost from the first meeting finds his name prominently among those who worked to build the association.

He was a member of many committees, chairman of a great number and long ago earned the name for being dependable and energetic in his tasks. Those assigned to him were thoroughly done and the proceedings of former years are records of his work.

Recognition of his value was shown at the Des Moines meeting where he was made Vice President and President last year at Cedar Point.

### "WE THANK YOU."

It would be hard to imagine how any finer time could be given a convention crowd than was granted us by the good folks of Omaha, and their co-workers from over the state.

Too much cannot be said for Henry Fehrman. He had everyone back of him—not alone the title men of Omaha, the title men of the Nebraska Association, the newspapers, Chamber of Commerce and business interests of the city, but many of the townfolk and his personal friends, as well.

We were welcome everywhere, whether it be at the various clubs of the city, stores or golf grounds. Every bit of this was appreciated and admired.

Through such cooperative spirit, though, there is always the directing personality—the one who can bring it all about. This was Mr. Fehrman.

We thank him. We thank those who recognized his personality and did their part in his every wish to make us remember Omaha and the convention held there. The following constituted the committees directing the arrangements:

Local Committees: General Chairman Convention Committees, Henry J. Fehrman.

Reception Committee: All members Nebraska State Association, including officers and Executive Committee thereof.

Finance Committee: John Campbell, Chairman, Geo. T. Lindley, Vice Chairman, Clifford C. Sadler, Frank H. Meyers, T. F. Wiles and Alfred L. Hansen, Fremont.

Banquet Committee: L. R. Slonecker, Chairman, E. P. Mathews, Vice Chairman; Ellery H. Westerfield, C. C. Sheppard, Carl E. Herring, H. W. Standeven, Harry D. Reed and Vern Hedge, Lincoln.

Hotel and Transportation Committee: Frank Norton, Chairman, B. F. Leonard, Vice Chairman; Winfield R. Ross, J. P. Moore, Jr., Joe Kliment, Oscar W. Johnson, Amos E. Henely, R. L. Staple and R. R. Hazen.

Entertainment Committee: For the ladies—M. M. Morrell, Chairman, M. T. Brennan, Mrs. Harry D. Reed, Mrs. E. P. Mathews and Miss Elizabeth M. Shahan.

Entertainment Committee: For the men—Clifford C. Sadler, Chairman; Alex C. Reed, Vice Chairman; T. W. Blackburn, Edward M. Martin, Leslie S. Smith, T. B. Dysart, James H. Hanley, Winthrop B. Lane, M. G. Hoffman, J. C. Hamilton, Wahoo; and Russell A. Davis, Fairbury.

### A FOUR-DAY PROGRAM PLANNED NEXT YEAR.

The matters to be taken up at the conventions have increased so that a longer convention is being planned for next year.

This is to give more time for pleasure and entertainment. Many take the

trip to the meetings for a vacation and a pleasure trip and it is felt they should be given more opportunities for fun and time to do as they choose.

The program can only be shortened to a certain extent, and it would not be profitable to slight the business part of the conventions so one more day will be added to the session this next meeting.

This will be especially acceptable in view of the fact that New Orleans is the next convention city. There is only one New Orleans—it is almost one of our American institutions. It is a city of charm and allurements and the thought of a trip there swells one with anticipation.

### STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912.

Of Monthly Bulletin, American Title Association, published monthly at Mount Morris, Ill., for October, 1923.

State of Kansas }  
County of Reno } ss.

Before me, a Notary Public, in and for the State and county aforesaid, personally appeared Richard B. Hall, who, having been duly sworn according to law, deposes and says that he is the editor of the Monthly Bulletin, American Title Association, and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 443, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are: Publisher, Kable Brothers Company, Mount Morris, Ill.; Editor, Richard B. Hall, Hutchinson, Kan.; Managing Editor, none; Business Managers, none.

2. That the owner is: (If the publication is owned by an individual his name and address, or if owned by more than one individual the name and address of each, should be given below; if the publication is owned by a corporation the name of the corporation and the names and addresses of the stockholders owning or holding one per cent or more of the total amount of stock should be given.) The American Title Association, Geo. E. Wedthoff, President, Bay City, Mich.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

RICHARD B. HALL.

Sworn to and subscribed before me this 10th day of October, 1923.

(SEAL)

Notary Public.  
Guy W. Morton,

(My commission expires February 18, 1925.)

# Officers and Committees, American Title Association, 1923-1924

## GENERAL ORGANIZATION.

George E. Wedthoff, President..... Bay City, Mich.  
Northern Title & Trust Co.  
Frederick P. Condit, Vice President..... New York, N. Y.  
Title Guarantee & Trust Co., 176 Broadway.  
Tom M. Scott, Treasurer..... Paris, Texas  
Scott Title Co.  
Richard B. Hall, Executive Secretary..... Hutchinson, Kansas  
The Hall Abstract Co.

## EXECUTIVE COMMITTEE.

### General Organization.

Frederick P. Condit, Chairman, (Vice President).....  
New York, N. Y.  
Title Guarantee Trust Co., 176 Broadway.  
George E. Wedthoff, (President)..... Bay City, Mich.  
Northern Title & Trust Co.  
Tom M. Scott, (Treasurer)..... Paris, Ark.  
Scott Title Co.  
Mark B. Brewer, (Retiring President)..... Texarkana, Ark.  
Security Mortgage Co.  
Henry J. Fehrman, (President Title Examiners' Sec-  
tion)..... Omaha, Neb.  
Peters Trust Co.  
Walter M. Daly, (President, Title Insurance Section)  
Portland, Ore.  
Title & Trust Co.  
J. W. Woodford, (term ending 1924)..... Tulsa, Okla.  
Title Guarantee & Trust Co.  
M. P. Bouslog, (term ending 1924)..... New Orleans, La.  
Union Title & Guarantee Co.  
Henry E. Monroe, (term ending 1924).....  
San Francisco, Calif.  
California-Pacific Title Insurance Co.  
P. W. Allen (term ending 1925)..... Greeley, Colo.  
Weld County Abstract Co.  
Jos. P. Durkin, (term ending 1925)..... Peoria, Ill.  
Title & Trust Co.

### TITLE EXAMINERS' SECTION.

Henry J. Fehrman, President..... Omaha, Neb.  
Peters Trust Co.  
J. R. West, Secretary..... Nashville, Tenn.  
Security Title Co.  
Executive Committee, the officers and W. E. Furlong  
Milwaukee, Wis.  
Northwestern Mutual Life Insurance Co.

### TITLE INSURANCE SECTION.

Walter M. Daly, President..... Portland, Ore.  
Title & Trust Co.  
Mark M. Anderson, Vice President..... St. Louis, Mo.  
Title Guaranty Trust Co.  
J. W. Thomas, Secretary..... Akron, Ohio  
Bankers Guarantee Title & Trust Co.

## EXECUTIVE COMMITTEE.

E. C. Oggle, Seattle Title Trust Co..... Seattle, Wash.  
John R. Umsted, Continental-Equitable Title & Trust  
Co..... Philadelphia, Pa.  
Chas. C. White, Land Title Abstract & Trust Co.....  
Cleveland, Ohio  
W. C. Morris, Stewart Title Guaranty Co..... Houston, Tex.  
Cyril H. Burdette, N. Y. Title & Mortgage Co.....  
New York, N. Y.

## PROGRAM COMMITTEE.

George E. Wedthoff, Chairman..... Bay City, Mich.  
Northern Title & Trust Co.  
H. J. Fehrman..... Omaha, Neb.  
Peters Trust Co.  
H. C. Madden..... Muscatine, Iowa  
Madden & Madden.  
General Chairman, Sectional Conferences.  
Earl G. Smith..... Akron, Ohio  
Abst. Title Guar. & Trust Co.

## COMMITTEE ON COOPERATION.

Jesse P. Crump, Chairman..... Kansas City, Mo.  
K. C. Title & Trust Co.  
H. R. Chittick..... New York, N. Y.  
Lawyers Title & Trust Co.  
Lock Davidson..... Wichita, Kan.  
Guarantee Title & Trust Co.  
Varick C. Crosley..... Webster City, Ia.  
Crosley Investment Co.  
M. P. Bouslog..... New Orleans, La.  
Union Title & Guar. Co.  
J. R. Morgan..... Kokomo, Ind.  
Johnson Abstract Co.  
Lewis D. Fox..... Fort Worth, Tex.  
Home Abstract Co.

## LEGISLATIVE COMMITTEE.

(Under provisions of by-laws adopted August 30, 1922, one member from each Federal Farm Loan District who shall appoint additional members from the states or parts of states, in his district, shall compose this committee.)

District No. 1, John Seifert..... Utica, N. Y.  
Central N. Y. Abst. & Title Co.  
District No. 2, W. J. Snyder..... Philadelphia, Pa.  
North Philadelphia Trust Co.  
District No. 3, George S. Nash..... Orlando, Fla.  
Central Florida Abst. Co.  
District No. 4, R. F. Brown..... Cleveland, Ohio  
Cuyahoga Abst. Title & Trust Co.  
District No. 5, Paul A. Savage..... Birmingham, Ala.  
Alabama Title & Trust Co.  
District No. 6, Earl G. Smith..... Akron, Ohio  
Abstract Title Guar. & Trust Company.  
District No. 7, C. H. Kellogg..... Fargo, N. Dak.  
District No. 8, Geo. E. Whitcomb..... Northwood, Ia.  
G. H. Whitcomb & Son.  
District No. 9, J. G. Houston..... Denver, Colo.  
Title Guaranty Co.  
District No. 10, N. H. Gillot..... El Paso, Tex.  
Pioneer Abst. & Title Guar. Company.  
District No. 11, L. A. Heiner..... San Jose, Calif.  
Western Title Insurance Co.  
District No. 12, Worrall Wilson..... Seattle, Wash.  
Seattle Title Trust Co.

## COMMITTEE ON PUBLICATION.

George E. Wedthoff, Chairman..... Bay City, Mich.  
Mark B. Brewer..... Texarkana, Ark.  
Richard B. Hall..... Hutchinson, Kan.

## JUDICIARY COMMITTEE.

### (Regular.)

Chas. C. White, Chairman..... Cleveland, Ohio  
Land Title Abstract & Trust Co.  
Solomon S. Goldman..... New Orleans, La.  
Pan American Life Ins. Co.  
Golding Fairfield..... Denver, Colo.  
Title Guaranty Co.  
Glenn C. Schaefer..... Fresno, Calif.  
Security Title Ins. Co.

### (Special for Fifteen Proposals.)

Alabama—H. S. Patterson, Etowah Co. Abst. Co., Gadsden.  
Arizona—O. H. Clark, Phoenix Title & Trust Co., Phoenix.  
Arkansas—Geo. F. Buzbee, Benton.  
California—Ross N. Pierce, Pierce-Bosquit Abst. & Title  
Co., Sacramento.  
Colorado—J. Emery Treat, Trinidad Abst. & Title Co.,  
Trinidad.  
Connecticut—William Webb, Bridgeport Land & Title Co.,  
Bridgeport.  
Florida—Edward A. Nash, Dade County Title Insurance &  
Trust Co., Miami.  
Georgia—W. J. Davis, Atlanta Title & Trust Co., Atlanta.  
Idaho—A. A. Garlock, Gooding County Abst. Co., Gooding.  
Illinois—C. B. Sawyer, Kankakee Abst. & Title Co.,  
Kankakee.  
Indiana—Willis N. Coval, W. N. Coval & Sons, Indianapolis.

Iowa—E. J. Carroll, Davenport Abst. Co., Davenport.  
 Kansas—Clement, L. Wilson, Tribune.  
 Kentucky—Chas. A. Haerberle, Louisville Title Co., Louisville.  
 Louisiana—M. P. Bouslog, Union Title & Guarantee Co., New Orleans.  
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 Minnesota—W. S. Jenkins, Real Estate Title Ins. Co., Minneapolis.  
 Missouri—Guy C. Gibbs, Land Title Co., Springfield.  
 Montana—J. A. Lowery, Big Timber.  
 Nebraska—Frank J. Norton, Omaha.  
 Nevada—A. A. Hinman, Title & Trust Co., Las Vegas.  
 New Jersey—Edward C. Wyckoff, Fidelity Union Trust Co., Newark.  
 New Mexico—Ira N. Specher, Albuquerque.  
 New York—Herbert J. Feehan, Attorney General's Office, Albany.  
 North Carolina—C. P. Ryman, Bankers' Title & Trust Co., Asheville.  
 North Dakota—A. J. Arnot, Bismarck.

Ohio—J. W. Thomas, Bankers' Guar. Title & Trust Co., Akron.  
 Oklahoma—Ray McLain, Central Abstract & Investment Co., Oklahoma City.  
 Oregon—T. M. Hicks, Salem Abstract Co., Salem.  
 Pennsylvania—John E. Potter, Potter Title & Trust Co., Pittsburgh.  
 Rhode Island—Ivory Littlefield, Title Guar. Co., Providence.  
 South Dakota—D. B. Getty, Getty Abstract Co., Sioux Falls.  
 Tennessee—J. M. Whitsett, Guaranty Title Trust Co., Nashville.  
 Texas—T. W. Massey, Bexar Abstract Co., San Antonio.  
 Utah—Alex E. Carr, Salt Lake City.  
 Virginia—E. D. Schumacher, Title Guaranty Co., Richmond.  
 Washington—E. C. Oggle, Seattle Title Trust Co., Seattle.  
 Wisconsin—Johnson Ogden, Milwaukee Title Guar. & Trust Co., Milwaukee.  
 Wyoming—W. K. Jones, Cheyenne.

### A COVENANT EXPLAINED.

By William Gretzinger,

*Title Officer, Republic Trust Company, Philadelphia, Pa.*

A covenant is an agreement between two or more persons, entered into in writing and under seal, whereby either party stipulates for the truth of certain facts, or promises to perform or give something to the other, or to abstain from the performance of certain things. (2 Bl. Com. 303 and 304; Bac. Abr. Covenant; 4 Cruise 446; Shep. Touch. 160; 1 Harr, 151, 233. 1 Bibb 379. 2 Bibb 614; 3 John 44 20 Johns 85; 4 Day 321.)

In a promise or contract not under seal, a consideration must be shown, in a covenant under seal, no consideration is necessary to give it validity, even in a court of equity (Plowd 308; 7 T. R. 447; 4 Barn & Ald 652; 3 Bing 111.)

The general requisites to a covenant are:

First. Proper parties.

Second. An agreement.

Third. A legal promise.

Fourth. That it be properly executed.

First. The parties must be such as by law can enter into a contract. If, either for want of understanding (as in the case of an idiot or lunatic); or in case of an infant (under 21 years of age) where the contract is not for his benefit; or where there is understanding, but, owing to certain cause (as covertures in the case of a married woman (except where Acts of Assembly have conferred separate power upon the wife), or duress, (in every case), the parties are not competent, they cannot bind themselves.

Secondly. There must be an agreement. The assent or consent must be mutual; for the agreement would be incomplete if either party withheld his assent to any of its terms. The assent to the contract necessarily supposes a free, fair, serious exercise to the reasoning faculty. Now, if from any cause, this free assent be not given, the contract is void.

Thirdly. A covenant against any positive law, or public policy, is gener-

ally void. (Shep. Touch. 163.) As an example of the first is a covenant, by one man that he will rob another, and of the last, a covenant by a merchant or tradesman that he will not follow his occupation or calling. This, if it be unlimited, is absolutely void; but if the covenant be that he shall not pursue his business in a particular place, as that he will not trade in the City of Philadelphia, the covenant is no longer against public policy. (See Shep. Touch. 164.) A covenant to do an impossible thing is also void. (Ibid.)

Fourth. To make a covenant, it must, according to the definition above given, be by deed, or under seal. The law does not seem to have appropriated any set of words as absolutely required in creating a covenant. Any words which manifest the intention of the parties to perform an act are sufficient. (Bouv. L. D. See numerous examples in Bac. Abr. Covenant, A; Selw. N. P. 469; Com. Dig. Covenant, A 2; 3 John 44; 5 Munf. 483.) In Pennsylvania, Delaware and Missouri, it is declared by statute that the words "grant, bargain and sell," shall amount to a covenant that the grantor was seized of an estate in fee, free from all encumbrances done or suffered by him, and for quiet enjoyment against his acts. But it has been adjudged that those words in the Pennsylvania statute of 1715 (and the decision will equally apply to the statutory language of the other two States) did not amount to a general warranty, but merely to a covenant that the grantor had not done any act, nor created any encumbrance whereby the estate might be defeated. (2 Binn 95; 4 Kent. Com. 460.)

#### No Particular Form Required.

Covenants are express or implied. First. An express covenant, or a covenant in fact, is one expressly agreed between the parties and inserted in the deed. The law does not require any particular form to create an express covenant. The formal word "covenant" is therefore not indispensably requisite. (2 Mod. 268; 3 Keb. 848; 1 Leon 324; 1 Binn 433; 8 J. B. Moore 546; 1 Ch. cas. 294; 16 East 352; 12 Ibid 182n; 1 Bibb 379; 2 Ibid 614; 3 Johns

45; 5 Cowen 170; 4 Day 321; 4 Com. 508; 1 Harr 233.) The words, "I oblige," "agree" (1 Ves. 516; 2 Mod. 266); or "I bind myself to pay so much a day, and so much such another day" (Hard 178, 3 Leon 119 pl 199), are held to be covenants; and so are the words of a bond (1 Ch. cas. 194). But words importing merely an order or direction that other persons should pay a sum of money are not a covenant. (6 J. B. Moore 202n (a).)

#### Definition of a Covenant.

A covenant in law, is one which the law intends and implies, though it be not expressed in words. There are some words which of themselves do not import an express covenant, yet, being made use of in certain contracts, have a similar operation, and are called covenants in law. They are as effectually binding on the parties as if expressed in the most unequivocal terms. (Bac. Abr. Covenant B.) A few examples will fully explain this. If a lessor demise and grant to his lessee a house or lands for a certain term, the law will imply a covenant on the part of the lessor that the lessee shall during the term quietly enjoy the same against all encumbrances. (Co. Litt 384.) And the words "yielding and paying" in a lease imply a covenant, on the part of the lessee, that he will pay the rent. (9 Verm, 151; 3 P. & W. 461, 464.)

### WILD WILLIE BARNEY, CHAMPION GOLFER OF THE PROFESSION.

W. W. Barney, from Kearney, Nebraska, won the cut glass driver given as prize for the low medal score in the golf tournament. The score will not be mentioned even though it was the best.

Consolation prize was also won by a Nebraskan, J. C. (Chief) Moore, of Tecumseh, who used up the allotted number of strokes for eighteen holes in the first two and a half he played.

The tournament was a hard fought, snake killing affair. Many spent time practicing for the match when they should have been studiously attending the meetings.

MONTHLY BULLETIN  
of  
The American Title Association

Published monthly by Kable Brothers Company  
as the official organ of the American  
Title Association.

Publication Office Mount Morris, Ill.

EDITOR

Richard B. Hall, Hutchinson, Kansas.  
The Hall Abstract Company

Entered as second class matter, December  
25, 1921, at the post office at Mount Morris,  
Illinois, under the act of March 3, 1879.

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OCTOBER, 1923

CONVENTION OBSERVATIONS.

A structural steel worker and his air hammer were busy during the sessions and being right across the alley, made quite a disturbing racket.

Henry Chittick advanced the logical theory that he had been imported by Torrens advocates and after about three days of it we agreed Mr. Chittick was right.

Distance was no barrier. Thirty-seven states were represented. Nebraska naturally led in attendance. Iowa, across the river, was second with twenty-four. Ohio was third with a delegation of eleven good and true men and women while Kansas took fourth with ten.

They came from Florida, Washington, New York, Connecticut, California, from the north, east, south, west, and all parts of the interior. It was a most representative meeting.

New York as usual was well represented. Although the good folks from this state were only initiated into the mysteries of the order a few years ago they have ever since been faithful and interested.

Fred Condit and the Secretary of the New York Association, S. H. Evans,

were missed. Here's hoping nothing will prevent any of the New York crowd from being at New Orleans.

The new New Jersey Association was represented at the meeting by Edward C. Wyckoff, of Newark, who says he will be with us at every future meeting.

What would a convention be like without the presence of Joe Durkin, of Peoria, Illinois? It would be as flat as one without a banquet. He has probably attended as many consecutive meetings as anyone and the presence of this genial appearing person has become as much a part of the conventions as the banquet.

Likewise that Cleveland gang—Brownie, Chappie, Admiral Jones and Cunning Charley White—are established parts of the meeting. Some of us say all we go to the conventions for is to get to see this gang again.

## Best Wishes to Him!

Mark B. Brewer, Immediate Past President, retires with the satisfaction of a job well done.

Throughout the year he worked hard in the interests of the Association. As President Brewer he went into office with the good wishes and backing of a host of real friends. His experience as a titleman was varied and always successful. Truly he earned the right to be called a "titleman."

He started out years ago as an abstractor. As such he built plants, owned and managed them. He helped pioneer title insurance in the middle west years ago when it was introduced into Little Rock, Arkansas. He early became known as an examiner through his fine work with the complicated Arkansas, Louisiana and Indian Titles of Oklahoma.

Probably no titleman today has had any wider range of experience and operation. Mr. Brewer has always been a man of many ideas, courage of conviction and enthusiasm for his work.

The year under his leadership just ended brought about accomplishments and the start of some of the real things the association will do. The spirit of the convention just ended is indicative of the sentiment gathered during the year. Everyone is enthusiastic for the future and believes the Association is entering upon a new period of activity and profitable accomplishments for the title fraternity.

Mark is a native of "Arkansaw" (not Arkansas), is proud of it and is the only native in existence who is not offended at stories on that particular state but tells them himself.

He may know the membership of the association is appreciative of his work during the year just ended and is thankful to have had the benefit of his leadership.

White is a good title man—an authority on titles—but it is hoped he will stick to that and give up the idea of being a professional golfer. After his masterpiece of last year on "Bankruptcy," we suggest he take bankruptcy on his golf game and start all over. He blamed it on his clubs and the level nature of the Happy Hollow course, but some of his friends think different.

Bill Davis, of Atlanta, is another familiar figure. He has not missed a meeting in a long time now and his pleasant way has made him a host of friends.

Motions are usually made, seconded, a little argument and then passed without many dissenting votes. Not so at this meeting. There were several real discussions. Probably at no time before has there been such discussion over the revision of the constitution and by-laws as this time.



The first item in the report of the Committee on Constitution and By-Laws was in regard to the change of name. This was the only one where there were no "nays" and it went over with a whoop. There was not even any discussion. The others received more or less—principally more—attention.

The second one was for the purpose of providing a way of admitting title men or title companies to membership to the national association by individual memberships instead of through the state associations when the rules of the state associations were such as to preclude them when they might otherwise be eligible.

The third was for the purpose of providing a way for title men or companies in states where the state associations had lapsed and become dormant to continue their membership individually. The main object was to define just when a state association might be considered extinct. The discussion on these points as shown in the printed proceedings will interest everyone.

Everyone was glad to see Frank Doherty, former Executive Secretary. He attended as a layman and just enjoyed being there. Once in a while he would get into the discussion and as Worrall Wilson would say, "whisper his sentiment in his usual meek and mild manner."

The success of the present organization of the association is largely the result of his excellent work and untiring efforts and his presence was greatly enjoyed.

When Earl Smith and J. W. (Pantomime) Thomas, of Akron, dressed up in their golf togs and left the hotel they certainly caused some disturbance. Smith was mistaken for Doug Fairbanks and Thomas for Charley Chaplin. It immediately spread over Omaha that these two popular film stars were playing golf at the Happy Hollow club and throngs of young ladies and small boys journeyed out there to see their idols.

The kids were somewhat disappointed to know that Thomas was Thomas and not Chaplin, but many a young lady was heard to remark that she didn't care if it were not Doug—whoever he is, he looks just as good, anyway.

There was sentiment and sincerity in the invitation of Perry Bouslog to hold the next meeting in his town, New Orleans. He asked us in a way which we all knew was heartfelt, and may Perry know it was accepted in the same spirit as the asking.

It has been known for a long time that he wanted us to come down there and we all knew that some day we would go.

Sometimes he held back in deference to the invitations of others, at other times because there were reasons

why the meeting should be held in this or that part of the country.

This time everything seemed propitious for a gathering in New Orleans. Let us plan now to attend and partake of the charm and hospitality of this wonderful city—and Perry.

Mrs. Peters has conventionitis and comes all the way from Ryegate, Mont., every year.

We were mighty glad to have Mr. and Mrs. Haeberle, of Louisville, Kentucky, with us. This is the first year for a long time that a representative from this state has been present. It has no state association and it is fine to have this interest from the individual members.

A number of examiners were present; in fact, quite a larger number than ever before. Henry Fehrman has secured the membership of many in Omaha and these gentlemen were all active in helping with the meeting.

The Union Central Life Insurance Company sent Mr. Fox, who showed much interest in the meeting and helped materially with the program.

It was especially nice to have Mr. Goldman, from New Orleans, at the meeting. His personality has made him many friends. Last year was his first meeting but he said then he would not miss any more if it could be helped. We will be in his town next year.

Guy C. Gibbs and W. A. Lincoln, competitors at Springfield, Mo., came together to learn new things to go back and use in competing with one another. They have seemed pretty friendly at the Missouri meetings as well as this one so maybe there will be no bloodshed.

Another case of bitter competition is seen in Earl Smith and J. W. Thomas of Akron, Ohio, the Mr. and Mrs. Jack Sprat of the crowd. Both play a wicked game of golf, tiddle-dee-winks and other low-brow games.

W. J. Snyder, of Philadelphia, was another "first-timer." We hope it will not be his last and it will not be if one judges from the interest he took in things.

#### TITLE TALK FOR LUNCHEON CLUBS.

(Following is a suggestion or outline of a talk for luncheon clubs. The facts stated are of general bearing on the title business and they can be enlarged upon or changed to fit your local conditions.)

Abstractors can enlarge more upon the details of making an abstract and the points having local bearing.

Those making statements of titles can likewise enlarge upon a description and explanation of them.

For title insurance, that part explaining the examining and approval of abstracts may be left out and the com-

bined benefits of title insurance substituted as well as enlarged upon.

The idea of this is to simply furnish a general idea. You should endeavor to add everything of local color and detail.)

My classification is abstracter, which means that I am the historian or compiler of pedigrees to tracts of land. Most business talks I ever heard start with a statement of some alleged facts and boasts telling how many years ago it got its start and how old it is. I cannot compete with the produce man who bragged because the beginning of his business could be traced back to the apple deal of Adam and Eve in the Garden of Eden. Rather I boast of mine because of its importance.

My business came about from necessity and was born because of the demands of commerce for information about the ownership of land. The work of the title man plays one of the most important parts in business today.

First, I want to impress the fact upon you that not one of you have really bought a piece of land and you do not own a single square foot of land now; further you never will really own any. You only own the title or right to use, occupy and possess it and the law tells you how you may keep it, and because you only own the title and by reason of the rules and regulations prescribed by law as to what controls that title, you can readily see the necessity for some showing of its history.

The earth is a mass of land and water and everyone in some degree is directly or indirectly dependent upon the land or some use of it for his existence or abode. Industries rest and have the foundations of their plants upon Mother Earth and from her they derive their raw product. Others make their living directly from the land but all in some way are basicaly dependent upon the land. All wealth can be traced to the land.

The law recognizes two classes of property—real and personal. Personal properties are your stocks and bonds, chattles and what are known as moveable, likewise perishable. Real property is characterized as that which is stable, immobile and permanent. This character of real property and its legal characterization thereof is the stabilizing influence in our economic system today. Unlike stocks and bonds it does not fluctuate in value overnight; it does not become worthless by failure of the business of which it is a part as proved by the fact that the real estate of a bankrupt or suspended business is the only thing which always sells for a hundred cents on the dollar. Likewise, a real estate mortgage is the only form of a stock or bond that always brings par. I say this, not even excepting government securities.

As stated before the title man's work is one of the most important parts of business and commerce today.

No stone was laid in this building until the title to the ground upon which

it rests was found safe and they were sure no one would dispute the right to lay that stone there. No dollar is paid to a borrower on a mortgage loan until the title is found safe. Not one cent of the eight billion farm loans in existence today and the even greater amount of city loans was paid until the title company had been consulted. In fact, in nearly all business deals negotiations are first started and an understanding is reached and a preliminary contract made and the title man is asked to furnish a pedigree to the land involved and after his work is done and the examiner approves the title the deal is finally consummated.

At first a real estate deal or barter for land was a rare occurrence and the titles were simple. However, the necessity for well-defined rules of procedure were recognized by the ancients. We find forms of deeds and laws concerning the possession and ownership of land prescribed in the code of Hammurabi, great law-giver of Babylon, much the same as used today. In the thirty-second chapter of Jeremiah, ninth to fourteenth verses, we find the story of a real estate transaction following the same procedure as practiced today describing all the details from the bargaining and the weighing of the pieces of silver, the purchase money, the signing of the deed and the delivering of it in the presence of witnesses, and the putting of it in an earthen vessel that it might be preserved for many days.

Governments early recognized it as a state duty to provide a system of keeping a record of these deals. This was reduced to a practical system by William the Conqueror of England when he finished the Domesday survey in the year 1080. This is the basis of our present recording system now in use at the court house. Then commerce demanded a brief of these records and we have the present day abstract (or title certificate or policy of title insurance).

An abstract is a pedigree or transcript of the records and a complete abstract shows everything in a brief, chronological form of everything on record pertaining to a piece of land, beginning with the grant from the government; then all deeds, mortgages, civil and probate court actions so that an examiner in looking over an abstract can see all the steps and incidents in the history of the land and whether or not they have been done in due form and in the procedure prescribed by law.

A certificate of title differs from an abstract in that it is a combination showing of the title and an opinion by the examiner of the title company as to the validity of the title.

A policy of title insurance is a statement by the title company guaranteeing the insured that the title is valid and they will protect him and insure him against any loss from any defect therein.

Thus you see that the business is a science and means—First, that an abstracter must know where to go among all of the records to get the details of every single transaction or action in court, and the assessment of all taxes affecting a piece of land. Second, that he must know exactly what part of these records to show in order to get all of the essentials and yet brief them enough so that the transcript will not be bulky by containing a surplus amount of information. Third, to assume a responsibility and liability because he must certify that it is not only everything pertaining to the title but that it is correctly shown.

It has been said that the mistakes of a doctor are buried; those of a lawyer hung, but the abstracter's alone remain because they are perpetuated in black and white.

There are six hundred volumes of records of over six hundred pages each in the office of the register of this county. There is an assessment against every piece of property on the tax rolls of the county. There have been thirty-five thousand civil cases in the district court. Many mechanics liens, federal liens and others filed in the same office. There are thousands of estates in the probate court. All of these matters affect the real estate of the county and yet the title man must have an index to know exactly where to go to get everything about the title.

Thus you see I am proud of my business because it has been reduced to a science and requires skill and the maintenance of an efficient and complicated plant.

We are the public's bookkeepers to the real estate records of this entire country and you can get complete and reliable information about land titles only at a title company.

An abstract plant being an index or key to the records must be kept up to date by taking notations from all the various offices where things are filed as they are received for record and then posted upon the companies' indexes each day. This work is one of the big items of overhead to contend with. In making an abstract the places of record of all of these items are noted then information is taken from the records, a search made in all offices for taxes and liens, probate matters, suits, etc. This information is then written up as an abstract.

Some problems of our business are: Everyone is in a rush and a hurry. A deal is started, the abstract is brought to date and is examined, requirements for little or big things are made and have to be fixed. We fix them and the title is then approved and the deal cannot be completed until all of this is done. Through all of this the title man is a buffer for all interested parties. The seller is anxious to close and get his money; the real estate man the same so he can get his commission; the purchaser anxious to get possession, yet proceeding cautiously and the examining attorney scanning the title

to find every "t" that is not crossed just so or "i" dotted just right. Through all of this the title man is trying to help everyone, yet work for the protection and satisfaction of all.

Everyone of you was, is now and probably will be an owner of real estate. There is a well-defined path of procedure in a real estate deal and I urge you to always follow it. There is a tendency to take short cuts. The seller is now aware of the fact that he is through with it and the less work and expense he can go to the better. This is invariably expensive for someone in the end. Never buy a piece of property or loan money on land unless you have an abstract brought to date, examined by a competent attorney or secure a certificate of title or guaranteed policy of insurance from the title company, then when the title is approved you may be safe in closing your deal.

The title business is a science and even a specialty of law. A good abstract does not mean a good title and is only a showing and should be passed by an attorney who understands title law. A great trouble today, making many complications in real estate deals is that any Tom, Dick or Harry can prepare any kind of an instrument juggling the title to real estate. You do not go to a blacksmith to get your watch fixed, a barber to get your teeth filled, or to a brick mason for the stomachache. Neither should you get your title matters settled by any notary public, public stenographer or others who are not competent in that line. Go to a title company for title matters and trust the details of the work of title experts and trouble with your title matters will be minimized.

Our present title and recording system is the best of any country in the world. It is free from governmental supervision, restraint and inefficiency. In no other country in the world can people deal with their land in an independent and ready manner. The only trouble is that though there is a form and means prescribed they are not compulsory and this together with lack of knowledge of the procedure in land deals brings the few little technicalities which are so commonplace and while keeping it from being perfect, yet only cause slight inconveniences.

No governmental system can be devised which will wipe everything of the past away and start things out with a clean slate, because lawmakers from the beginning of time have wisely protected the property rights of incompetents, unborn children, minors, dower rights of spouses, and many other rightful claims of shareholders in real estate. Besides such governmental control would mean expense, delay, and all the other things incident to the ever changing, incompetent and vexatious delays of political administrators.

The solution is in having title work done by title experts.