

# TITLE NEWS

Vol. 4

NOVEMBER, 1925

No. 10

## BEGINNING IN THIS ISSUE!

### Title Questions and the Courts Answers

Edited by McCune Gill, St. Louis

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A PUBLICATION ISSUED MONTHLY BY  
*The American Title Association*



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Hutchinson, Kansas,  
November 15th-1925.

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AND CHAIRMAN OF SECTIONS,  
EX-OFFICIO

Fellow Titlemen:

The Public - that name used to designate the masses of peoples- the patrons, clients and customers of any and every trade, business and profession - has learned to take recognition of the various trade, commercial and professional associations and organizations.

This Public well knows that the development and advancement of everything has been brought about and accomplished by the collective and organized efforts of those in them, and could not have been by any other source or agency.

The people comprising this thing the Public, know that the efficiency, skill and service rendered by all whom they must patronize in the course of everyday life, have come from the activities of the organizations and associations of those in the various crafts, businesses and vocations of skill and learning.

They occupy such a place in the minds of the people that one who is not associated with his fellow men in their representative organization is looked upon without a doubt, even suspicion, and considered to either not possess the necessary requirements and qualifications for membership, or else is not progressive or ambitious enough to help in the development of his business.

No one in this day and age can segregate himself from his fellows in his work and not be allied with them in their organized movements and activities to advance.

The title Business is entering a period when demands upon it will be terrific. If it survives it will be because of the collective efforts of those in it towards meeting them. The ones in it who will survive will be those who join their fellows in the work.

Sincerely yours,

*Richard B. Hall*

Executive Secretary.



# TITLE NEWS

A publication issued monthly by

The American Title Association

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Vol. 4

NOVEMBER, 1925

No. 10

## A New Edition of a More Complete and Better Directory

*Added Features to be Incorporated and More Profitable Method of Distribution—Dues Must Be Paid to Be Listed.*

Acting upon the recommendation of retiring President Condit in his President's Address at the Denver Convention, that a new edition of the directory be issued during the coming year, the Executive Committee directed that work begin immediately.

Accordingly a new directory will be issued as soon after March 1 as possible. Work has already commenced upon the preparation of the lists, designation of business activities, and other details of compiling the information to be used.

This directory will be built upon similar ideas as the last one, being subdivided by states, with the names listed alphabetically by counties, then the member's name, business classifications by symbol, "A" for Abstracts; "TI" for Title Insurance; "C" for Certificates of Title, and "E" for Examinations. They will follow the name of the city.

In addition to this, however, names of individuals of each firm, company or corporation will be listed under the firm name.

The Association has a very definite object in this, and the success of it will depend entirely upon the cooperation of the members, not only in furnishing the information, but also in that which is desired. The object is to have those listed who are active in the work of their state and the national, or both, associations. It is thought better to have this person or persons name appear than the entire list of officials, or those officials not active in the association affairs. The reason for this is obvious. This director will be used largely by titlemen, and those in close contact with the state and national associations and their members. It is surprising the use that is made of the national organizations members by their own selves, and in referring others to title companies in other places.

During the years of the organization's existence, and the various meet-

ings held from time to time, there has naturally gotten to be an atmosphere of close acquaintanceship among those who have met and associated together in the organization work and meetings.

They know the individual well, know where he is from, but the third element is the weakest—the name of his company. There is occasion many times for exchange of business, personal and private matters, and also ordinary correspondence. They think of the town and the man, but are at a loss when it comes to where he should be addressed or the name of his company.

Hence it is the most practical and desirable in every way that the individuals who have the acquaintanceship and all should be listed with their company.

It would be mighty fine if a real complete directory of every company could be published, with all the officers, firm members, capital, branches of business, etc., and it is sincerely hoped that the American Title Association can some day issue such a directory, but the organization is always curtailed in its hopes and desires by a lack of funds, and this year's attempt is only a starter along this line, and the best it can do with present finances.

### Distribution Feature Most Appealing.

Another innovation will be tried in the method of distribution, and this should certainly appeal to the members as being the most beneficial and profitable thing ever given them to take advantage of.

The national organization itself will not attempt to distribute the directories except to its own members. The most good from their distribution in every way will come from a local distribution by the members in their respective territories to those real estate men, loan companies, attorneys and others who could use them, and to whom, by giving a copy, the local member would derive some advertising and profitable benefit.

The members will be furnished with any reasonable number of extra copies for distribution. It is thought the supply will be ample for as many as will be asked for. However, as is always the unhappy situation, funds will only permit a certain number being printed, and if the demand exceeds this, then they will have to be pro-rated, or possibly some arrangements can be made to finance the needed additional copies. However, everyone is asked to request as many copies as he can really use.

Being listed in this directory by reason of the advertising and publicity value to the individual members, and their association with the national title organization, will be worth more than can be guessed at or estimated.

### Are Your Dues Paid?

No one will be included who is in arrears with their 1925 dues, and who do not respond promptly to the call of their State Secretary for the 1926 ones. There are several who have allowed their memberships to lapse for 1925, not intentionally, but through oversight, or that old hold-back to efficiency, the intention to do it later instead of NOW.

So if you are delinquent for 1925, pay immediately, as this must be done before January 1.

### Send in That Post-Card!

An announcement of this directory, together with a postcard requesting necessary information, has been sent to each member. The success of this entire endeavor will depend entirely upon the interest taken in and the support given by the members.

The entire project is simply for the benefit of the membership. All the Association wants and asks is that those post-cards be returned immediately. They must all be in the hands of the Executive Secretary by December 15, because the lists will be prepared by January 1.



## 1926 Membership Campaign Begins!

*President Fehrman Offers Customary Cup to State Association—Chairman Lindow, Through Courtesy of His Company, Will Give Chime Clock to Secretary of Winning Association.*

An intensive campaign for increasing the membership of the Association began November 1, under the direction of Edwin H. Lindow of Detroit, Chairman of the Committee on Membership.

The state and national associations will be presented to every titleman and company not now a member of the organizations, and an opportunity given them to affiliate with their national and state commercial association.

Some states have few eligible members outside their ranks. In others there are many in the title business who should belong. It is hard to conceive of a man in this day and age not belonging to the association and organization of his fellows in their trade association. Many occupy that place, however, but for the most part unintentionally.

They either have not had it presented strongly, or else have simply been dilatory in "doing it now" when it has been called to their attention.

Every man in a business, profession, or working in a craft, needs his representative organization. There is no line of work, business or professional activity that can continue to exist or stay unless it develops and those in it constantly strive and work to improve its efficiency.

Likewise none can exist without such an organization to work for its protection. As stated by Worrall Wilson in his paper printed elsewhere in this issue, one of the reasons for the organization of the state associations was for protection—the necessity for there being a ready and already formed organization to fight for the protection of the business. This is essential, but likewise, as stated, no such organization can successfully exist for that purpose alone.

There must be a worthy and noble element in it, too, and that is for the development of the efficiency and service of those in that business. Nowhere

or no way can this be accomplished except by the mutual exchange of ideas and fellowship, and the sole means of this, for the providing of such a clearing house, is by groups—the various state and the national organizations.

The titleman must have his Association the same as the hod-carriers, the brick masons, the bankers, the lawyers. He alone cannot ignore the forces that make such a thing desirable and necessary.

The various state and The American Title Association are organized and thoroughly established. Membership in the state associations automatically carries an affiliation with the national. The fee for belonging to the title associations is among the very lowest of any of the commercial organizations, and the cost element is too trivial to be considered.

It would be hard to realize any money anyone in the title business could spend that would bring such a value received. The state associations themselves conduct such activities and give such direct value in actual and visible services as to repay many times. The general activities, the atmosphere created by their existence alone in developing and protecting the conditions of the business, cannot be given a value in dollars and cents.

The American Title Association has reached such a point of service and giver of direct benefits that it is the established bedrock for the present success and future development of the entire title industry of the country.

The maintenance of its national office and paid office force to conduct its activities, which are all on behalf of and for those in the business, is worthy of the utmost moral and financial support of everyone who pretends to be in the title business.

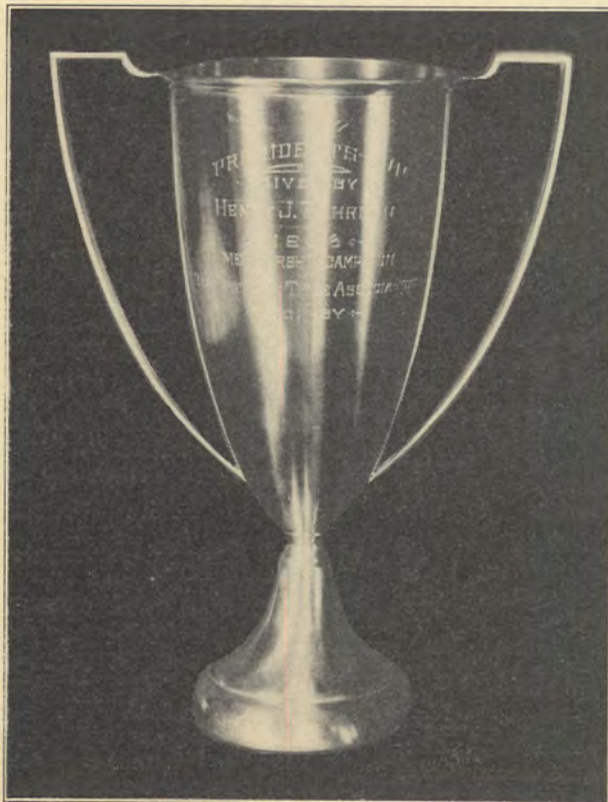
In addition, it offers many things. Its monthly publication, "Title News," has reached a point where it is the recognized title publication of the country, and the only one devoted exclusively to the interests of titlemen.

It also issues special pamphlets and various reports on many subjects during the year.

The printed proceedings of the annual conventions issued each year are a storehouse of all kinds of information and material on everything pertaining to the title business in all its phases.

These printed mediums have been the material that have build a library and reference bureau on all and every kind of information and data on title matters.

Its directory, issued periodically, is a real practical and worthwhile nation-



**President's Cup,**  
Awarded by President Henry J. Fehrman to State Association Winning 1926 Membership Campaign.



al advertising medium for the business, and an especially valuable advertisement for each one listed therein.

The Association carries on an intensive and broad campaign of research work every year through the means of the various committees. This coming year will be especially active in these endeavors. The Advertising Committee will shortly make an announcement of a work it has already started that will fill the need of something the title business has needed for years—a real advertising survey and plan for the individual title business.

The Legislative, Judicial and the Committee on Cooperation each year perform a service that has been of untold value and protection to the business, and the means of establishing it with a respect and prestige that is commanded in no more a degree by any other association.

#### Success of Membership Campaign in Hands of State Officials.

The American Association cannot, of course, usurp the duties and responsibilities of the state organizations within their own territories. It can only help as a power of assistance, but it certainly offers all of that possible to give in this campaign.

The state Secretaries must cooperate to make it a success. If they will simply furnish the national organization with a list of prospective members, and also one of those who are delinquent for the past year's dues, and follow up the letters and material sent to those by the American Title Association, they can profit by having their memberships increased.

The only difference between modern dancing and wrestling is that some holds are barred in wrestling.

#### OHIO ASSOCIATION MET AT CEDAR POINT.

##### Charley White Stages Good Convention.

The Ohio Title Association met in Cedar Point, that old favorite stamping ground for its 1925 Convention, with Charley White of Cleveland, its President, presiding.

It was a mighty fine session. Dr. J. R. Morgan attended as the visitor from the American Title Association and reports that it was one of the best meetings he ever attended, and Dr. Morgan has visited quite a few. The attendance was good, the interest intense and the two days program interesting and made more so by President White's maneuvering and directing. He seemed to have a knack of getting everyone into the general discussion and many good things were thereby brought out.

One of the features of the meeting was a paper prepared by President White as his President's Annual Address. Now if anyone in the world could prepare a treatise on "The Essentials of a Good Abstract" and make it interesting it is Charley White, and he chose this for his topic and chance to present such a subject. He went into it with his usual thoroughness and produced something mighty fine.

Others on the program were W. E. Peeler, Title Officer of The Warren Guaranteed Mortgage Co., Warren, O., on "The Short Term Abstract"; "Common Sense in Titles," by Lloyd R. Axford, Counsel of The Union Title & Guaranty Co., Detroit; "State Wide Title Insurance," by Edwin H. Lindow, Vice President of the Union Title & Guaranty Co., Detroit, and Dr. J. R. Morgan who talked enthusiastically, as usual, on "The American Title Association."

O. L. Peeler of Warren was elected President, and Theodore Kemp, Jr., of Newark, Secretary.

#### COLORADO TITLE ASSOCIATION STARTS BULLETIN SERVICE.

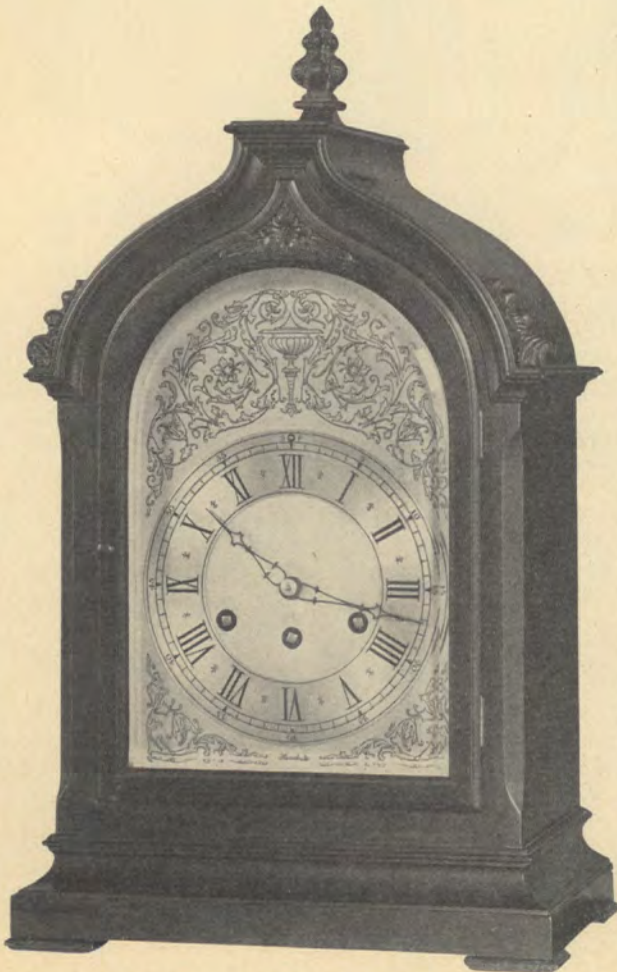
##### New Secretary Entering Into Work With Enthusiasm.

Edgar Jenkins, of the Adams County Abstract Co., Littleton, elected Secretary of the Colorado Association, began his work by issuing a bulletin.

It is entitled "The Take-Off," and is very interesting. Mr. Jenkins displays a talent in writing newsy and interesting items and the members of this Association should take a real interest in his efforts.

In addition to telling of happenings of local interest, things for the good of the order, etc., each issue has contained something of a great deal of value to the abstracters who receive it.

The last was a fine explanation of the Federal Lien problem as it pertains to Colorado.



Herschede Mantel Clock,  
With Beautiful Westminster Chimes.

This clock will be awarded to the Secretary of State Association Winning 1926 Membership Campaign.



## "The National and State Association's Duties and Privileges of Membership"

By Worrall Wilson, Seattle, Wash.

(An Address Delivered at the 1925 Convention of The American Title Association)

Do you believe in locking the door after the horse is stolen—or is it better speaking in more modern language to lock the garage first and preserve the automobile for future use? Do you believe in keeping abreast of the times; in giving to your own community the best service that is available anywhere; in being known and respected as a leader in your profession—both in your own community and among the fraternity throughout your State—and perhaps Nationally; or do you prefer to be just a "stick-in-the-mud," conducting your business today along just the same lines that you followed ten to twenty years ago, hesitating to disturb too many of the cobwebs in your office and meanwhile wondering why it is that your competitor is getting such a big slice of the business?

There are many reasons for the existence of the State Associations of Titlemen and the National Association. There is nothing new or secret about these reasons but you get into the habit of taking so much for granted that perhaps it is worth while on an occasion like this to stop and take account of ourselves and our movement. This is the 19th Annual Convention of the National Association, and the Association is undoubtedly stronger today than it has ever been before—as are many of the state associations, which compose it.

Many of us have been attending these conventions through a series of years—at a heavy expense, both in time and money—and our associates wish to know to what extent we receive real value for this expenditure of time and money, as well as the substantial sums which so many of us pay into the sustaining fund.

First let me testify, if I may, that the officers of our own company, located in Seattle, believe that our membership in the National Association, and the long and expensive trips which some of us—usually two officers—have made each year to the National Convention, have not only been fully justified, but that tens of thousands of dollars of our increased earnings are directly traceable to lessons which we have learned either through attendance at conventions, or to the studying of practices and methods made in the offices of leading title companies throughout the country, to which offices we have gained entry, by reason of the fact that we were fellow members of the National Association, and not a whit less precious to us than the added dollars of our earnings is the increased prestige and respect which we have gained in our own city by the



WORRALL WILSON,  
Seattle, Wash.,

Who Needs No Introduction to Any Member of the Association.

A Past President of the Organization, a Force in Its Progress.

President of the Seattle Title Trust Co., of The Washington Title Insurance Co. and Author of This Article, "Duties and Privileges of Membership in the State and National Associations."

introduction of features of service which in many instances we would have overlooked had we not availed ourselves of the experience of these companies as disclosed to us in National Association Meetings in the course of our attendance. And I think that we in turn, may have been able to pass on to others who have visited us some of the lessons by which we ourselves have profited.

Perhaps the primary reason for organization among title men is the same reason that led to the organization of tribes among savages and of states among those who flatter themselves that they are now really civilized—viz., the idea of self-protection and self-preservation. The lone abstractor has ever been the subject of attack. The intricacy, the thoroughness, the value and importance of his work are too seldom understood, and as a public servant his lot has been to receive criticism and abuse, and after such severe attacks on his charges—moder-

ate though they be in proportion to the work done and responsibility undertaken—that the attackers more often through ignorance than malice have been leaders in attempts—not infrequently successful—to limit the scale of charges, to create public tract indexes or abstract offices or to introduce and compel the use of the so-called Torrens system of land registration.

The individual abstractor primarily a trained craftsman, and not a debater, a fighter or a politician, has seen himself faced with ruin, unless with others of his craft throughout the counties of his state he has joined in the formation of a state association, whose combined numbers and strength and influence have been able to save the day.

Self-preservation has been undoubtedly a cause for the organization of many state Associations—I do not believe that it was a primary factor in the organization of the National Association, nor do I believe that any association organized merely for the purpose of self defense can have a long or successful existence. When the attack subsides, the interest in the association wanes.

The strongest and most permanent organizations are those whose work is educational, tending to provide both greater efficiency and thoroughness on the part of the members, greater economy in operation, and yet, as is perfectly possible, a greater degree of service to the community.

The greatest failing of the abstractor, as I have known him, is his meekness and his humbleness of spirit. Place the ordinary abstractor of a community beside the banker of the same community and who will fail to recognize the militancy of the banker. The banker takes pride in his membership in the State Bankers Association and the A. B. A.; he is a student of financial affairs, a leader in civic activities, an associate of the successful business men of his community, and from behind his mahogany desk he can beam benignly or scowl savagely as the case may be on the humans who come to deposit with him or borrow from him.

And why should not the abstractor have the same self-confidence; the same pride and satisfaction in his business or his position. The abstractor is the man who makes the credit ratings of the land titles in his country; he is the librarian in whose archives repose the only complete histories of the land titles of the county. On his knowledge and his skill and the accuracy of his records depend the consummation of practically all dealings with land and improvements thereon in his county, and yet even to this day the abstractor has allowed himself to be relegated to a subordinate position in his community because he does not himself recognize the full measure of the importance of his work. He is a student and a profound student, but a student primarily of the records with which he deals. He



perhaps has not been as much as he shall be a student of salesmanship. Salesmanship in selling himself and the importance of his work to his community; and a student of the more advanced methods of title service offered to the public in communities other than his own, which might with benefit to both himself and his patrons be introduced to his own county.

How is the local abstractor to get out of his rut; how is he to meet his fellow

fellow members who are students seeking the paths of progress and improvement.

Everyone of us has something that he can give to his fellow members, and there is always a great deal that we can learn from them—sometimes it is hard not to do it—more often it is some improvement that they have learned by experience and which we can learn directly from them—without having to go through this painful experience ourselves.

Look about you and see some of the changes that have taken place in business with which you are familiar, during the last few years. Is the automobile of today an improvement on that of ten years ago? Do your stores carry the same goods they had ten years ago? Do you realize that our own conservative government is carrying a considerable portion of its mail by airplane and that it has had only one serious accident in over two million miles of flying. Has the radio made a difference in your life and that of your family? Are there changes in the political and economic life of the country? It is trite to say that we live in an age of steady progress and advancement along almost every line of business and science and service, and yet title service in many communities has moved on undisturbed in the same old way, and the abstractor who stays at home and fails to keep his eyes and his ears open is going to wake up some day soon and find out the great changes that are taking place in title service.

The farmer, the poultry man, the fruit grower, the dairyman, the grower of livestock, all have their organizations and their trade papers to keep them in touch with progress in their respective lines. The hardware man, the clothier, the department store proprietor, the shoe dealer, in fact, the specialist in practically every line is a student of progress among his fellows, as told in conventions of his trade association and in his trade paper.

Can the titleman alone isolate himself, and be content with the methods and the service of past decades and expect to survive?

So far, we have stressed only the importance of the state and national organizations to the abstractor, but we have a situation to analyze and study that is of vital interest to all now engaged in the title business.

Beginning with Philadelphia in 1874 which was the first city to introduce title insurance, we have had a steady succession of cities which have gone partly or wholly on a title insurance basis, involving intricate and vitally interesting and important new problems for analysis and study.

We have then, these classes of titlemen affected by changing conditions.

First, the Simon pure abstractor, who has heard rumblings of this thing called title insurance, which he does not understand, but which he realizes is a development of the title business into which he may some day be forced

through natural growth and development.

Second, there is the man or company in the transition stage, whose business is partly in abstracts and partly in title insurance. He naturally seeks the double field of information and needs both classes of contacts.

Third, there are many of the larger and several of the smaller cities of the country where the evolution from the abstract and opinion basis to that of

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Gentlemen, I venture to say no one heretoday can tell how many millions of people and corporations there are in this country who own real estate or interests in real estate. We know that there are many millions of them, and every time that they deal in any material way with that real estate they have to deal with one of us, or one of our brothers in the title profession.

Are we to be masters of our business, knowing our ground, knowing our problems, equipped to give service of the higher order—earning confidence and respect and public approbation—or are we to fall back and let others dictate?

There are many reasons for the existence of the State Associations of Titlemen and the National Association. There is nothing new or secret about these reasons but you get into the habit of taking so much for granted that perhaps it is worth while on an occasion like this to stop and take account of ourselves and our movement. This is the 19th Annual Convention of the National Association, and the Association is undoubtedly stronger today than it has ever been before,—as are many of the state associations, which compose it.

Perhaps the primary reason for organization among title men is the same reason that led to the organization of tribes among savages and of states among those who flatter themselves that they are now really civilized—viz: the idea of self protection and self preservation. The lone abstractor has ever been the subject of attack. The intricacy, the thoroughness, the value and importance of his work are too seldom understood, and as a public servant his lot has been to receive criticism and abuse, and after such severe attacks on his charges—moderate though they be in proportion to the work done and responsibility undertaken—that the attackers more often through ignorance than malice have been leaders in attempts—not infrequently successful—to limit the scale of charges, to create public tract indexes or abstract offices or to introduce and compel the use of the so-called Torrens system of land registration.

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title insurance has been complete. The title insurance or title guaranty companies of these cities have become large financial institutions with a staff of attorneys and title experts, who deal with intricate legal and administrative problems, with problems of public relations of legislation, and of finance that are of the most vital nature.

These companies in particular have the work of having to service the great

titlemen in other counties and in the larger cities, both in his own state and nationally unless he joins and attends the meetings of his own state association, and then becomes a member of the National Association, entitled to receive its bulletins, to call upon its officers and committees for information, and to the courtesy of first hand information which members of the National Association uniformly extend to



life insurance companies, the large mortgage companies, the savings banks and the savings and loan associations, as well as the Federal land banks and the joint stock land banks. There must be comparative uniformity in character of service, in charges and in important legal problems,—and this uniformity can only be reached through conferences and interchange of information which is best brought about through the medium of the State and National Conventions.

But there are still further and more vital matters staring us in the face for consideration. Several companies are reaching out to do a state wide business, and at least one company is undertaking to do a nation wide business, in many instances competing vitally with well established local companies.

Surety companies are invading the field. What does all this mean? Are we to see a series of nation wide title insurance companies, as widespread in their influences and connections as the great fire and life insurance companies, which may be able to control at the source—that is through the head office of the great life insurance companies and mortgage loan companies some of the most important business that is available?

And are we reaching a stage where the local abstractor must ally himself with some state wide or nation wide title insurance company in order to keep in business?

Gentlemen, I submit to you that whatever way we turn we are faced by problems—real man's size problems—problems of law, problems of legislation, of finance, of internal administration and of public relationship in general, and of relations with the bar, with the real estate men, with the insurance companies, the savings banks and savings and loan companies, the mortgage companies and the Federal land and joint stock banks.

How can any one of us face and solve these problems alone? We must compare our problems and compare our solutions. We must have organizations through which we can meet and study and act, and we have the machinery for meeting and for study and action in our state and national organizations.

There are many problems which are state-wide only—falling within a commercial, legislative or judicial boundary. There are other and wider problems which are within the scope of Federal legislation and judicial decision and which concern us all, and there are certain of our clients which do a nation-wide business and in whose service we may well consult our brothers from other states.

To be effective, both state and national associations must be well organized and well financed. While most of the work done must be voluntary, there must be at least one factor in each such organization on whom must

rest primary responsibility for keeping interest and activity alive, for we do not often do well the things which are of secondary importance and our own business is always of first importance. Committees must be stirred to activity and must meet at fairly frequent intervals, the annual meeting must be vital with life and interest. A bulletin service should be issued at least four times be ready to promptly answer all Secretary and President should at all times be ready to promptly answer all letters, requests for advice or information.

We have some wonderfully live and effective state organizations and in the state organization like everything else what we get out of it depends directly upon how much of ourselves we put into it.

With the National Association even more than the State Association it has proven to be vitally necessary that we have one moving spirit, properly compensated, whose first thought and duty is making the national association an efficient service institution, and ever since we introduced the idea of a paid Executive Secretary, the National Association has been a steadily increasing success. The more that we have given of ourselves, and the more we have given as subscribers to the sustaining fund to finance our larger scope of activities, the more we have been the gainers by the maintenance of this organization.

We have seen our bulletin grow and develop; its usefulness can still be greatly increased, but it will take money to do it. We have been able to send to our state meetings outstanding men from the National Association, but we are not yet doing all that we should in disseminating information to our membership and building a closer and stronger organization.

Gentlemen, I venture to say no one here today can tell how many millions of people and corporations there are in this country who own real estate or interests in real estate. We know that there are many millions of them, and every time that they deal in any material way with that real estate they have to deal with one of us, or one of our brothers in the title profession.

Are we to be masters of our business, knowing our ground; knowing our problems, equipped to give service of the higher order—earning confidence and respect and public approbation—or are we to fall back and let others dictate?

Gentlemen, I submit that it is within our power, cooperating through our respective state organizations and this strong National Organization to continue to maintain our ascendancy as leaders in all matters of title service and I bespeak your whole-hearted, unswerving and unstinted support both of intellect and pocketbook to this great cause.

## MISSOURI ASSOCIATION ISSUES PRETENTIOUS DIRECTORY.

### Style and Material Used Best Obtainable.

The Missouri Title Association has issued a directory of its state association members that is the most elaborate and finest thing of its kind ever issued by a state title association.

Copies of these books were sent to all the loan companies, attorneys, and other patrons of abstract offices, and the distribution of them was a most creditable thing for the members of the organization.

The book is arranged by counties in alphabetical order with the town and names of the member therein. Under each name is the name of the head or active person in the company, and a list of the businesses done, Abstracts, Certificates of Title, Title Insurance, Escrows, Loans, Real Estate, Insurance, etc.

The appearance of the book, however, is the most striking thing. It is 4x9 inches, with a white cover of the best cover stock obtainable. It is engraved in gold and states "Directory—Missouri Title Association, 1925," and has an outline of the state thereon.

The first pages give a list of the officials of the organization, and the pictures of the President, Vice President and Secretary. It also states that the Missouri Title Association is "An Organization of Abstracters and others directly interested in land titles, whose purpose is to better the interests of its members by best serving the public; to make the preparation of abstracts of title more nearly uniform and perfect; to continually strive for the improvement of the present title system."

A special section is also devoted to the list of the examiners who are members of the Missouri Association.

Alexander Hamilton, on the floor of the constitutional convention which framed our United States instrument for government, said when suggestions were flying thick and fast from all quarters: "If we must draw a constitution that will please everybody on this floor, then must we draw as many constitutions as there are men present."

"She left hubby alone in their room at the hotel while she did some shopping. She returned. The many doors and numbers confused her. But she soon decided which was her room. She knocked and called: 'I'm back, honey—let me in!' No answer. 'Honey, honey—let me in!' she called again, knocking harder. 'Honey, it's me—please, honey!'" Brief silence then a man's voice, cold and full of dignity, came from the other side of the door: 'Madam, this is not a bee-hive; it's a bathroom.'



# IF YOU WERE JUDGE, HOW WOULD YOU HAVE ANSWERED THESE QUESTIONS?

Compiled By McCUNE GILL

Vice Pres. & Atty. Title Guaranty Trust Co., St. Louis, Mo.

1. *A deed was made in 1881 by a husband and his minor wife; she was not mentioned in the premises of the deed, but the testimonium stated that she relinquished her dower. In 1922 shortly after the husband's death the wife sued for her dower. Is she barred?*

The wife is barred and the deed is good. Hackney v. Smith, 273 S. W. 476 (Ky. Ct. of App.)

2. *Where it is necessary to mention children in a Will, in order that they may be barred, is it necessary to mention illegitimate children?*

Yes, they must be mentioned. Martin v. Claxton, 274 S. W. 77 (Mo.)

3. *Does an adopted child inherit from its natural parents, as well as from its foster parents?*

Yes; inherits from all. Sledge v. Floyd, 104 Southern 160 (Miss.)

4. *Will the adopted child of testator's son inherit as heir of the testator, where not mentioned in the will; the statute requiring that all "children and descendants" must be mentioned?*

Yes; he inherits. In re Hebb's Estate 235 Pac. 974 (Wash.)

5. *Is a United States citizen's child, born abroad and residing there during minority, an alien under a statute of descent?*

No. He is a citizen. Nelson v. Nelson. 203 N. W. 640 (Neb.)

6. *Is a judgment within four months before bankruptcy barred by the bankrupt's discharge, as to property abandoned by the trustee as worthless?*

No. Judgment is still a lien. Kobrin v. Drazin. 128 Atl. 796 (New Jersey).

7. *Does a restriction barring all except "first class dwelling houses" bar an apartment house?*

No, not barred. Bowers v. Company. 209 N. Y. Supp. 743 (New York).

8. *Does a restriction against apartment houses, bar a hotel having apartment suites without kitchens?*

No. Griswold v. Co. 209 N. Y. Supp. 764 (New York).

9. *Can a common law trust be a bankrupt collectively?*

Yes. Krey v. Wildwood Assn. 4 Fed. 2nd 793. (U. S. Ct.)

10. *If a deed without witnesses or acknowledgment is void as a deed, can it be enforced as an equitable contract to convey?*

Yes. Lowery v. May, 104 South. 5 (Alabama).

11. *Does the statute of limitation run in favor of an abstracter from the date he issued the abstract or from the date when the owner discovered the error?*

Does not commence to run until error is discovered, Chicago Ry. Co. vs. Duncan. 273 S. W. 908 (Tex. Ct. of App.)

12. *Is it necessary that a transcript of a United States Court judgment should be filed in the State Circuit Clerk's office in order to be a lien on real estate situated in the same county where the U. S. Court is held.*

Yes, it must be transcribed, Rhea vs. Smith. 272 S. W. 964 (Mo.)

13. *In a community state where husband acquires title by adverse possession, and the land is sold in probate after his death to pay his debts, can the wife claim any interest?*

Yes; the land is community property and the sale is void as to a half interest. Crouch v. Richardson, 104 Southern 728 (Louisiana).

14. *Does a statute of limitation forbidding attack on judicial sales after a certain period, apply to a probate sale to pay debts where the recitals in the petition are wrong and some necessary parties are omitted?*

The sale is void and is not saved by the statute, Gee vs. McCormick 128 S. E. 541 (Virginia).

15. *In states having a two-life perpetuity statute, is a trust to pay over income in thirds to each of three beneficiaries during each one's life, valid or void?*

Valid, as the thirds are separable, In re Buttner's Will. 210 N. Y. Supp. 729.



## Highlights from the Addresses and Discussions of the Convention

The title man who spends all of his time in his own office, makes a big mistake. He should travel and visit foreign title plants, to learn the mistakes of others, profiting thereby. We have a great many title men who remain in their own offices year after year, falling into a rut, with the feeling that their plants are constructed and operated in the most efficient manner, when in most instances, where such a plant is found, you will find the most inefficient plant.

"Probably two-thirds of the title men in this country, who are making abstracts of title, are not furnishing documents that are efficient, because as abstracts of title, they cannot be examined by a distant examiner with any degree of certainty. There probably have been many articles written in 'Title News' and in title magazines, which tend to discuss: 'How to Compile an Abstract.' The opinions, as usual, nearly always differ, and yet, all of those who will discuss this subject can only agree, that an abstract of title should contain nothing that is unnecessary for the examiner to read, and it should contain all that is necessary for him to pass upon the title. Many abstracts, so called, are mere chain of title, giving insufficient information for the examiner to base his opinion upon. If you are issuing abstracts, however, you should consult with your competitor, and agree upon the form for abstracting instruments, including therein all of the necessary information upon which an examiner must base his opinion. Then, following the forms of the instruments, you should agree upon the size of the paper used for typewriting the abstract, and the manner of compiling the same; the proper place for an index; and above all, furnish the examiner with every conceivable map or plat, either in or out of the records, that may serve him in his examination. The most contemptible abstract in the world, is the one without a plat of any kind, and there are thousands made in this country today. Gentlemen, if you are going to make abstracts, then for goodness sake, make good abstracts.

"The biggest mistake made by title companies is in the charge for this service. We find the rates for abstracts are based many ways, mostly however, at so much per page, and that prices in various parts of the United States vary from twenty-five cents per page to two dollars per page. I have heard it stated many times by apparently business-like men, that they make money in compiling abstracts at twenty-five cents per page. This is an absurdity, because if an abstract is properly compiled, it cannot be made for twenty-five cents per page. A public stenographer gets that much for writing a short letter. Then where is the cost of overhead taken care of, to say nothing for a legitimate profit for your service?

"Lawyers are not to be consulted as to what business you are engaged in. We all have consulted the lawyers but I have waked up to the fact that no lawyer, banker or any other person on the face of this earth is going to tell me how I am going to run my business. (Applause)

"The escrow service rendered by many title companies in America today, which was unheard of twenty years ago, is one of the factors that tends to the shortening of time in the closing of a transaction from its inception to its completion, as against someone who is not acquainted with the seller's desire and the purchaser's expectations.

"Why should a banker be called upon to handle a transaction between two parties in trading a piece of real property? In the first place, he is not acquainted with the routine involved in the closing of a transaction. It takes the seller and buyer longer to make their wants known to the banker, or real estate agent, than it does to the title man trained in this service, because if the title man is properly trained, he can assume for both parties their wants, and assist them in instructing the title company in the particular transaction.

"Without any argument as to the whys and wherefores of rates for the compiling of abstracts of the issuance of certificates of title, there is no argument against the fact that for years the profession in which we are engaged, has been under-paid in all of its branches."—Remarks of R. F. Chilcott, Wednesday Noon Conference: "How Best to Improve Service."

"In the smaller communities we usually have a large number of local attorneys who specialize in and make a large portion of their livelihood from the examination of abstracts. It is here that we first meet with real trouble. They are sufficiently strong in numbers and standing in the community to poison the mind of the public against any change not profitable to them. Hence it follows that to make title insurance possible here, some plan must be evolved which will enlist their support, and to accomplish this of course the scheme must make provision for their compensation.

"In other words the new plan must assure them of at least as great a return with no more work or liability. In the larger cities, where titles are harder to handle, and attorneys are not so jealous of this class of practice, the problem does not merely present such an obstacle. Once the plan is able to enlist the support of the local bar no trouble with the loan men, bankers, real estate brokers, etc., will be encountered, providing their paths are made easier by the change, and they in turn will help to convert the public generally. It would seem then that the first big problem in the introduction of title insurance in the small community is the local bar. Has any workable plan been evolved that solves this problem?"—From Remarks of Guy C. Gibbs, Tuesday Noon Conference on Subject "Possibilities of Title Insurance in New and Small Communities."

"I want to take up one point. It is a little bit off the subject—about this patching up work that we do for attorneys. I think that we as abstracters consider ourselves the skum of the earth and that we have to do everything that the examiner asks us and be agreeable about it and say, "Yes." (Laughter) You all agree with me.

"Any time a lawyer comes back with a lot of objections that we know are useless we want to figure out about what he thinks his time is worth and charge him just about as much."—Incidental Remarks of Jim Johns.

"The office of the Executive Secretary is equipped to furnish you prompt and efficient service, when requested. This office is maintained for your benefit. Why not use it?

"This year has been a very active one for real estate all over the country and real estate activity weans busy times for all engaged in the title business, whether abstractors, title examiners or title insurers. We all want to see our business increased, but let's not go so absorbed in our own affairs that we neglect our title Organizations. They are the trade organizations of the title business and if we all work together, help our officers and attend both State and National conventions, we will help the title business everywhere, thereby increasing our own prosperity."—From Address of President Fred P. Condit.

"I am one of those who believe in advertising losses. We have them. You all will have them. There isn't any organi-



zation that employs a large number of people that doesn't make mistakes. Your title insurance losses will include those mistakes. There are a large number of people who, when they come into your office, know nothing whatever about the title business and who wouldn't know what your policy meant if they read it, and who when they have some subsequent trouble with the title think they can go right back to the title insurance company and be protected. As a matter of good business advertising in some cases it is advisable to help them out. The losses come from various sources.

"A title insurance company insures some fourteen different things that are insured by a guaranty of title. I have my authority for that from a lecture delivered in Los Angeles, California. They are bound to run into forgeries. We had nine in one year and we advertised them. We often are a little delinquent in handling escrows where large sums of money are involved and make mistakes in calculations.

"Many companies have an attorney employed at considerable expense, for obviating losses, clearing up matters which might not be legal losses but are moral losses, and there is no method of determining what that is. But I will say this. In the branch offices we have established in California we have required the local company to set apart three per cent of its premiums as a fund for contingent liabilities, to pay the losses when they arise.

"In that connection let me say if every Title Company in America would establish a reserve for contingent liabilities, there would be more losses paid; they would be paid with greater grace; they would not be felt and the troubles of title insurance would be entirely eliminated."—From Remarks of Donzel Stoney, President of the Title Insurance Section.

"Let us stop and examine the real underlying principles of the abstract business before we discuss this question. In doing an abstract business, after I had been drawn into it, I came to these conclusions in regard to the possibilities of earnings from that business. Compare it with the business of merchandising. If a merchant were coming into a new community to engage in the business of the sale of merchandise and he had a capital of say \$100,000, he would buy a stock of goods suited to the needs and requirements and tastes of the people who would be his patrons in that community. In opening his business he would expect to make a turn-over of his investment in stock at least three or four times a year and at the conclusion of the year if he still had stock left over on his shelves, it is reasonable to expect that he would have one of those sales of which we hear the ladies enjoy and that he would get rid of that stock for such money as he could to get the captial liquid again to be turned with the sale of a new stock of goods.

"The merchant can create additional demand for different classes of goods. The abstractor is met with the condition that he can not because the Holiday Season will not induce a greater demand for his products. He can not by bargain sales induce a greater demand. All the business that he can possibly get is the business that exists anyway and his duty is to make the greatest profit that he legitimately can make out of the business and to get as much of that business as he reasonably can.

"When competitors come into the field the given volume of business that exists has to be divided up. Now comes the question as to the relation between the competitors in dividing that volume of business. One of the weaknesses of the abstractor I think, under those circumstances is to try to get the lion's share of the business, either by obtaining commissions or by cutting rates. But if you stop to think isn't that the most foolish way in the world to try to get the business? You can't make a great profit on it anyhow. There is only a given volume of business and often times men do business at a loss and induce their competitors to do business at a loss. Simply by offering these inducements we take out of the business our legitimate profit."—Remarks of Worrall Wilson, Wednesday Noon Conference, "Duties and Relations Between Legitimate Competitors."

"Our Courts have also held that the duties of an abstractor and the rendering of service by him is a profession requiring special skill and care. The abstractor occupies a relation of confidence towards those employing him and he is bound to call attention to facts of record and if he is put upon notice of anything outside of the record, which might affect the title he should call attention thereto in his abstract.

"A customer is justified in relying upon the abstract without making an original investigation if there is nothing on the face of the abstract to indicate a mistake or error. It has also been held that although he is not required to pass opinion as to legal effects of the facts or instruments noted he must in order to properly perform his duties, have an understanding of the law relating to conveyance, descent, devise and other matters affecting title to real property and be able to determine what constitutes a lien or encumbrance thereon.

"It certainly follows that if an abstractor in making an abstract fails to measure up to any of these requirements, that then and there he is liable. The relations of the abstractor and his client are contractual and measured by the nature and terms of his employment. He is liable for failure to exercise a reasonable degree of skill and care.

"A claimant must be an innocent party and must have used ordinary care for his own protection. It appears nowhere that an abstractor may be penalized for an error or omission unless a bona fide loss occurs.

"From all of the foreign matters I think it will appear to all abstractors that the chance of loss is remote where an abstractor wishes to avail himself of the defense that the party sustaining the loss was not the one who actually employed him to make the abstract. The party injured is generally a stranger to the abstractor and not a party to the contract of employment. Abstractors, as a general rule do not plead this last defense where an honest loss occurs and are usually ready to assume a liability not legally, if morally theirs. It is submitted that this question should properly be considered by this body, viz:

"Whether it would not be ethically correct for abstractors to waive the rule of privity of contract and to stand back of their abstracts where an honest loss occurs no matter who makes the claim or when the loss is discovered?

"Would not such a stand by abstractors have a great advertising value? Moreover, it is the march of modern business to serve your client and what better way could an abstractor show his willingness to serve than to assume at once responsibility for his acts and waive a defense which although it protects him put him in the position of evading the moral issue."—From Address of Henry Southeray, "Liability of Abstractors Under their Certificates."

## Correction!

There is an error in the order and numbering of some pages in the printed Proceedings of the Denver Convention.

*Page 63 should be numbered 62*

*Page 64 should be numbered 63*

*Page 62 should be numbered 64*

Change them as above, and read accordingly in that succession.



"The Present Day Demands Upon Abstracters" are the same that they have always been, with the Nth degree mark written immediately thereafter, and the letters italicized or capitalized to indicate that emphasis is placed upon the complete sentence.

To comply with these demands requires completeness, accuracy, speed.

To attain these three components, requires the kind of plant or method for procuring the proper information, the trained personnel, the organization for expedition of the finished product.

"What would we think of the automobile mechanic to whom we take our car and ask that the spark plugs be cleaned and the carbon removed, as the engine misses badly above certain speeds, if he did that only and did not polish the platinum points where the real trouble lay? What would we think of the physician in whom we place our trust, who treats us for palpitation of the heart, because we tell him our heart flutters, rather than ascertain the real difficulty and remove the indigestion with which we are really afflicted? What does the layman think of the abstracter, in whom he has more or less confidence, to whom he takes his abstract and attorneys opinion, who sends him hither and yon to get affidavits, documents, papers and records which the abstracter could get in half the time, and with a fraction of the effort?

"On the other hand, what does the layman, the realtor, the loan agent or lawyer think of the abstracter, when a long list of requisitions are submitted by the title examiner, the abstracter says, yes, I can take care of all of this, leaving nothing else to be done unless it be something which is actually not to be made of record or which can not be procured?

"What I mean is that the abstracter should take the requirements of the title examiner, comply with them, get affidavits or other documents procurable and prepare them for record, make the job of closing sale or loan easy for all concerned, thereby gaining the confidence of the layman, the thanks of the realtor and the gratitude of the loan agent. You may get nothing for this service, for there is much of this sort of work for which you can not charge a fee. The confidence gained however can be cashed at some time in the future."—From Address of Verne Hedge, "Present Day Demands Upon Abstracters, With Suggestions for Better Service."

"The question of the advisability of guaranteeing that the title is merchantable or of insuring only against actual loss and excepting unmarketability, is, perhaps, of even greater interest to us, than the question as to what defects in titles make them unmarketable.

"The answer to our question, 'What have we to lose by insuring marketability of title?' would seem to be 'Very little, if we are careful not to so insure when we find objections which show that the title is, or may be, unmarketable.'

"This is said with the realization that in a few States conditions are such that in a large percentage of the titles an examination of the records shows some defect which makes the title unmarketable. This should not prevent insurance of marketability when no such defects appear.

"Now let us turn to our second question—'What have we to gain by such insurance?' In New York City and Philadelphia, practically every real estate transaction, whether a conveyance is being made or a mortgage created, goes through the hands of a title insurance company. Abstracts, title certificates and the Torrens System are unknown. You have already heard much, since you came to Denver, about the enormous progress which title insurance is making in California. I understand that about fifteen counties there use nothing else. As to Detroit, most of us heard last night the report of the business done by one company located there, which made its start as recently as 1921, and in the first eight months of this year wrote insurance amounting to \$95,600,000. The one title insurance company located in Richmond, Va., in business only two years,

and really aggressive, only the last two and a half months is issuing more than 500 policies per month.

"Is it not a fair inference, although perhaps not an absolutely necessary one, that the greater popularity and growth of title insurance in those localities is the result of the insurance of marketability of title.

"I was talking on Tuesday to a gentleman from a company which has been issuing title insurance for a good many years in a large city, having a monopoly on that business there, but insuring less than a third of all transactions. It does not insure marketability. When I suggested to this gentleman that it might be to their advantage to do so, he said, 'Oh, we could not get away with that on account of the lawyers. They would take delight in hunting out all kinds of objections to the title the next time the property was sold.'

"'Could they convince a court that the title was unmarketable? I asked. 'No,' he said, 'but they would make a lot of trouble for us.' Then when I was about to reply he anticipated me and broke in, 'But I see your point. If the lawyers advised their clients not to close for the property in accordance with their contracts to purchase, in a few cases, and we brought suit in behalf of our insured and won, it would bring the lawyers to time and give us lots of good advertising. I'm going to give the idea serious consideration.'—From Address of James P. Pinkerton, "Marketability."

From Address of James P. Pinkerton, "Marketability."

"Poor service, inaccuracies in work, incomplete records, all give some excuse for the public to patronize a transient cut-rater. If they cannot bank on the promptness, correctness and completeness of one abstract, why not take another that seems cheaper, if it is acceptable to the mortgagee, lessee or purchaser? We cannot blame the public. They are not supposed to be experts in our craft. We cannot greatly criticize the loan companies or the lease brokers. If an abstract is certified by a bonded abstracter, and appears regular, what means would they employ to find on the records any instruments that had been omitted? We cannot wholly condemn the curbstoner himself. An ordinary abstract business looks like a good income producer to someone who cannot see the outgo, and it is a natural weakness to crave large profits—especially when no work is required.

"The curbstoner has imagination, ambition, energy, possibly other good qualities, but he lacks the one basic element of reliability. For that reason he is dangerous, not only to the abstract business in general, but to himself, and most especially, to the public. Abstracts and the responsibility of an abstract concern should be as stable as the land itself, or the title to it which lasts after the land is washed away or swallowed by an earthquake."—From Remarks of Vera Wignall, Tuesday Noon Conference Subject, "How to Combat Curb-stone and Cut Throat Competition."

"The escrow, as we know it, was born of the necessity for an instrumentality which would readily accomplish the closing of the many details of a real estate transaction. The almost universal use of title insurance in San Francisco has undoubtedly stimulated the development of the escrow service there. It has become a recognized practice by all persons who use title company service to make the closing of their transaction conditional upon the issuance of a policy of title insurance upon the property involved. The title company, of course, will not issue its policy until a final run down of the title has been made and the conveyances or the document creating the lien, as the case may be, has been removed. In order that compliance with this condition may be assured, it has become a custom, almost without exception, for the parties to make delivery of the necessary documents and the payment of the money through the title company. Even the banks almost without exception pay the money to be loaned on a mortgage or deed of trust to the title company to be disbursed to the borrower when the lien has become a matter of record and the title policy can issue.



"No segregation of the title phase of the transaction from the escrow phase is made by the San Francisco companies. The entire services is looked upon by both company and customer as one continuous, indivisible transaction. We, of course, maintain our plant and searching staffs as independent units from the escrow staff, but so far as the public is concerned, the escrow staff performs the details of the title service as well as the details of the escrow service. It is only when an unusual technical title question is involved that the customer is placed in contact with the title department. Ordinarily all matters between the company and the customer are handled for the company by the escrow department. The larger part of the business is handled over the counter, the escrow rooms being used only for the more involved transactions where extended conferences are necessary."—From Address of Benj. J. Henley, "Escrow Service in San Francisco."

"I want to say that one of the hardest things for my Association to do is to carry out definite policies affecting its members without the cooperation of those members and nine times out ten when work is to be done which is important to the members of the Association, whenever you find that the work falls down it is because the officers didn't get the cooperation of the members of the organization whom they were seeking to benefit.

"Carry that message back home; spread that in your state, among your local members; make them realize that fact; get them to understand that the National Association's primary purpose is to work out their troubles; get them to submit their troubles to the State and National Associations which will undertake to work out those problems, giving them definite thought. Then we will progress in the title business. That is the spirit and that is the thing that I hope to see develop next year.

"I think you abstracters are just beginning to realize that you have a definite department in this Association which is especially interested in your problems. I think you are now away from the idea that the Association is for the Title Examiners and the Title Insurance Section and that you can't segregate your problems.

"You now have a means of bringing your particular problems, untouched by the features of the other two sections, before a specific section of the convention which will give them the specific study that is required for your needs.—Incidental Remarks of Ray McLain, Chairman-Elect, Abstracters Section.

"Permit me to say, it does not necessarily follow that the greatest security comes from the largest insurer. Larger practice and wider experience does increase opportunity for efficiency—but the greatly increased amount of liability, in proportion to the outstanding liabilities of a sound and well managed smaller insurer, leaves the title policy of a smaller company equally secure and acceptable.

"Keep in mind that the basic principle of title insurance is the guarantee against loss by reason of defect in title; and the title is the actual ownership, not the means or method of ownership. Title to real estate is the right of ownership therein, and the means, course or method of acquiring that ownership is the evidence of that right. Man's desire to acquire the right to property naturally includes assurance of his security in that right.

"Every state has its own particular laws as to liens and encumbrances. The principle, however, is the same. Searches for liens and encumbrances must be made against the proper persons and interests disclosed in the brief or abstract. All this information is then analyzed by an examiner reader trained in the law of real property, and then there is written a settlement certificate.

"The settlement certificate is the summary of the status of title and the basis on which settlement can be made. It is no place for the display of erudite learning. It is, rather, the opportunity to apply intelligence in eliminating needless questions. The company issuing a settlement certificate must have a nice sense of proportion of safety and service to its clients. Being a contract to indemnify against loss,

it is important to measure all questions by the standard of what is the liability of loss.

"The evidence of the title may be, at some point, weak, uncertain, yet considered, in the light of the law of that State, not such as could in any reasonable probability result in loss. Such objections placed on a settlement certificate work a hardship in the clients,—impair the value of the insuring company, and create a prejudice against all title insurance.

"The Supreme Court of Pennsylvania, in *Foehrenbach vs. German American Title and Trust Company*, 217 Penna. State, page 331, defines title insurance in the following language:

"The sole object of title insurance is to cover possibilities of loss through defects that may cloud or invalidate titles. It is for the assumption of whatever risk there may be, in such connection that the premium is paid to, and accepted by, the company which issues the policy. Title insurance is not mere guess work, nor is it a wager. It is based upon careful examination of the judgment by skilled conveyancers. The quality of a title is a matter of opinion, as to which even men learned in the law of real estate may differ. A policy of title insurance means the opinion of the company which issues it, as to the validity of the title, backed by an agreement to make that opinion good in case it should prove to be mistaken, and loss should result in consequence to the insured."

"It must be borne in mind that the real subject of insurance is not the concrete thing, but the interest which the one to be indemnified has in the concrete thing. The risks of title insurance end where the risks of other kinds of insurance begin. Title insurance is designed to protect the insured, and save him harmless from any loss arising through defects, liens or encumbrances that may be in existence, affecting the title when the policy is issued. It does not protect against any claim arising after the issuance of the policy. Title insurance, therefore, gives to the insured that absolute certainty of title which relieves all fear and apprehension, and facilitates the transfer of property and creation of mortgage thereon.—From Address of Henry C. Bare, "General Principles of Title Insurance."

"Yes, by all means title companies should require that the amount of guaranty shall be the full value of the property at the time of the issuance of the policy. The policy issued at the time of purchase may very properly be in the amount of the purchase although in fact that value may be less than the generally recognized value of the property.

"While writing in sums not less than the approximate value at the time of the guaranty should be insisted upon, it would seem to be proper that the insured be permitted to take a policy for a sum sufficient to cover not only the present value, but the value of the contemplated improvements.

"Some care should be exercised, however in agreeing to insure for more than the present value; and an excessive policy should not be issued in circumstances which might permit of the guaranty being used as an innocent means of fraud.

"Applicants quite frequently understate the value of the property in signing their applications. We had one instance in which a man purchased a farm stating that its value was \$7000.00, closed the title out of the office, furnished us report that full purchase price had been paid, and later it developed that he had paid \$14,000.00. Litigation following resulted in an interpretation of a will awarding the title under the will to a branch of the testator's family other than the one through which our client acquired his title, with the result that his title failed completely. We had misinterpreted the will and suffered the full loss of \$7000.00. Our client, in saving \$35.00 premium charge had placed himself in position where he lost the other \$7000.00. He practiced a false economy."—Remarks of Edw. C. Wyckoff, Thursday Noon Conference, "Should a Policy Always be for Full Purchase Price?"



"I believe that nothing tends more to popularize title insurance than a prompt, liberal settlement and I do believe this, that in California more losses have been paid on moral or implied liability than under legal ability. There is the other side of that question. There are in our state and I presume elsewhere those who undertake by device or forgery to get ahead of the company, and I believe that a title company should take the same position with regard to those individuals, whether they are lawyers or whatever profession, that a banker does to a professional forger; that money spent in their prosecution is well spent and it should be understood that you will prosecute him until he is behind prison bars, and if he ever gets out he is on your list.

"To my mind the only sound stable basis upon which we can write title insurance is to confine it to our locality, to our own state to make it not a question, not a gamble, not based upon averages but based upon a solid, substantial, accurate, comprehensive study of every question involved, sinking our capital if need be and if we lose pay. We lose then, but we win finally, ultimately and for the good cause."—Remarks of Sen. N. W. Thompson, Thursday Noon Conference, "Underwriting of Title Insurance Risks."

"The necessity for a movement to produce a uniform abstract is a natural outgrowth of the recognition of standardized ideas. We have been making abstracts for a good many years, and it is no more than natural that out of this work there should grow up a realization that we could standardize our work and by so doing we could make it more brief and more concise. Make it uniform and by that means eliminate work, eliminate lots of work; eliminate and save time, save money, save postage and save patience, not only for ourselves but for the examiner who examines those abstracts.

"It has occurred to me that I don't understand why we haven't got to that point yet where we could standardize our abstracts.

"The essential elements of instruments affecting title to real estate, in particular conveying real estate have been well known and well analyzed for a good many years. I might say a good many hundred years. Even the common instruments affecting titles to real estate. If the court and the law recognize those essential elements why haven't we gotten to the point where we can take those elements out and standardize them and make a uniform abstract of those instruments?

"I don't know why we haven't done it. I am inclined to lay the fault on our state and national organizations, and by laying it onto those organizations, then laying it directly to the members of those organizations who could have produced those results.

## LOST!

The Big Book of Advertising Specimens, Samples of Newspaper and Pamphlet Ads is lost, strayed or resting peacefully in some office.

The record of where last sent has been misplaced.

Will whoever has it kindly return to the executive secretary.

"I am not sure that the National Association can prescribe a uniform abstract sheet or a uniform abstract certificate. I believe the solution of this problem is coming down to uniformity in states arrived at by the states.

"What are the reasons uniformity can not be worked out? I think there are none. If there are any reasons at all it lies primarily in the vanity and stubbornness of the abstractor himself. I can say that referring to myself, because I think that is the best form that has ever been used and I think most abstracters think the form they are using is the best form that can be used. But if the abstracter will concede that the other fellow's form is all right, a form can be worked out which is decided to be sufficient by title examiners and abstracters, by both the makers and the users, he can readily see from the benefits that he is going to get that he will abandon his form and conform to the general form. Then we can get down to this one thing, but I have found more abstracters who absolutely knew no other form was sufficient and could never use any other form, and who would never give up what they are using themselves."—From Address of Ray McLain, "Uniformity in Abstracts."

"That one court should overrule the decree of another court or declare its procedure invalid is manifestly a necessity in the progressive administration of law and justice. That this process, however, should be made to work an unescapable injury to vast numbers of our citizens who were wholly unconnected with the particular case, is almost unbelievable—but, alas, too true. That a title to property through the solemn determination of a judicial tribunal should be the least stable of all titles is contrary to the most rudimentary ideas of natural justice and respect for the law. And that a reversal of a previous line of authorities should have an ex post facto or retroactive effect, so as utterly to destroy the hard earned assets of numbers of property owners is subversive of the whole idea of law by the adjudication of cases.

"But all of this has come to pass. 'The Court Giveth and the Court Taketh Away.'

"A suit to quiet title is a species of judicial decree in which we are all vitally interested. And one's impression is that all such decrees properly presented upon sufficient service of process, should be valid for all time. But under the decision in *Mirick vs. Booten*, 304 Mo. 1, it seems that if the petition is in error as to its allegations of heirship, and if some of the unknown heirs afterward appear, they can have their interests reinstated. If this sort of thing becomes general we will soon be asking for a suit to quiet the suit to quiet—much as we hear inquiries as to who will watch the watchman, or who will care for the caretaker's daughter.

"In addition to these practical safeguards, let me mention one expedient, to insure the validity of court sales, that does not seem often to have occurred to those concerned with the title to real property. This is the practice of appealing each proceeding to the Supreme Court which is entirely feasible where properties of great value are involved. We find this method used continually to insure the legality of municipal bond issues. The basic principle involved is, that, once a given proceeding under a certain state of facts is approved by a court of last resort, the interests thus created are valid for all time, even though the principle involved be afterward abandoned and the case itself be overruled as a precedent for other decisions. By transporting your particular case and property and facts from the hazy limbo of stare decisis to the clear and sure territory of res adjudicata you render harmless any subsequent overruling decision so far as your property and facts are concerned, however fatal such an overruling decision may be to any other unappealed case decided by an inferior Court following the authority of your very decision. The Circuit Court is right if it's right; the Supreme Court is right whether it's right or not."—From Address of McCune Gill, "The Court Giveth and the Court Taketh Away."



"I feel very much at home here among these kindred spirits, younger men than I am and men older than I am. As I have talked with the white-haired title men I have found that there is an earnestness and a sincerity of purpose and a spirit that I am very happy to try to imitate. I find in talking with the younger men that they are catching the idea that our work is one of real service to the community and that the more earnestly and honestly we understand that work the better it will be for us.

"I was very much interested in the remarks of one of the speakers at our conference that abstracters and title men have trouble, most of them, with the inferior complex. I have been emphasizing that among our title men for some time, that they must break that very bad habit of thinking themselves inferior. I will admit if I had to work for 25 or 50 cents per page, I am afraid I would have the inferior complex also. It seems to me that in the states where the community forces you to work for these starvation prices, there must be a way by which you can break that chain that is holding you down. I don't know what it is."—Incidental Remarks, W. N. Glasscock.

"My conception of title insurance service is that it does not mean that a piece of paper is to be delivered to the owner of a piece of real estate, stating if the title fails the title company will pay a certain amount of money. Title insurance service as I understand it involves the rendition of all of the various services which have been discussed at this convention; the matter of searching the title, examining the various records and instruments which go to make up the title and determining the legal status of the title.

#### WASHINGTON TITLE ASSOCIATION REPORTS ITS BEST MEETING.

The 1925 Convention of the Washington Association held in Spokane in October was where another state asso-

ciation held its best ever convention in every way.

The Washington Association is one of the most efficient ones in the group. They claim to have everyone a member who is eligible to belong.

The program was fine. There were not many papers or addresses, but everyone on the program had a distinct message to deliver and did it. On the afternoon of the opening day they had a round table discussion, which was just an open forum in which everyone present took part. It was, however, an unusual success, due to the snappy and rapid-fire handling of it. It was led by E. W. Fawley of Waterville.

Addresses were given by Frank S. McWilliams of Spokane, President of the Fidelity Savings & Loan Association and President of the Washington Savings and Loan League; by Sidney A. Cryor, Chief Counsel of the Federal Land Bank of Spokane; by Paul A. Schedler, President of the Spokane Realty Board, and T. W. Zimmerman of Portland, Ore., Secretary of the Pacific Northwestern Real Estate Association.

Vice President J. W. Woodford of the American Title Association was present as the representative of the national organization.

There was an abundance of entertainment provided. A theatre party was given the first day, an automobile ride on the afternoon of the second, and a banquet that evening, at which Worrall Wilson was toastmaster.

The handwork of A. T. Hastings, who had the assistance and hearty support of all the titlemen and interests of Spokane, is seen in the excellent arrangement and preparations made for the convention and the entertainment of those present. Much advance

"The customer undoubtedly when he gets the report of the title or the policy of insurance does not invite some one to come in and knock his title out anymore than does the man who takes out a life insurance policy invite the first automobile to knock him down and kill him. It seems to me that the client who uses the title insurance office wants to know that his title is a good title and if by any chance because of things unknown or matters which can not be discovered from the records the title is invalid he wants to be reimbursed for the loss he might sustain by reason of those defets.

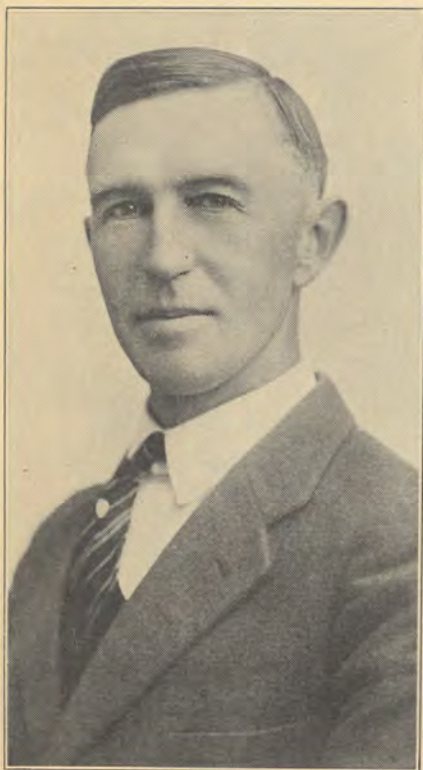
"It seems to me that the subject as we have been discussing it, and by that I mean the issuance of a policy of insurance or a bond or whatever you wish to call it, merely that part of the service guaranteeing if the title should fail, to pay a certain amount of money, is not title insurance but is more in the nature of a surety business and doesn't come within the classification of the title insurance business.

"I don't think it has been the intention of any of the speakers to say that any title company has the God-given right to control the title insurance business within any given territory.

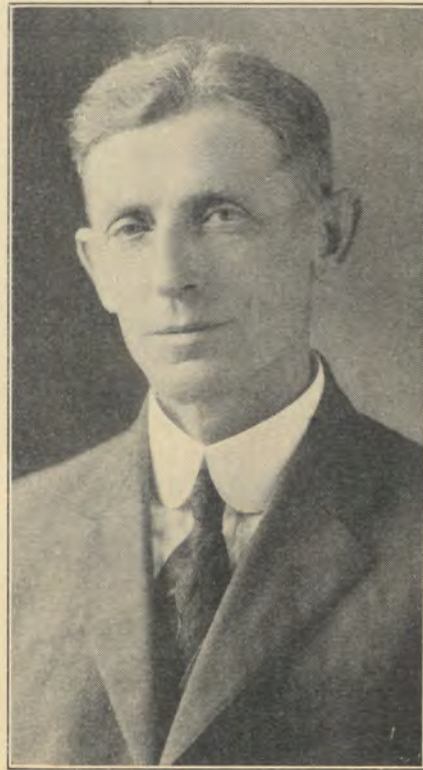
"I think the title insurance business should be conducted on the basis of performing the entire service and that any title company who intends to transact business in any given community should provide itself with the facilities to do the business there and render the entire service and not merely issue its contract by which it agrees to pay damages in the event the title fails."—Incident Remarks, Benj. J. Henley.

work was given to stimulating the attendance, with much promise, and those who attended realized the fulfillment of it.

Joseph Hunt, of the Spokane Title Co., was elected President, and Bob Elwell, of Olympia, just naturally continued as Secretary.



**JOSEPH HUNT,**  
of Spokane Title Co.,  
Spokane, Wash.  
Elected President of The Washington  
Title Assn.



**ROBERT W. ELWELL,**  
of Thurston Co. Abstract Co.,  
Olympia, Wash.  
Who Will Continue His Life Work as  
Secretary of The Washington Title  
Assn.



### KANSAS LIKewise HOLDS ITS BEST EVER CONVENTION.

The Kansas Title Association has held some fine meetings in the past, but President Fred T. Wilking gave its members their best show in the 1925 meeting held in Garden City.

It looked as though the program would be a three-ring circus, and it was, but a smooth-running, successful one in every way. Things were kept going along and did work so admirably that the unusually large number of things scheduled were amply disposed of and only greater value thereby derived from the session.

The largest crowd by a greater number ever present at a Kansas meeting attended. This was due largely to the wonderful spirit and evidence of hospitality extended in advance by the local hosts, Helen Stowell, Ralph Stocks and Chan Campbell. Never could a convention crowd have been so royally treated as was this one by these hosts.

It seemed that all Western Kansas, which is some little territory to include, had put itself at the disposal of the guests. The weather was ideal, and many drove. Everything was favorable to a good meeting and it was had. A large number came to attend this meeting, and then go on to Denver to the National Convention.

Several visitors on their way to that meeting stopped, too, among them Mr. and Mrs. J. W. Woodford, President Glen Ricker of the Oklahoma Title As-



**FORREST M. ROGERS,**  
of Rogers Abstract & Title Co.,  
Wellington, Kansas.

Re-elected Secretary-Treasurer of the  
Kansas Title Association.

sociation and his wife, J. L. Chapman, Fred Hall and Paul D. Jones of Cleveland, O., Mr. and Mrs. E. C. Wyckoff of Newark, N. J., and Lloyd L. Axford Arthur N. Axford, and Mr. and Mrs. Wayne W. Putnam of Detroit, Mich.

One of the big features of this convention was the abstract contest patterned after the Model Scheme as outlined in last month's "Title News." They were all made from a sample set of instruments and with no distinguishing marks.

The prize was won by Wood Griffin's company of Parsons. A large number were submitted, and all had the suggestions of the examining and judging board, which were very instructive.

More topics were discussed at the convention than probably any title convention ever held. They were all prepared in advance and the speakers ready to present them. All were right to the point and given in rapid-fire order. The topics were chosen from practical and helpful standpoints and included: Indemnity Insurance, by Walter Skinner, of Independence; Abstracters Credit Bureau, by Charles E. Moore, Eureka; Is Abstracting a Profession, by Wood Griffin of Parsons; Building Public Confidence, by Clifford Hope, Attorney, of Garden City; The Abstracter's Activity in His Community, by E. L. Mason of Wichita; Rebates and Commissions, by Chas. W. Spencer of Sedan; Charging for Attorneys Requirements, by John Fredrick, Salina; Copying Old Abstracts,

by Will May of Eureka; Certifying Competitors Work, by Grant Mitchell of Newton; Bankruptcy and Federal Liens, by E. S. Simmons, Topeka; Looking Ahead Three Years, by C. C. Porter of Russell Springs; Three Years of Retrospect, by Walter Skinner of Independence; Examiners' Requirements, by C. O. Conkey, Attorney, Newton; The Abstracter's Opportunity, by Pearl Koontz, Columbus; The Dawning of a Better Day, by Robert Campbell, Wichita; Service and Management of an Abstract Office, by Geo. C. Webber, LaCrosse; The Uncertainty of Unprobated Estates, by F. J. Evans, Garden City.

J. W. Woodford also responded with a splendid address and extended greetings from the American Title Association.

The crowd was then taken for an auto ride in the irrigated valley around Garden City on the third afternoon. A banquet was served the evening of the second, and it was a real affair. The menu cards were extremely novel, being a miniature abstract with very clever make-up.

The Kansas Association had a very active year in 1925, but immediately began its work for 1926. This Association prints its convention proceedings, and thus was a record made of this year's valuable and interesting convention.

E. L. Mason of Wichita, Manager of the Title Department of the Guarantee Title & Trust Co., was elected President, and Forrest M. Rogers re-elected Secretary-Treasurer.

### MISSOURI ASSOCIATION MET IN ST. LOUIS.

Those in Attendance Had One of Most Enjoyable Times in History of Conventions.

The Missouri Title Association held one of its best meetings ever in its history. There were two things lacking to make it perfect; one is that every word of the things said and done, the addresses and discussions, could not have been taken down and reported in a printed report, and, the second, that every member of the Association could not have been there.

The Missouri Association has one of the best of the state title associations, it is the second largest in membership, there is no other in the various states that does so many real things of value for its members and stages so fine programs, and yet the abstracters of the state who belong to it cannot some way get the spirit and attend its meetings. Even many of those from the adjoining and nearby counties from the convention city and stayed at home whole the sessions are going on just a few miles away.

There is no lack of support or interest from the members in anything else, but they somehow have not yet caught the convention spirit. Once it could be instilled into the members of



**E. L. MASON,**  
Manager, Title Department, Guarantee  
Title & Trust Co.,  
Wichita, Kans.  
Elected President of The Kansas Title  
Association.





**J. A. RILEY,**  
of Schuyler Co. Abstract Co.,  
Lancaster, Mo.  
Elected President of The Missouri  
Title Assn.

the Missouri Association and the percentage of them attend one of the conventions that should, much would be the benefit to the abstract business of the state. It seems that this is just about all needed to make the Missouri Title Association 100%.

The program of this year's meeting was exceptionally fine, although there is always one of merit. One of the finest talks ever given before an assembly of abstracters was that of Harold Lincoln, attorney, of Springfield, and a brother of Leroy Lincoln, abstractor, of the same place. He had as a subject, "Abstractly Speaking," but his combination of thoughts and expressions and his oratorical ability brought an ovation from his listeners. Judge Henry A. Hamilton of the St. Louis Circuit Court gave a fine talk of local interest on the subject of "Some Phases of Missouri Real Estate Law." Senator Richard F. Ralph of St. Louis also spoke on a matter of local interest on "Recent Legislation of Interest to Title Men."

Earl F. Nelson of St. Louis furnished some interesting things when he talked on the subject, "What a Title Company Asks its Counsel."

Arthur V. Lashly, attorney of St. Louis, talked on a subject that is probably attracting more attention right now the country over than anything else, "The Crime Survey and Its Relation to Business."

An automobile ride was taken over the city the first afternoon, and the beauties of St. Louis not only revealed, but also the wonders and sights of Clayton. Although it was dark and misty by the time Clayton was reached, the wonders and advantages of Clayton could neither be darkened nor dampened.

The crowd was kept together in a big bus, and that added to the pleasure of the ride. McCune Gill and Bill Barnes pointed out the points of interest along the way.

At six o'clock the bunch was taken to the Coronado Hotel to such a banquet as only a titleman could have for his highest ideal of such a function. It was a fine affair, with music and entertainment as well as a fine repast, but further made pleasant by the utter and complete absence of speech-making.

After the banquet the party was taken to the Orpheum for a line show, which marked the end of a perfect day for fair.

Not content with having done a lot of splendid work in the past several years, with its Monthly Bulletin service of Court Decisions, its Annual Directory with its state wide distribution to real estate firms, loan companies, etc., the last issue of which is the most attractive and pretentious thing probably yet issued by a state title association, and other activities, this association prepared plans for the coming year's work of a greater scope than ever before.

The where-with-all was provided by the raising of the dues from \$5.00 to \$10.00, and preparations for a membership campaign.

The Missouri Title Association blocked some legislation last year that would have virtually crippled the abstract business to the point of annihilation. It was not an easy matter to

have accomplished, either. For this alone, it deserves the active, moral and financial support of every abstractor in the state eligible to membership.

This year's convention was the culmination of a year of work and successful efforts and next year's meeting will also be the finale of an even better year. But the attendance should be lots better.

The organization voted to send the Secretary, T. S. Simrall, to the next national convention at Atlantic City. This is a fitting recognition to Mr. Simrall for his excellent work of the past several years as Secretary.

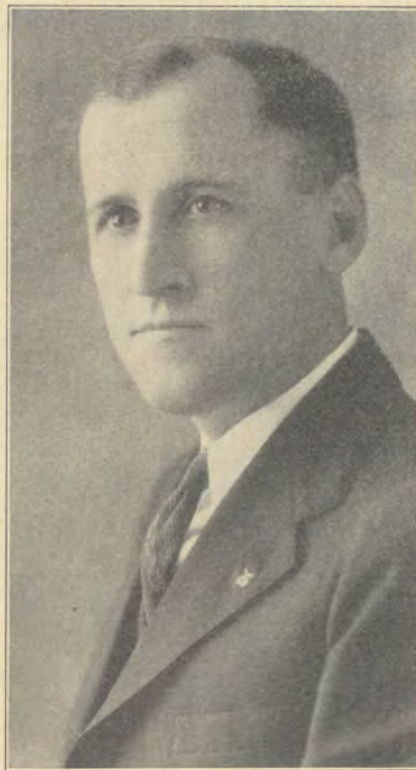
J. A. Riley, of the Schuyler County Abstract Co., Lancaster, was elected President, and Simrall of course continued as Secretary-Treasurer.

#### MICHIGAN ASSOCIATION MEETS IN ADRIAN.

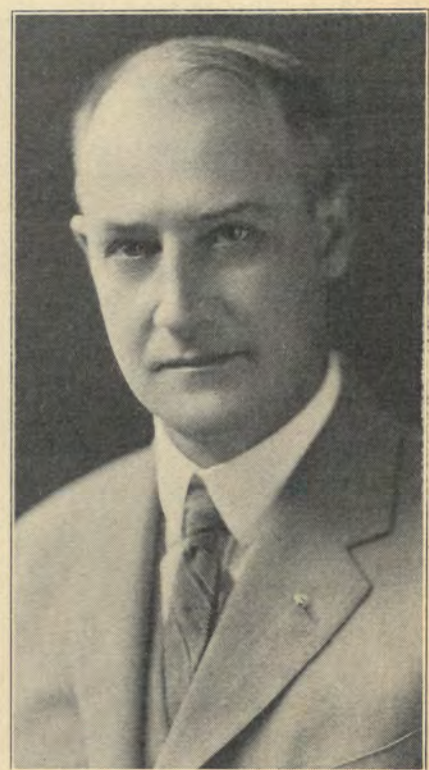
The Annual Convention of the Michigan Title Association was held in Adrian last month. It was a finely attended meeting. There were about forty abstracters present, and these with the ladies present made the crowd total about fifty-five.

Edwin H. Lindow of Detroit represented the American Title Association and extended greeting from it and told of the Denver Convention. John H. Green of Painesville, O., a member of the Executive Committee of the Abstracters' Section, was also present and made a talk.

Ray A. Trucks, President of the



**T. S. SIMRALL,**  
Pres. Cooper Co. Abstract Co.,  
Boonville, Mo.  
Continued in Office as Secretary of  
Missouri Title Assn.



**RAY A. TRUCKS,**  
Pres. Lake County Abstract Co.,  
Baldwin, Michigan,  
Elected President of The Michigan  
Title Association.



**ARKANSAS ASSOCIATION MEETING BREAKS ATTENDANCE RECORD.**

**Large Crowd Meets in Hot Springs.**

The largest crowd ever in attendance at a convention of The Arkansas Land Title Association met in session at the new Arlington Hotel at Hot



**EMMA STOECKERT,**  
Secy. Monroe County Abstract Co.,  
Monroe, Michigan,  
Elected Secretary of The Michigan  
Title Association.

Lake County Abstract Co., Baldwin was elected President, William J. Abbott of Lapeer, Vice President, and Emma Stoecker, of the Monroe County Abstract Co., Monroe, Secretary. Herbert W. Goff of the Lenawee Abstract Co., Adrian, was elected Treasurer.

The Association voted to meet in Lansing next year.



**ELMER McCLURE,**  
Pres. Little Rock Abstract & Guaranty  
Co., Little Rock, Ark.  
Elected President of The Arkansas  
Land Title Assn.



**GEO. F. BUZBEE,**  
Pres. Saline Co. Abstract & Guaranty  
Co., Benton, Ark.  
Re-Elected Secretary-Treasurer of The  
Arkansas Land Title Assn.

Springs for the 1925 Convention last month.

This was the first time a meeting had been held in Hot Springs, and plainly demonstrates the advisability of holding meetings in a place of real interest and attraction. Hot Springs is one of the most beautiful and delightful places in all America. The hotels are excellent, and there is not only much to do and see and enjoy, but



**Arkansas Land Title Association Convention, Arlington Hotel, Hot Springs, Ark.**



there is something mighty pleasant just being in such a place.

These Arkansas abstracters came to attend the meeting, to get what they could out of it, but also to have the trip to Hot Springs, and get some of that old "abstractitis" boiled out and forgotten in the atmosphere of Arkansas' national resort.

The success of getting such a crowd in attendance can be credited to Secretary Buzbee by the publicity he gave to the meeting. The guests were given every consideration by the local people, hotels and especially by the State Association President, J. M. Stallcup, who happens to live in Hot Springs. A luncheon was partaken of at noon, and on the Sunday following those remaining over were taken on an auto ride through the Hot Springs vicinity by Mr. Stallcup.

The program was interesting, particularly because of the informal discussion provided for and which was participated in by everyone present. Talks were given by O. M. Young of Fort Smith, who has just recently organized a title insurance company, and who gave an interesting talk on "Title Insurance." Mr. Crocker, attorney for the Federal Land Bank of St. Louis, whose district includes Arkansas, expressed some interesting things about the examiners' work.

An abstract contest was held, and first prize won by the Independence County Abstract Co., Batesville.

The Association took a forward step when it made plans for an active and aggressive year for the coming one, and made a foundation for the work by raising the dues from \$5.00 to \$10.00. The state was also districted into four parts and a Vice-President elected for each who pledged himself to secure the memberships of at least one representative in each county within his district. It is planned to get in a car and drive to each county seat and personally solicit memberships. Those selected were: For the Northeast District, J. Robert Blair, Paragould; for the Southeast District, E. W. Kimber, Pine Bluff; for the Northwestern District, O. M. Young, Fort Smith; for the Southwestern District, R. L. Ford, Eldorado.

A committee was also appointed to draft a uniform certificate for the state and to report on same at the next convention.

Elmer McClure of the Little Rock Abstract & Guaranty Co., Little Rock, was elected President. George F. Buzbee of the Saline County Abstract Co., Benton, was continued in office as Secretary. Long live George! He is a hard worker, and has done much to keep up steam in the Arkansas Association. J. M. Stallcup of Little Rock was elected Treasurer. He and McClure simply changed jobs. Stallcup was President last year, and McClure Treasurer. Miss Ealy Redd of the Beach Abstract & Guaranty Co., Little Rock, was elected General Vice President.

## Abstracter's Section

*A Letter from the Chairman, Ray McLain,  
Oklahoma City, Okla.*

The abstracters section of the American Title Association was duly inaugurated at Denver, as previously announced, and the officers were elected to conduct its affairs for the coming year. Very few of them had anticipated the honor which was to be given them of being elected to serve this section of the Association, and no more surprised at this honor were any of the officers elected than the Chairman of the section. However after having had this honor conferred, it was quite natural to immediately consider the serious work which the section has before it, especially as this is the original year of the organization of this section as an active working part of the national association.

It is the desire of the officers and of the Executive Committee that the section will not become simply an organization in name only, without use or benefit to the members. There can be but one excuse for its existence, and that is to better serve and promote the ideals and business of the members of that section. In considering how this can be done, there can be found a great many things that it would be desired to accomplish, but when analyzed most of these things simmer down to a question of business policy and executive duty of the heads of the local abstract concerns, and when further analyzed most of the remainder of the things that can be accomplished to better the condition of the local abstracters point to the proper functioning of the state association, which is not handicapped by a variety of laws governing their work. It would seem, therefore, that one of the foremost duties of the national body is to induce and encourage state associations to become active for the furtherance of the benefits to their own members.

### Uniformity.

Several questions were considered by the Executive Committee at Denver, and undoubtedly some progress can be made in these directions. Foremost among these was the question of *uniformity of abstracts*. It was undoubtedly the consensus of opinion among the members present at Denver that this question would have to be worked out first on a basis of uniformity in states, and that the questions should receive the earnest consideration of the state associations at each convention, until satisfactory progress could be made. It was pointed out that if such uniformity could be established it would more clearly identify and advertise members of the state and national associations, and by this means create

a greater demand for standard abstracts conforming to this uniform specification, and it would enable the state associations to undertake publicity for their members with considerably more effect.

### Qualification.

Another question of primary importance to the title business, and especially to the state and National Associations, is the question of *qualifications of abstracters* before they should be admitted to membership in the Association. Various states have taken different views of this question. Some have taken the view that all abstracters should be invited into the Association and that the Association should then undertake to show them what the fundamental qualifications of good abstracting are and induce them to accept and adopt these policies. Other state Associations have taken the view that if membership in their Association is to mean anything, and if the public is to be expected to repose any confidence in the work of the members of their Association, and if they are expecting to vouch for the business policies and practices of the members, those members should first meet certain qualifications before being admitted to membership. In the state of Oklahoma the qualifications for membership in the state Association has been fixed, and prescribes that an abstracter, before becoming a member, must have complied with the state law relative to filing a proper bond, and must further have provided himself with an abstract plant consisting of at least a complete set of indexes to the records in the office of the County Recorder. It does not provide that he must have a complete set of "take-offs," but simply the indexes. This qualification is fixed as a minimum in consideration of the primary qualification of an abstracter being his ability to find from the mass of public records what effects the title to the property under inquiry, and that he must first find this information before he can exercise any of his professional knowledge in abstracting and compiling the information for the examiner.

### Commissions and Discounts.

Another question of annoyance to the abstracters in general is the question of competition by what is known as *curbstomers*, or persons who make abstracts without capital or other facilities for doing so, other than what is found at the Court House, and without any other responsibility than a bond where required, which in most cases, is



questionable. It seems that this question in most localities can be dealt with by local abstracters, who attempt to run a legitimate business, by proper publicity. There is no rule which will immediately cure this disease. It is one which will take a long course of treatment, and the abstractor who feels that it can be cured over-night is doomed to disappointment. I have talked with a number of abstracters in different localities who have had this question under consideration. A great many of these abstracters have faced the issue squarely and discontinued giving commissions. To sum up the results of this action—in some cases this arrangement has run for a short time by agreement among the abstracters in the locality, and is finally broken down by one of them withdrawing from the agreement, and thereby stampeding the others into following suit; in other cases responsible concerns have taken this stand without agreement of other concerns; and in other cases where the agreement had been had and some of the concerns broke over, the legitimate abstractor has stood pat and faced the issue. The result in these last two conditions has been that the loss of the abstractor has been those customers whose business is always more or less unsatisfactory. It will consist primarily of the customers and accounts of persons or firms who are always hard up, and are always behind, and where the abstractor has frequently had to take a loss on account of the non-payment of his bill, in addition to the discount which he had been giving the customer. In very few cases, when the proper reason has been given has the legitimate abstractor lost a *desirable customer*, or at least enough of his desirable customers to make up for the difference in income which he derives and which he would lose if he gave commission or discounts. Very often additional advantages have been accrued by advertising that when his customers used his abstracts the parties dealing with these customers (who are usually real estate men, loan men, etc.) could rely with certainty that third parties were getting *no rake-off* on the abstract bill, and that full value of the price paid was going into the work performed, and no part of it to rake-offs.

#### Curbstoners.

Another question which has aggravated the abstractor a great many years, especially since the establishment and coming into use of abstract plants, is the elimination of the curbstoners. This is another question which will have to take slow treatment, but which can be worked out by concerted effort of local legitimate abstracters. A proper amount of publicity in any locality will drive the curbstoner to the point where his principal business will be derived from the unsatisfactory client whose accounts would be un-

desirable to the legitimate abstractor. In the state of Oklahoma the abstracters have recently adopted the following as an additional paragraph to their certificate:

"That the undersigned is a duly qualified and lawfully bonded abstractor in and for said County and State, whose bond is dated....., 192...., and is in force at the date of this certificate and expires, or premium is paid to ..... 192....; that the undersigned has a complete set of indexes to the records in the office of the County Clerk, formerly Register of Deeds, compiled from the records of such office, and not copied for the indexes of the recorder, and that the searches covered by this certificate are made from the records of said office and not confined to the indexes thereof."

It is believed that if this certificate becomes in general use among the legitimate abstracters of the state, that examiners will demand this certificate before they will be willing to pass an abstract for a client. This proposition is purely an experiment, and what actual results will be is as yet to be ascertained.

It is recognized that the four questions above discussed are the foremost questions affecting the abstract business. What the national association can do on these questions, and just how it can do anything, or how it can better do what it might propose, is still an open question. The officers and directors of the Abstracters Section are open for suggestions. Undoubtedly, free correspondence from the members of the abstracters section and especially from the state officers, would go a long way towards the work that is to be done.

My personal ambition for this section for the coming year is not particularly that it will greatly increase its membership, but that it will accomplish something in this year which will benefit the members who are already in the Association. The proposition of increasing the membership in any organization is desirable only when by the added members and personnel it can better accomplish the things which it will attempt for the betterment of those in it. Undoubtedly, we should have as members of the national association every abstractor who, under local conditions, is possessed of the minimum qualifications and is in the business in good faith and is willing to show his good faith by his business establishment and business policies.

#### Wet Measure.

Two pints, one quart,  
Two quarts, one fight,  
One fight, two cops,  
Two cops, one Judge,  
One Judge, thirty days.  
—[The Van Raalte Vanguard.

#### PENNSYLVANIA WORKING ON UNIFORM POLICY.

The Pennsylvania Title Association is doing an important and epoch making work in its efforts to perfect a uniform title insurance policy for use throughout the state.

A committee has been working on it for the past few years. James P. Pinkerton has been chairman of the committee and done some very constructive work.

In a bulletin letter just issued by Mr. Potter, President of the Association, the announcement is made that the draft of the proposed Uniform (or Standard) Policy of the Pennsylvania Title Association will be submitted to the members at the next convention.

The success and accomplishment of such a venture would help materially in establishing the stability and practicability of title insurance in the minds of the public.

If one state could do it, the others could. It is to be hoped that something will be formulated that can be adopted and Pennsylvania set the example for others to follow in this point.

#### NEW JERSEY ASSOCIATION APPOINTS COMMITTEE ON ARRANGEMENTS FOR 1926 CONVENTION.

The Executive Committee of the New Jersey Title Association recently met in session at Newark. Among the matters of business transacted was the appointment of a Committee on Arrangements for the coming convention of The American Title Association to be held in Atlantic City next September 14-15-16 and 17.

The personnel of the Committee as named by President Doremus includes Edward C. Wyckoff, Solicitor of The Fidelity Union Title & Mortgage Guaranty Co., Newark, Chairman; William C. Rogers, Sec.-Treas. Asbury Park Trust Co., Asbury Park; Howard R. Cruse, Title Officer of New Jersey Title Guarantee & Trust Co., Jersey City; Arthur Corbin, President of the Guarantee Mortgage & Title Insurance Co., Passaic, and Walter P. Gardner, of the New Jersey Title Guarantee & Trust Co., Jersey City.

The title associations of the Eastern states are certainly making every effort to prepare for the Atlantic City Convention. The interest they are showing insures its being a wonderful success, and everyone who attends will have a fine time.

#### Where Will You Be At Sixty-Five?

Statistics show that out of 100 average healthy men at age 25:  
36 will be dead at 65.  
1 will be rich.  
4 will be wealthy.  
5 will be supporting themselves by work.  
54 will be dependent upon friends, relatives or charity.



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## NOVEMBER, 1925.

## Editorial Entries

There are some states in the United States where the abstract business is poor. The abstracters are poor, and complain they are not making money—just a bare living. Naturally that is not pleasant. One is generally in a business and working at his chosen or chance occupation for the purpose of making money, to make a living, to make it possible for himself and his family to have the things they want, need and should have.

The abstracters in these few states complain of several things as the cause. One is that "business is not generally good." That is an old stock excuse. But they say that generally business is not good, and that further they have lots of trouble with their customers.

They kick on the price charged, no matter what it is. Generally in such places the prices are the lowest of any

in the country and have never been raised one penny in the past twenty-five years. Abstracters charges have never been increased much, not nearly in proportion to others, but in a few places not at all.

In addition to this, the customers want discounts—and usually are getting them. The banks, and real estate men, and loan men and lawyers and every one get a discount. The abstracter is getting 35 to 50 cents an entry, a dollar and a half for a certificate, and a small fee for court proceedings. He usually "throws in" all work necessary to complete attorneys requirements, too, and then gives away part of what he does charge.

And he lives in a constant state of fear. Every session of the legislature sees the regular introduction of a Torrens Bill (if it is not already on the statute books, as it usually is in these states).

Then some legislator possessed of the conviction that he is his brothers keeper and duty bound to do a little bit to save mankind, and quite a little "country saving," introduces a bill to regulate the fees of abstracters, or to make the county recorder the official county abstracter, or to compel the recorders of the various counties to compile a set of numerical indexes, or to establish a County Abstract office.

Usually these bills are killed, quite fortunately in fact they have all been killed the past several years, not because of the energy and endeavors of the abstracters in general, but because the legislature had too many other measures to dispose of in the time that it used in meeting, or that there happened to be a few abstracters who were also members of the legislature and succeeded in getting them tabled, or else because a few abstracters took it upon themselves to go to the state capitol, and by an expenditure of their own time, money and energy, turned the trick, and because of their work the business of every other one in the state was saved.

These conditions exist year after year, and everyday it is the old story of poor working conditions, with the clients of abstracters kicking on the bill, on the service, growling for the Torrens System and with a nightmare all the time the legislature is in session.

In addition to this, most every exacting official will "go into the abstract business" upon the expiration of his term. This produces a greater number among whom the limited amount of abstract business in the community must be divided, and as a result all in the abstract business must also sell real estate, make loans, write insurance, poison prairie dogs, or do a little undertaking on the side to make a living.

These conditions do exist in some places, and in those states where it does you can know one thing immediately—that there either is no state title asso-

ciation at all, or else the one that is supposed to exist is dead and does not function.

In some of them efforts to revive the organization and get the abstracters interested in the formation and support of an association meets with the same excuses, namely, that the abstracter cannot spend either the time or money to attend a meeting, cannot leave his office long enough to go, and that he cannot afford the \$5.00 or \$10.00 for dues, or else he is silently indifferent to the whole proposition.

A man can afford to spend any amount of time and money in the development and upbuilding of his business, and it is only common sense that if a man never puts any time or money into a thing he will never get anything out of it. There is nothing in the world discovered so far that will even run of its own accord let alone increase in any way without some effort behind it.

There is no one in any business in good faith who does not expect to put something back into that business. Likewise everyone in any vocation owes it to himself and his chosen endeavor to give a part of his time and his talent in the upbuilding of that business in which he is engaged.

Whenever the abstracters in those states laboring under the difficulties here mentioned shake themselves out of their rut and take a hand in creating the atmosphere of their own business conditions, then and only then will they better themselves. There are all kinds of agencies, individuals and forces constantly striving to regulate, interfere with and tear down most everything these days. There are none engaged in bettering anyone's affairs except their own, and no one is going to hoe the abstracters row but himself.

The only means of doing this is by the organization and active support of a state title association by the titlemen themselves. It can only be done by united and group action.

The business conditions of the abstracter in those states where there are live, functioning title associations, is as different from those where there are none as day is from night.

Take any of the many states where there are real, active title associations and you will find that the abstracters in those states are working under satisfactory business conditions. They have done considerable in improving their work and business, giving better service, securing better prices, have the good will of the public in general and their clients in particular, and are not scared to death all the time for fear the wolf is coming in and curl up on the davenport, or that the next legislature will put them out of business.

True, every abstracter in those states is not riding around in a late model eight or twelve cylinder car, but those that are having prosperity and pleasant conditions are without excep-



tion members of their state association and those who are not will be found to be outsiders.

The title business of the country today, abstracts title insurance, any and all of it, owes its very existence to the state and national association, and whether it continues to improve and survive and make itself attractive will depend entirely upon the degree those in it in any of its branches make it, and that will depend entirely upon the support and interest given the title organizations.

### INDIANA ASSOCIATION HAS FINE MEETING.

#### Program Marked by Excellent Papers.

The 1925 Convention of the Indiana Title Association was held in Indianapolis last month and there was a mighty good crowd in attendance. The Indiana Association has a membership of some of the most efficient and established abstracters in the country. Their names are familiar and have been for years.

This Association always has an excellent program and this year's convention was no exception. McCune Gill of the Title Guaranty Trust Co., St. Louis, a former President of the Missouri Title Association, author of the Fourth edition of Tiedeman on Real Property, and one of the country's title authorities, was present, and gave his



**CHARLES E. LAMBERT,**  
of Lambert Title Co.,  
Rockville, Ind.

Just Naturally Continued as Secretary,  
Indiana Title Assn.

talk on "The Court Giveth and the Court Taketh Away." This was enthusiastically received and the discussion following brought forth many interesting points.

W. L. Rogers, General Attorney for the Federal Land Bank, Louisville, Ky., one of the best friends and helpers the abstracters of the country have today, and one who has taken a great deal of interest in the Indiana Association the past few years, was present and gave a most pleasing paper on "The Country Abstracter." This invoked so much enthusiasm to those who heard it, and is really so unique that it will be printed in a near issue of "Title News." Mr. Rogers understands the abstracter, he admits that he once was an abstracter, and that actual experience in the making of abstracts, with his great familiarity brought from his years as an examiner accounts for excellency of the things he always writes and says about the abstracter and anything pertaining to titles.

Albert M. Bristor of Indianapolis, attorney for the newly consolidated and organized Union Title Co., headed by Willis N. Coval, gave a mighty fine talk on Title Insurance. Mr. Bristor is a practical speaker, makes his points interesting and he gave a great explanation of title insurance, its origin, progress, what it does, and the future for it and the benefits the abstractor will receive from its use.

There were several mighty fine talks by members of the Association. Brenton A. Devol, an attorney of Frankfort, gave a thorough explanation on "Duties and Liabilities of Abstracters," in which he not only defined the legal, but also the moral duties, lia-

bilities and responsibilities. Ezra Mattingly, attorney and abstractor of Washington, Indiana, presented a picture of the Millenium of Abstracts and Abstracters from the attorneys' standpoint. It was very interesting. Walter Coppage also gave a fine talk on "The Country Abstracter." Walter is a real, progressive abstractor and always gives a message to the boys. The old stand-by and always interesting talker on title matters, Dr. J. R. Morgan of Kokomo, "The Man from Kokomo," talked on "Record Tangles—Cause and Remedy." Dr. Morgan always gives something worthwhile, very much so.

It was a fine program and those in attendance were interested and enthusiastic. A banquet was held in the evening of the first day with Willis Coval as toastmaster.

It was the pleasure of the Executive Secretary to have been present as the visitor from the national association.

John F. Meredith of the Delaware County Title & Loan Co., Muncie, was elected President for the next year.

There was no election for the office of Secretary-Treasurer, Charley Lambert of Rockville just being continued in the job.

As is usually the case with the state conventions, it was a shame that every member of the Indiana Association could not have been at this meeting. It would be hard to figure how a program of any more real worth, merit and interest could have been arranged, and those who were not here missed a lot of value, not alone from the program, and the Association with those of their craft from all over the state, but also by not getting to inspect and study the display of abstracts brought to the convention. There were many samples there and they were studied by all in attendance. It is planned to have this continued next year. Every Indiana abstracter should resolve now to attend next year's meeting.

#### The Priceless Ingredient.

In the city of Bagdad lived Hakeem, the Wise one, and many people went to him for counsel, which he gave freely to all, asking nothing in return.

There came to him a young man, who had spent much but got little, and said: "Tell me, Wise One, what shall I do to receive the most for that which I spend?"

Hakeem answered, "A thing that is bought or sold has no value unless it contain that which cannot be bought or sold. Look for the Priceless Ingredient."

"But, what is this Priceless Ingredient?" asked the young man.

Spoke then the Wise One, "My son, the Priceless Ingredient of every product in the market-place is the Honor and Integrity of him who makes it. Consider his name before you buy."



**JOHN F. MEREDITH,**  
of Delaware Co. Title & Loan Co.,  
Muncie, Ind.

Elected President of The Indiana Title  
Assn.



## Abstracts of Land Titles—Their Use and Preparation

*This is the fifteenth of a series of articles or courses of instruction on the use and preparation of abstracts*

We are now ready to consider the abstracting of Court Proceedings, and emphasis is put upon the abstracting. Court Proceedings are an ever increasing part of every title because every generation means an estate, and the constantly increasing value of land and the use of it brings more litigation, and land is more and more being "hauled into Court."

Court Proceedings should be abstracted, and there is no place in the well prepared abstract for a full copy of a case, regardless of its nature. It is true that, in many places, abstracters furnish complete copies of a court case, either because the abstracter does not know how to brief them, or else the attorneys in that community ask for them, and either because they know the abstracter is not skilled enough to make reliable abstracts, or else the attorney himself is provincial or pettishly technical.

Every abstracter should know how to brief a set of court proceedings, and any attorney should welcome a brief of them, rather than wade through the mass of unnecessary junk.

There are certain essentials, however, which should always be set forth in full, but the idea of copying all motions, praecipes, answers, etc., is foolish. There are two general classes of court proceedings, in two courts. Those in the Civil Court, which include divorces, actions to quiet title, foreclosure of mortgages, partition suits, and various other kinds, such as those to set aside deeds, specific performances and the like.

The other are those in the Probate Court, which include a transcript of the administration of an estate, testate or intestate, and the various proceedings to sell the real estate of a deceased. Coupled with these in the Probate Court, are the estates of minors, incompetents, etc.

### Civil Actions.

We will first consider those in the District or Civil Courts and begin with the simplest. First, however, a few general rules will be given and a few statements for general practice made.

### Petitions.

All petitions, with the possible exception of partition suits, can be abstracted. There might be exceptions in the case of a very complicated or unusual proceedings, when a very extraordinary statement of facts is necessary and it would be quicker and simpler to copy instead of abstract, because it might take more time and trouble to figure it out for the purpose of briefing, than to copy.

Foreclosures, and practically all others except unusual ones as said, can be briefed. Any suit to quiet title can have a very brief statement made as to the facts stated in the petition. A divorce action most certainly need not have the petition copied in full, and all the various scandal, causes for divorce and household brawls of the parties, made a part of the abstract. In a divorce, the only statement that need be made is that petition states various alleged grounds for divorce.

In abstracting any Petition, however, the abstracter should set forth a clear cut statement of facts, sufficient to show a cause of action and further COPY THE "PRAYER" IN FULL. This is the last paragraph in every petition starting out with "Wherefore, Plaintiff prays," and a general summary is given of all the things the plaintiff wants.

Petitions in partition suits should always be copied because of the mass of information given in them and usually available no other place.

### Service.

All Civil cases are based and conducted upon the same principal. A petition asking certain things is filed and then all defendants must be notified of same and brought into the case, as no one under our Constitution can be deprived of his rights without due process of law, and every man is entitled to have his day in court. Therefore, after he is notified of it by a summons as prescribed by law, he has his hearing, judgment is rendered, and the decree defines what further action and developments will be had in the case.

The summons, or method of service, is, therefore, very important, and unless done regularly, the proceeding is void, no matter how much further it may go. There are three general classes of summons or methods of service upon the defendants in a case.

The first is by Personal Service, or by delivering to the defendants a copy of the summons, which tells him that he has been sued and must answer the allegations against him, or judgment will be rendered accordingly.

The second is commonly called "House Service," or where a copy of the summons is left at the known or usual place of residence of the defendant. It is not necessary to copy in full the summons in either one of these cases. It is well, however to state the exact words of the return, as made by the Process Server, showing exactly how it was done.

The third is by Publication. Where a person cannot be found, or where it is known he lives outside of the state wherein the action is brought, or where there is no idea at all as to how, when or where a man can be found, legal service can be had upon him by the publication of a notice as prescribed by law, which, when done in the form provided by statute, constitutes notice and legal summons upon him.

The basis of such a summons is an Affidavit, filed by the plaintiff or his attorney, stating that it is impossible to ascertain the whereabouts of certain of the defendants, and that for the purpose of summoning them, it must be done by publication notice. This is called an Affidavit for Service by Publication AND SHOULD ALWAYS BE COPIED WORD FOR WORD. The reason for this is that the statutes of the states provide that only certain circumstances make it possible for service by publication, and this affidavit must contain a statement of facts complying with the requirements of the law.

### Answers and Cross Petitions.

These will be mentioned very briefly. The mere fact that a defendant files an answer is all that is usually necessary to mention.

In the case of Cross Petitions, they will be "boiled down" as briefly as possible, with only a scant mention of the most essential. Anything that a cross petitioner might ask is disposed of in the decree, so why waste a lot of time setting out what he alleges?

### Publication Notices.

It must be shown that notices of appointment, notices of sale, summons by publication, etc., all were published. This is done by an affidavit of a printer stating notice was published, how long, and on what dates, and a copy of the notice accompanies the affidavit.

The affidavit can be abstracted, but the notice must be COPIED IN FULL. A few errors in the notice make it void and stop the whole proceedings until it is correctly published.

### Journal Entries.

All decrees or journal entries, WILL ALWAYS AND WITHOUT EXCEPTION BE COPIED IN FULL.

### Praecipes.

All praecipes, which are only requests to the Clerk of the Court to issue summons, orders of sale, etc., WILL BE IGNORED ENTIRELY AND NEVER MENTIONED. The first thing to do is to go through a file and pick them all out and put aside.

### Motions, Demurrers, Etc.

All motions, demurrers, etc., UNLESS SUSTAINED, will be ignored entirely. What use is there showing or mentioning them at all if they were over-ruled and nothing what ever came of them?

If a motion is sustained, or an order



made granting it, then make a brief mention of it, with a FULL COPY of the order, otherwise put all the motions, demurrer, etc., found in the files to one side with the praecipes.

#### Orders of Sale.

These need only be abstracted.

#### Appraisements.

The appointments of appraiser, etc., can be briefed, but it is a good policy to copy their report out in full. This for the reason that they are usually based on an estimate of the whole, with various interested appraised separate, at so much an acre, or otherwise, and it is well to make a full copy of the report.

#### Deeds Arising From a Court Sale

Deeds in judicial sales, whether in Probate or Civil Court, need not be copied in full, contrary to the requirements of some attorneys. They need only be briefly abstracted the same as any other regular deed, warranty, quit claim, etc.

The deeds issued from court decrees and actions, are Sheriffs, in the case of partition suits, foreclosures, etc.; Trustees, Master in Chancery, etc., from actions in United States and Federal Courts, and executors, administrators and guardians, from the Probate Court.

Such deeds all give a statement of facts as to their source, explain the nature and title of the case, when judgment was rendered, sale had, and ordered, when sold, to whom, under what direction, and all such facts.

All these things are shown in the abstract of the court proceedings themselves attached to the abstract, and a copy of the deed gives nothing of value.

Even if the deed is not right, and makes a mis-statement of facts, etc., that makes no difference. If the proceedings were regular and the sale duly confirmed by the court, then irregularities in the deed are of no consequence.

#### Sequence in Abstract.

As stated in the earlier installments of this series, the abstracts of the court proceedings in a title will be put in the back of the abstract, and not in the order as an entry immediately following a court deed, etc.

There are several reasons for this. First, it keeps the chain of title intact. The chain of title is only the conveyances, instruments, etc., and it should appear without interference from things of another nature and source.

Second, it facilitates the work of the abstracter in writing up the abstract. One stenographer or person who can only work on the chain can be doing that while another, able to make the abstract of court proceedings, can be making them. When each has their part done, the whole can be assembled.

Third, it keeps the proceedings intact, and they can be continued or added to by additional entries to them,

the same as the chain of title can by its being added to.

Many times the abstracter begins on a set of court proceedings before the case is finished. Later he adds additional steps and proceedings to it. If the start is in the part where the entries or conveyances are shown, they are broken into by the proceedings. Then some conveyances, etc., are shown then maybe the case is completed and the whole abstract is a jumble. Conveyances, a few entries, then the first notations of the court case, some more conveyances, then some more of the case, etc.

There is every argument in the world for making exhibits of them and putting them in the back of the abstract by themselves. The only argument for their chronological order following the deeds is their accessibility immediately after the Sheriffs or some other deed, but that can be overcome by a notation in the deed, "Case entitled, Smith vs. Jones. See abstract of Court proceedings in back hereof."

In the coming articles each kind of a court case will be gone into by detail, and the abstracting of each explained.

#### Mother Shipton's Prophecies.

Mother Shipton lived in England more than five hundred years ago and uttered several so-called prophecies. The following lines were first published in 1485, before the discovery of America and before any of the discoveries and inventions mentioned therein. All the events predicted have happened except the prophecy in the last two lines:

Carriages without horses shall go,  
And accidents fill the world with woe.

Around the world thought shall fly  
In the twinkling of an eye.

Waters shall yet more wonders do,  
Now strange, yet shall be true.

The world upside down shall be,  
And gold be found at root of tree.

Through hills man shall ride,  
And no horse nor ass be at his side.

Under water man shall walk,  
Shall ride, shall sleep, shall talk.

In the air men shall be seen,  
In white, in black, in green.

Iron in the water shall float,  
As easy as a wooden boat.

Gold shall be found 'mid stone,  
In a land that's now unknown.

Fire and water shall wonders do,  
England shall at last admit a Jew.

And this world to an end shall come  
In eighteen hundred and eighty-one.

## The Dates of the 1926 Convention

have been

# CHANGED

to

## SEPT. 7-8-9-10

This means our meeting  
will be held during

## Atlantic City's Biggest Event

## "Pageant Week"

The most elaborate  
spectacle of Amer-  
ica's most famous  
resort.

## The Ambassador

has been selected as the  
Convention Hotel