

Title News

DO NOT REMOVE

Vol. 7

APRIL, 1928

No. 4



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Samuel Sage No. 4 Change Arthur Breakfast



Finding the Buyer

is sometimes
the *easiest part*
of the deal ~

BECAUSE

The Title's the Thing

and the closing of every real estate transaction is dependent upon the evidencing and acceptance of the title.

What is more exasperating than, when you find a purchaser, to have the deal "fall through" because the title cannot be approved!

Wise Realtors safeguard themselves and their clients and eliminate the gamble of final closing, by recommending and using

TITLE INSURANCE

It gives absolute protection against attack, or loss from defects or any title matter whatever, and eliminates future questions, delays and troubles that could be based upon title questions or differences of opinion.

Consult your local title company about the advantages of TITLE INSURANCE.

TITLE INSURANCE SECTION

The American Title Association

TITLE & TRUST BUILDING

KANSAS CITY, MISSOURI

The Insured Title Is The Marketable Title

The above is another of a series of advertisements being presented by the Title Insurance Section and appearing in certain National trade publications

COMBINE

business *with* pleasure



to SEATTLE

Wonderful program, great entertainment, the hospitality of the Pacific Northwest all will make a perfect convention atmosphere and setting.

Attending the convention of your trade association is a business necessity and venture of profitable returns. Our meeting this year affords the greatest opportunity possible for a combination business and vacation trip.

The Time and Place are Perfect!

AMERICAN TITLE ASSOCIATION

CONVENTION *of* SEATTLE

June 26-27-28 and 29

ALL ABOARD



Special Train to the Convention

Canadian Pacific Route, via Banff,
Lake Louise, Vancouver

The official route and tour to
Seattle. It will be a wonder-
ful trip and journey

JOIN THE CROWD

This gives you the wonderful scenery of the Canadian Rockies, first stopover at Banff; motor trip Banff to Lake Louise; boat trip Vancouver to Seattle.

Parties from all points East and Southeast take train at Chicago; those from the Southwest via Kansas City and West via St. Paul, will join Special Train at St. Paul.

SCHEDULE:

TUESDAY, JUNE 19th.

Leave Chicago, 6:30 p. m.

WEDNESDAY, JUNE 20th

Arrive St. Paul, 8:00 a. m. Sight seeing,
leave St. Paul 12:00 noon.

FRIDAY, JUNE 22nd

Arrive Banff, 7:00 a. m. Motor car to
Lake Louise, arriving there 3:30 p. m.
and spending night.

SATURDAY, JUNE 23rd

Leave Lake Louise 7:00 a. m.

SUNDAY, JUNE 24th

Arrive Vancouver 8:00 a. m. Leave
10:30 a. m.—Princess Steamer. Arrive
Seattle 8:30 p. m.

Make Your Reservations Immediately

Write to E. H. LINDOW, Chairman, Transportation Committee, Union Trust Building, Detroit, Michigan

Give information as to number and names of party and sleeping car accommodations required.

TITLE NEWS

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The American Title Association

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Editor's Page

IT sure enough won't be long now. The convention will soon be here. In the pages of this issue you will find many announcements about the event. The principal thing is, have you made up your mind to go? Do it, because making a decision to attend is the first step in getting there.

This occasion affords an opportunity that does not present itself every day—that of a business trip which takes you to the Pacific Coast. You are carried through the wonderlands of the West, can visit so many places, and the transportation cost is very low.

Attending the meetings of the American Title Association is purely a matter of business—a necessity and venture that can only bring great returns and profits.

YOUR particular attention to two things is absolutely necessary. The first is: that you make your hotel reservations NOW. Every member has been mailed a blank and convention announcement. Designate the accommodations desired and return immediately to J. W. Woodford, Chairman of Reservation Committee, 201 Home Savings Bank Bldg., Seattle.

The second is, that everyone who is going to the meeting on the special train, via Canadian Pacific, send in their reservations immediately to E. H. Lindow, Chairman Transportation Committee, Union Trust Bldg., Detroit.

Do it Now!

DURING the month everyone who had not already pledged to the sustaining fund was given an opportunity of doing so. The cards were even filled out with a suggested amount and a stamped envelope enclosed for return. Despite the fact that all anyone had to do was to just sign it and mail, several have not as yet sent them in. In fact and to be real honest, too many have not yet sent them in.

Do it Now!

THERE was an unavoidable delay in getting the Directory number out this month so it will appear as the May issue.

Send in that
hotel reservation
NOW!



or



You might not be able to have
comfortable accommodations

Your attention is called to the announcement on page 4. If you want extra copies for distribution to your local loan, real estate companies, attorneys, etc., send in your request immediately.

There are going to be several who will be disappointed because their name did not appear but the reason was—they did not respond in time to the notices sent them for 1928 dues.

THE complete program of the Seattle Convention will appear in the June issue.

The one offered this year has been particularly prepared to be most beneficial and prove as thoroughly practical as possible. There will be more and shorter presentations and lots of chance for discussion.

ABOUT the articles in this issue: Stuart O'Melveny has prepared something very interesting in his story of how progress carries the title business with it. The author needs no introduction despite the fact that he entered association affairs only a little over two years ago. He is Executive Vice President of the Title Insurance & Trust Co., Los Angeles, President of the California Title Association, and Vice Chairman of the Title Insurance Section of the national.

The article by the Executive Secretary is the first of a series announced last month.

C. B. Conrad is one of the leading and representative abstractors of Illinois. He has been active in the state association and is held in high esteem. This article is a print of a paper given at the last Illinois state convention. He is manager of the DeKalb County Abstract Co., Sycamore.

AND last but not least, you are again reminded to send in that Sustaining Fund pledge card.

No Matter Where You Live

the 1928 Convention is accessible and Seattle close to you.

Do not think of it as being "too far away." A place is only as distant as time and expense measure.

Time warrants no consideration, no matter where you reside, because it takes only a few days from the farthest point away and the hours of travel are comfortably enjoyed as you are carried through the wonderland.

The Summer Tourist Fares eliminate distance when you figure the transportation cost.



Do You Want Extra Copies of the Directory?

The next number of TITLE NEWS, the May issue, will be the Annual Directory.

Extra copies for distribution and use will be furnished to those who request them, but only enough will be printed to supply the demand.

It will be necessary to know in advance just how many are wanted. Requests for quantities must therefore reach the Executive Secretary's office not later than May 1.

Send in your request immediately and state quantity desired.



The Title Business as Affected by Growth and Progress

By Stuart O'Melveny, Los Angeles, Calif.

It has been intimated to me that, because I threw in my lot with title men at a comparatively recent date, and because I left an active law practice to join with you in your endeavors, I should have some new and refreshing observations to make to you about the title business. I can see no particular logic in this thought. I have always believed that those persons who have been in the title business for the greatest length of time know the most about it and I still think so. Let me say at the outset, that one of the first conclusions I reached on assuming my duties with a title insurance company, was to listen attentively to the advice of my seniors in the business and not to say glibly what could or could not be done. I am still following this self-imposed advice and it is with some hesitancy and natural reluctance that any other or different conclusions will be advanced.

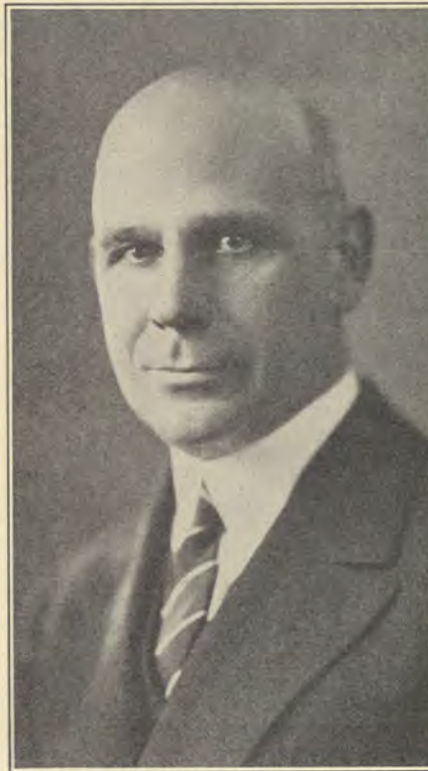
A few years ago the principal business of California was agriculture and land was bought and sold in large pieces and with comparatively infrequency. People were more patient and generous with their time as there was not so much to do and habits of life were more conducive to unanimity. Not long ago the function of the title man was limited to making abstracts for an attorney's examination, but during the last twenty years and especially during the last five or possibly ten years the manner of dealing in land has changed, due primarily to the increase of population and the increase of wealth or capital. Let us see how population and capital have increased. I will use my own state as an example. The United States census reports the population of California as follows: 1900, 1,485,053; 1910, 2,377,549; 1920, 3,426,861.

The estimates made by Eberle and Riggleman are as follows: 1924, 4,791,716; 1925, 5,030,347; 1926, 5,129,699, or an increase of 47% in the last six years. Money and capital has also been increasing apace. Look a moment at the total Savings Deposits and Building and Loan Assets for California: 1910, \$377,966,000; 1920, \$1,057,194,000; 1926, \$1,869,252,000.

The increase of population caused land to be subdivided for homes, apartments to be built, business blocks to be erected, and real estate generally to be used. Banks, life insurance companies and building and loan associations found themselves in possession of funds available for use in financing the needs of people for land and supplied the necessary capital. The loans secured by real estate made by California state banks and building and loan associations has advanced from \$268,590,000 in 1911 to \$500,242,000 in 1920, and to \$1,185,-

511,000 as of June 30, 1926. Large sums of money have also come into this state from the East for investment in land.

It is a simple conclusion that the title business is an economic necessity. Some business agency must exist to insure the safety of capital in these investments. The old methods of making and examining abstracts proved too slow and cumbersome and afforded insufficient protection. Title insurance has been devised and perfected as the



STUART O'MELVENY

best possible means of quickly supplying to capital what is required in either purchasing or lending on land. In order to supply such evidences of title as are needed it has also been necessary to build title plants of considerable size. Statistics on this point are not available to me, but in Los Angeles county the number of subdivisions has increased from 9,000 in 1907 to 20,000 in 1927. The number of lot books of title insurance and trust company has increased from 200 in 1907 to 420 in 1922, and to 719 in 1927, while the accounts in the lot books have increased from 500,000 in 1907 to 1,050,000 in 1922, and to 1,750,000 in 1927. It would seem, therefore, that a strong well-equipped title insurance company was more than merely helpful to the welfare of a community.

The title insurance business as it ex-

ists today is an extremely technical one. The questions which can arise with reference to the ownership of land are and always have been numerous and complex. Since the days of Coke and Blackstone law students have been engrossed in the niceties of the construction of the law with reference to real property. It is true that many of the technicalities which existed under the common law of England have been abolished in most states in an effort to simplify the rules governing the ownership of land, but on the other hand, each legislature that meets designs new laws which must be taken into consideration by all title companies. New kinds of quasi public districts have been designed and the taxes imposed by such districts have been declared to be liens upon real property within such districts. Interests of husband and wife in community property have been rearranged for us to consider and worry about. Federal taxes have been inaugurated and a lien for such unpaid taxes provided. Hardly a day goes by but what some new question is brought up for consideration, either the application of an old law to a new set of circumstances or the application of a new law to an old set of circumstances.

During the time the legislature is in session all of us pass through a period of constant study trying to find out and understand all of the new technicalities which may be imposed by law upon the use and ownership of land, for each of these we must understand and make applicable to our work. At all times subdividers are busy employing attorneys to draw restrictions upon the use of land and imposing such restrictions on the land they intend to sell, and I have always marveled at the short length of time which elapses after such restrictions are imposed before the same people who imposed them were wishing us to devise ways and means to remove the restrictions.

Because of the extremely complex questions of mixed law and fact that present themselves in the title business, and because the volume of business to be performed increases on account of money seeking an outlet and population increasing, the title business becomes one which it is very difficult to organize. There are no raw materials to be handled, no machines to be operated; there is nothing but the record title to be examined and passed upon by one proficient in law and civil engineering. Men who are trained in all branches of title business are scarce and difficult to obtain. The routine work of the examination of the record title is usually delegated to a group of comparatively inexperienced persons who bring their problems to be settled by a

man well grounded in the title business. This results in a congestion of work upon the desk of the examiner or title officer to such an extent that it is almost impossible to obtain a steady production. In order that the needs of the public for rapid service be met, it is necessary to route work in as simple and direct a way as possible.

It has always seemed to me that some good could be accomplished by a systematic campaign of publicity designed to educate the public concerning the function of title companies. Many a person in buying or selling real estate is in the hands of an agent who, as a matter of course, escorts him to a bank or title company to start an escrow. The agent reads over the escrow instructions and tells his client that he may sign just there on the dotted line. Later someone has to pay a fee to the title company for a policy of title insurance and such person may groan inwardly at having anything subtracted from the money he was receiving or added to his bill.

Such a person does not realize that for his use and benefit the title company has been maintaining a set of lot books with an account for every lot in the county into which all the daily recordings and matters affecting title to all property in the county are posted; that a crew of men have been employed and trained to serve him when the time comes for him to need them; that all this costs money, and the only way such company can be compensated and exist is by charging for its services when requested. If the public were generally informed concerning the plants and equipment of title companies and became more familiar with the knowledge stored in the minds of title men, the general respect for title insurance would be correspondingly increased.

The business of furnishing evidences of title is in a constant state of progress with reference to the form of evidence issued. Abstracts of title, which furnished to the customer a list of instruments of records, together with an abstract of their contents, and under which little liability was assumed, have almost entirely disappeared from use in this state. The attorney's opinion based on such abstracts provided very limited financial protection. Somewhat more responsibility was assumed by title companies when they attempted to serve their customers in a better way by issuing certificates of title. More recently the guarantee of title, based on the official records and policies of title insurance which afford protection from one or two matters outside the records, have placed more responsibility and liability on the issuing company, and having proved a more acceptable form of evidence of title, have superseded certificates to a very great extent. So much for the past. What of the future?

The tendency, as I see it, is to place more and more liability upon the title company and to ask the issuing company to omit more and more of the

exceptions mentioned in its policies. All forms of life are becoming more complex and strenuous. Time was when a bank or individual loaning money knew the location and general appearance of property on which the money was to be loaned. But now banks and mortgage companies, seeking an outlet for large sums of accumulated capital, view properties only with an idea of ascertaining their appraised value and must leave to other agencies such questions as possible violations of building restrictions and the claims of persons in possession. The most convenient agency is the title company and, the form of evidence of title being examined and found to except such matters, it is requested to omit any or all statements from its policies of title insurance, going so far as to practically insist on the covering of all matters by title insurance whether the same appear of record or not.

Such action on the part of these institutions has resulted in title insurance companies going beyond the examination of the record title and requiring surveys to be made to ascertain any possible violation of building restrictions, photographs to be taken to show that construction has not been commenced on the property in order to afford protection against mechanics' liens, and notaries to be questioned to avoid forgeries. If the loan looks at all unusual, the problem of usury arises like Banquo's ghost and the poor title man must quake and fret and dive into the deal from all angles to lay for all time this threatening figure. So it has come about that by reason of the concentration of capital in distant points, and in the hands of comparatively few men who must attend to its investment quickly and by leaving the details to others, the title company is looked to more and more not only for insurance against what is shown of record but also against any and all legal objections to the validity of the loan, whether such objections are shown of record or not.

Another set of circumstances has also arisen which is tending to place more liability on the title insurance company and which set of facts the companies themselves are largely responsible for. Not so very long ago many of the evidences of title were in the form of guarantees expressly based on the public records. Soon, however, the policy form of title evidence sprang into existence, which, although assuring the person for whom issued that the title was in fact as shown, continued to state that all secret equities, liens, trusts, easements, and the claims of parties in possession, which did not appear of record, were not insured against.

In advertising the benefits of this new form, in the stress of competition between title companies for business, statements were made which have led the public to believe that nearly everything in the way of a legal objection to the title is covered by the policy of title insurance which, as a matter of

fact, is not and was not intended to be the case. I find a good many claims presented for hidden defects expressly not insured against but which the customer thought were covered. One which quickly comes to mind is the possibility of a violation of the terms of the commissioner of corporation's permit for the issuance of bonds, the law providing that bonds issued in violation of the terms of the permit are void. Of course, it is natural that demand be made on the title insurance company to insure against such defects when the inclination of its customers demand it.

My conclusion is that the title companies will not meet this problem in any one way but in numerous ways. In New York a survey accompanies nearly every policy. If the parties do not furnish a survey they usually order one to be made by the title company which, as a matter of course, maintains an engineering department which makes such surveys. If no survey is made a very broad exception is placed in the policy reading that the insurance is made subject to all matters that would have appeared if a survey had been made.

In concluding my remarks permit me to make one more observation. Conventions not only afford a means of helping us individually and collectively with our problems to our mutual advantage but they give us a little rest and relaxation in our strenuous work. Wordsworth says that as we grow older the shades of the prison house round us slowly close. If this be so yet surely there must be windows somewhere to glimpse the fair world we have left behind. After viewing the grandeur of Yosemite, and after bathing in the sunshine at Arrowhead Lake, I am inclined to believe that our conventions are useful not only for the information we gain but because they loosen the bonds of our labor that we may enjoy again the beauties of nature in the company of so many good friends.



**It Won't Be
Long Now**

*Better be getting ready
'cause those convention
dates will soon roll
around.*

LOOK AT OUR OWN PICTURE

By Richard B. Hall, Executive Secretary, American Title Association

Most title men know why there is such a thing as a title man or a title business. It is an essential and necessary work. Evidences of title have to be furnished so that much of the world's commerce, work, development and enterprise can be done, because they are dependent upon the basis of all wealth—land.

Governments have throughout the ages recognized it as a governmental function to provide some method of keeping a record of and providing facilities for permanently establishing a history of the real property rights of their peoples and of the land of the commonwealth. Even the ancient Hebrews provided earthen vessels for placing the deeds and muniments of title to land in order that "they may be preserved throughout the ages." William the Conqueror created the grand idea for public records and a land title system when he caused the whole of England to be surveyed (the Domesday Survey in 1060) and every boundary fixed, every right of the owner adjudicated and then a permanent record begun by the facts being entered in the Domesday book.

America has a wonderful land title system, made possible of course by our protective laws and the public recording of documents. Commerce demands that this information be made available quickly, in such form that is easy of inspection and determination, and lastly that it be dependable for the use at hand.

Thus was the abstractor born. No one seems to have deemed him of enough importance to have ascertained his date and place of birth. At first he was just a conveyancer, who thumbed through the few records and made a statement as to what he found or knew from hearsay. The first title plants were the furrowed brains of these "record rats." Later the business became more exacting and complicated and it became an "all time" job. Somewhere and sometime in this period the abstractor became a recognized business man, who must "know his stuff," have proper equipment, and be established and responsible.

In some places he is a small town abstractor; in others they call him and he calls himself a "cow county" or "short grass" abstractor; in the larger places he is a city abstractor, but, all in all, wherever and whenever, and in most places, he is just a good old plain abstractor.

Always he has been recognized as a stable citizen, a good man, a prominent element in the advancement and well-being of the community. He is steady, reliable and generally credited as being O. K. He never does anything rash or peculiar, out of the ordinary or strange. He is just a most desirable

and steady type of citizenry. He plugs along from day to day in the same old way most every day. He has a well defined route that he traverses regularly. It leads from his home to the office, from the office to the courthouse, back to the office, and then the return route home.

He is known as a moderate liver, enjoys life in a conservative sort of a way, manages by hard work and self-denial to keep all his kids in school at least through high school, averages his share at sending or helping them through part or all of college and, all in all, shows a record of an average life, though always plugging and figuring to make it all work out.

He seldom takes any long or real vacations because he cannot afford to be away from the office, or at least thinks he can't. This is both because he must consider the reckless expenditure of both time and money which never seem to overburden him with their plentitude. Of late, too, it is generally recognized that he has a standard piece of equipment. It is an automobile. Those who have them usually have the accepted brand for the abstractor—a Ford.

My father started in the abstract business early in life—as his first real business venture, and stayed in it for years and years. I was born and raised in it myself and worked through all the chairs in an abstract office—flunky, taking-off, posting, running chains, writing them up, getting out a daily report of deeds, etc., on an old flat bed mimeograph, working to build up a business, competing with competitors of all kinds and otherwise getting an insight into the thing by actually being in the business. I stayed in it so long that it suddenly dawned upon me that I was really in it, and it in me; it was really my vocation and about all I knew.

Then as a well-known title man said, accusingly, "Dick Hall got a job and actually went to work." That job became my present capacity. During the few years that it has been my good fortune to be in the association's work many have been the observations, the things learned, the things that have come to notice. From all this I have formed some conclusions.

All things, people, business, industries, in fact, it seems about everything has troubles and problems. And believe it or not, the abstractor seems to have a lot of them and they evidently have always been with him.

I have attended many title conventions. It seems to be the custom (at least so at nearly all of the many I have visited) to have as a regular and annual feature of the program, a lawyer, a real estate man, a banker or a loan man, sometimes all of them, ad-

dress the meeting and tell of the mutual admiration and good feeling they and the abstractor have for each other. These good friends of our business will stand up before a gathering of our crowd and eloquently tell us of the goodly virtues of the abstractor, of his stability, responsibility, integrity; offer to cash his checks, tell them of the importance and value of their work, laud them to the skies. Yes, yes, abstractors are surely God's chosen children—the very salt of the earth.

And yet no one ever heard of any lawyers fighting over an abstractor's estate. There are few records, if any, of there being enough left behind as a result of a lifetime of hard work to make an interesting fee for an attorney, those same boys who delight so often in raving over the paltry few dollars charge of the abstractor.

Nor do any of these real estate men, bankers, attorneys, loan men or others drive the abstractors standard car. They cannot afford to. They must present a better, more attractive and prosperous appearance. It wouldn't do for a real estate or loan man to drive around a prospective customer or investor in anything but a good car. I never knew of but one abstractor that sported one of the country's standard medium high-priced cars, and I found out that it was purchased with the coupons from his wife's bonds. He happened to marry a rich girl.

There seems to be a negative and critical atmosphere around the abstract business. Of course, there are reasons and things that make for such a situation. They will be gone into later in our articles dealing with them. But the facts remain that there is a certain antagonistic spirit directed against our business.

It is generally considered that the abstractor has a cinch and his business is a gold mine; that he is most generously paid for his work; that it takes no investment, brains, effort or needs any responsibility, and that he produces his finished product by a wave of a wand. Real estate men, lawyers, examiners and others tell him how to do his work, and what they will pay him for it. Worse than that; they are not bashful in taking a generous part of his charges as a commission or discount for being big-hearted and generous enough to bring in the job and be a good patron of his office.

He has unethical, cut-throat and all kinds of competition. He has all kinds of problems, but there are two very outstanding ones. First: his business is not a dominant and respected one despite the fact that there is none more essential or exacting. Second, the abstractor is not making money. He may make a living some places but not much money in many, and certainly, at no time or place is adequately paid

when one figures the requirements—skill, cost of mechanical operation, general overhead, keeping up of plant and records—and most surely not when you figure the item of responsibility which he must put back of his work and the liability he assumes.

Some few years back he was undoubtedly better "fixed" than now because conditions gave him a better break. He lived easier and better. He was in business in good faith, worked hard in building his plant and conducting his business; put time, energy, personality and money, very life blood, back into the business.

But demands have constantly increased. The business has become most exacting. Titles have become complicated—longer. Masses of laws are passed and decisions rendered by the courts, adding to their history and the work of the title man. Examiners have come into being and they make exacting requirements, causing the abstractor to put in more time and effort on every job. Living conditions have changed. It costs more to live and he must pay more for helpers. Business has developed marvelously. Problems have increased and the abstractor now finds himself carrying a great load.

And strange to say he can usually be found to be doing it either at the same old price of years ago, or at an increase sadly out of proportion to the increase that has entered into his cost of doing business within the last few years.

The abstractor has been kidded by others, and has done an equal amount of kidding his own self. The demands upon him are taxing him to the utmost in everything. He is beginning to wonder what it is all about and how come.

He wants to be progressive, to better serve and at the same time profit from his endeavors in at least the degree warranted. It begins to appear, for the first time, that he will soon see better days. Indications point that the title business is alert, that those in it are on their toes. And why?

A few years ago, some twenty-one to be nearly exact, the title men of the country, at that time abstractors, formed a national organization. Its code of ethics and declaration of purpose show it to have been conceived in the thoughts of service, and worthy principles that it might travel in the procession of business evolution.

Sixty-seven of them met in Chicago in 1907 and organized the then American Association of Title Men. Soon this thing of title insurance appeared, and a title insurance section was made within, in order that the group interested in it could have a medium for consideration to the newly arising problems of that branch. Later attorneys came to have quite an influence in title affairs, and the title examiners' section was formed and those worthy gentlemen given a place in the organization.

Through all of this the great bulk of the membership, and the backbone

in numerical strength was still the abstractor, the "simon pure abstractor," as he is sometimes affectionally called. The general organization took care of his interests, but a few years ago it was found that there were particular problems of his to be considered and handled. The business affairs of the rapidly growing Association, since changed in name to the American Title Association to more fittingly and broadly cover the business, had increased to such an extent it taxed the active directing official body to the limit.

So in 1923 at the Denver convention, an abstractors section was formed, and this gave a balanced, systematic organization, comprising the association. Each branch of the business was represented by a sectional group and organization to look after and conduct the special things needed by each.

And the past few years have seen this machine develop until a thorough study and understanding of the business in all its phases and with all its problems is now definitely defined and presented. Action is going to be undertaken to better things.

A study shows that the problems of the business today were its problems twenty years ago. About every five years the association has undertaken a survey and attempted to find out what needs be done, and then do it. Most of these attempts were inspired by incoming new officials or some energetic and refreshed individual or group. Everyone of these investigations brought out the same things. Questionnaires have been periodically circulated and all have been given the same answers and information.

These questionnaires are on file, and recently I got them all together, and those circulated in 1907, 1912, 1917, 1922 and 1926 could all be considered and taken as the same, were they to be all put together and the paper of some not so faded and discolored as the later ones. True, there are some new ones on legal points, like federal liens, others on recent developments occasioned by title insurance, etc., but ninety-five per cent of them all tell the same story and list the same things whether for 1907 or 1926.

The point is, the titlemen have not solved their problems. They likewise never seemed to have realized that no one else is going to do it for them. Strange to say no one wants to do our own job for us. The titlemen see, too, that on every hand there are examples and proof of what other businesses, trades, professions and industries have done for themselves by united effort through the medium of their trade associations, group actions, or getting together for the common good.

The titlemen, particularly the abstractors who need it most, are awakening. It begins to appear that their problems are going to be handled. Not only are there indications of their recognizing the situation, but steps have been taken to actually accomplish something.

The real accomplishment will only be brought about when there is a definite, well organized and determined movement of a broad and general scope. Through years of effort, sufficient and inspirational effort seems to have been expended to make the time ripe for the necessary undertaking.

A few years ago a few state title associations were in existence. Some of them held conventions regularly, some just now and then. There might be a good organization in a state for a few years and then it would calmly and yet suddenly pass out of existence due entirely to lack of realization of responsibility and expenditure of necessary interest and effort by its officials. To this of course must be added the indifferent support of the members.

The sum total of activities and undertakings of these state title associations consisted in holding an annual experience meeting chiefly consumed in complaining about conditions, cussing competitors, feeling sorry for themselves because the public did not appreciate the value of the abstractors' work, and in figuring ways of escaping liability under their certificates and of paying county taxes. There was usually a second activity indulged in by most state associations, and that was making a frantic effort at each session of the legislature to keep the Torrens bill from being passed.

Six years ago there were not more than six really active state title associations. The American Title Association carried about eight hundred names on its records that were in good standing. The titlemen seemed very little concerned with the welfare and advancement of their business. True the abstract had improved, better ones in looks and sufficiency were being prepared, title insurance and other more modern services were being gradually inaugurated. But the improvements in the abstract did not come from the initiative and self-imposed duty of the abstractor. They were brought about by having to meet the demands of the examiners and other users of abstracts who demanded something better and better all the time.

But times have changed. The paid up membership of the American Title Association today exceeds three thousand. There are twenty-seven state title associations, one in every state possible and practical to maintain one, and where the title business is on an established and modern basis. There are individual members in twenty-eight other states.

And in every state where there is a state organization, that local association is active, functioning and doing things. Some have as members every title company in the state able to qualify with the membership requirements. None of them have suffered losses in number of members in the last few years, and on the contrary are growing and getting into the ranks, all eligible and representative titlemen and companies.

Annual conventions or experience meetings are not sufficient in this day. There are other things to be done. Most of these state associations are conducting various activities and working to bring about things that will mean better conditions and increasing the standards and efficiency of title service.

They have worth while, interesting and profitable state conventions with fine programs. Within the past two years, every state convention has shown an increase in attendance over former years and a decided and noticeable improvement in the spirit and interest of those present.

Various things are being undertaken. Work is being done to bring about better abstracts. Uniform certificates and methods of abstracting are being worked out and adopted. Research Work is being done and old, unprofitable practices being eliminated. Regional meetings are being held and the abstracters in nearby communities, and territories are becoming acquainted with each other, stabilizing practices and otherwise profitably strengthening their business. State association bulletins and letters are being issued and something really being done. And actually, some title associations have sponsored legislation.

All this is having its effect both directly in bringing about noticeable and first hand results, and also in generally increasing morale and bringing a conscientiousness in the abstracter that he is a human being, has a business, and it must be looked after like all others.

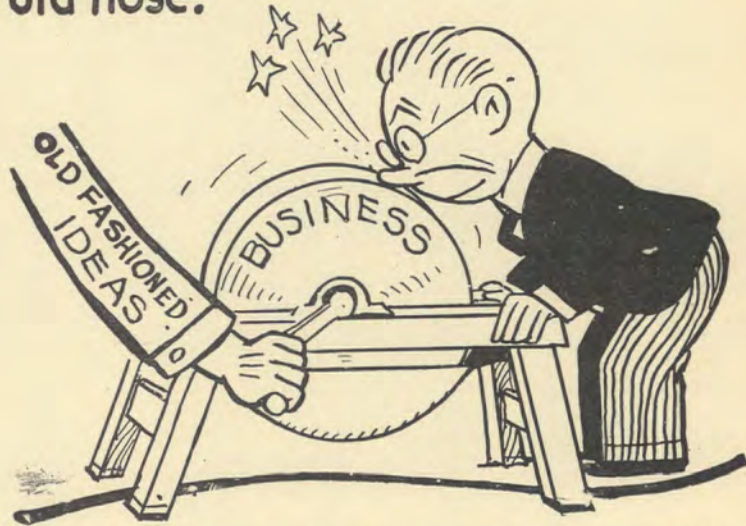
Much credit for this must be given to the national association. The American Title Association has been working hard and unceasingly, in its efforts to bring this about. It must be a clearing house, a leader, the giver of inspiration and likewise of force and in taking initiative to bring things about within the states.

The state associations are the key to the situation and they are the mediums for the actual conduct of things within their logical territory. The big work of the national association to date has been to arouse a realization of this within the local and individual titleman and help build active and more efficient state associations.

When this was done, then actual, constructive things could be undertaken and accomplished. Today the title business presents a lot different picture than it did five years ago, even a much different one than it did two or three years ago. Things are going to pop. Abstracters are getting tired of putting up with the same old things day in and day out—of being inadequately compensated for their efforts and of having the same old knowing and perplexing problem to live with every day.

The American Title Association has done more for the abstracter and the abstract business than the abstracters realize. I know whereby I speak. The abstract is the basis of all title

THINK IT OVER !
If your nose is close to the grind-
-stone rough,
And you hold it down there long enough,
In time you'll say there's no such thing.
As brooks that babble and birds that
sing;
These three things your world compose,
Just you, the stone and your darned
old nose.



Support your State and the American Title Association. Take an interested part in their activities, and attend the meetings and conventions.

evidences. The abstracter is the first essential to any phase of the title business. The title business is one of national scope now, whether abstracts, title insurance, examinations, real estate deals, real estate loans or what not. A bad condition in one part of the country will hurt the rest. Likewise no industry as a whole is ever any better than its worst part. And because the abstract is the basic part of the title business, the title business as a whole will never be any better than the condition of the abstract and the abstracter. This has been realized by those in charge of the association work, and they have centered its activities accordingly. As a result there is a keen general interest, wide-awakeness and responsive group awaiting further opportunities.

If these time-worn business problems are going to be eliminated and solved, action will have to be taken to do it. They are known. The national association has thoroughly studied the problems. A course of procedure has been outlined and is going to be put into operation. Its success will depend upon the titlemen "putting it over."

Already a number of regional meetings have been held and these have, over night, made over the abstract business. In two states they have been successfully conducted on a well planned and enacted state-wide basis. Within the month of April they will have been conducted in two other states.

Two years ago it would have been impossible to get such groups together. Surely times have changed and this business of ours bids fair to climb to that place in the business sun that we all know it should occupy.

One of the best things for anyone or anything is to be pictured so it can see itself. Sometimes this hurts, but nothing is ever gained by dodging the issue. Some facts have been stated in this article. Others will appear in the issues of succeeding months and each of them will treat of different phases and problems of the business—those things that have been found to be infesting the business and must be eliminated. This is being done so you will know them, and have them brought to mind for within the near future steps will be taken from time to time to deal with them.

General Information—Alaska Trip

SOUTHEASTERN ALASKA TRIP:

Steamers carrying tourists leaving Seattle call at Ketchikan, Wrangell, Petersburg, Juneau, Haines, Skagway, and Sitka, as well as the Taku Glacier, just before arriving at Juneau. The time required for the round trip is about ten days; fares, \$90 first class for ordinary saloon deck accommodations, \$100 first class for ordinary upper deck accommodations; rooms with bath will vary from 25 to 40 per cent additional. Side trips may be had from Juneau to Auk Lake and Mendenhall Glacier at a cost of \$3.00, and for the rail trip from Skagway to Bennett and return \$7.50. Steamers will lay over at Juneau and Skagway while these side trips are made. This trip covers a very fine scenic section of the Territory, and is in protected waters—known as the Inside Passage—all the way. So far as the character of the channels are concerned it is comparable to the trip on Puget Sound.

SOUTHWESTERN ALASKA TRIP:

Steamers carrying tourists leave Seattle every Wednesday and Saturday mornings during the season. The steamer *Aleutian*, of the Alaska Steamship Company, will be sailing June 30, and the *Yukon*, of the same company, July 7. Their ports of call include all of those in Southeastern Alaska except Petersburg, Haines, Skagway, and Sitka. The Westward ports visited are Cordova, Valdez, Columbia Glacier, Latouche, and Seward. Stops are also made at some of the salmon and herring packing plants. The round trip requires fifteen to seventeen days, and the fares are: From Seattle to Seward and return, \$140 first class for ordinary saloon deck accommodations, or \$156 first class for ordinary upper deck accommodations; rooms with bath will run from 25 to 40 per cent higher. The trip out of Juneau to Mendenhall Glacier costing \$3.00, from Cordova to Miles and Childs Glaciers over the Copper River and Northwestern Railroad \$10.00, and from Seward to Spencer Glacier over the Alaska Railroad \$7.50 will be available. This trip not only covers the scenic portion of the Inside Passage, but also gives one the remarkable panorama of the Fairweather Range and Mount St. Elias, as well as the remarkable fiords and glaciers of Prince William Sound and Resurrection Bay.

GOLDEN BELT TOUR:

Steamers operating on the Southwestern Alaska route to Seward and return will also take care of tourists making the Golden Belt Line Tour to Fairbanks and return. A day to day itinerary will be found on Pages 6 and 7 of the enclosed folder. This tour requires approximately twenty-three to twenty-five days from Seattle for the round trip. The fares are approximately \$270.00 based on ordinary saloon deck accommodations on the steamers, or \$286 for the ordinary upper deck accommodations. For

rooms with bath allow from \$38 to \$61 additional. The fares include berth and meals while on the steamer. The estimated hotel, road house, and dining car expenses in connection with the Golden Belt Tour will run from \$50 to \$75 per person.

YUKON RIVER TRIP:

Steamers from Seattle to Skagway via the Inside Passage are taken. From Skagway over the White Pass and Yukon Route Railway to White Horse, Y. T. This railway carries the tourist over the wonderfully scenic country made famous by the Klondike rush. Glimpses of the old trail can be seen from the train. From White Horse the travel is by river steamer to Dawson and Nenana, touching at Forty Mile, Eagle, Circle, Fort Yukon, Rampart, Beaver, and Tanana. While at Fort Yukon one sees the midnight sun. At Nenana connection is made with the Alaska Railroad for Fairbanks. From there one may reach the Coast either at Cordova or Valdez by stages on the Richardson Highway, or by the Alaska Railroad to Seward. This trip will cost approximately \$350 and consume about thirty days. It is the most comprehensive of all the trips in that it takes you through the heart of Alaska, and gives the coastal area besides.

There are three other trips, more or less related to those given, which might possibly suit the convenience or wishes of certain people, but it is thought not necessary to describe the same in detail, but they would be comparable in time consumed and expense with either the Southeastern Alaska or Southwestern Alaska tours.

It is very desirable, in fact necessary, that the date for the parties leaving Seattle be definitely ascertained so that reservations be made early for accommodations on the steamers leaving as close to that date as possible. Early reservations are urged in order to secure choice locations on the vessels and other accommodations. Bookings for the 1928 season are already under way, and the outlook is for a travel fully up to the capacity of the steamers.

STEAMSHIP SERVICE (FROM SEATTLE):

Alaska S. S. Co. to Ketchikan, Wrangell, Juneau, Cordova, Valdez, Latouche, Seward, sailings every Saturday.

Pacific S. S. Co. to Ketchikan, Wrangell, Petersburg, Skagway, sailings every 4th Wednesday.

Pacific S. S. Co. to Ketchikan, Wrangell, Petersburg, Juneau, Yakutat, Cordova, Valdez, Latouche, Seward, Kodiak, sailings every 2nd Wednesday.

Canadian Pacific Ry. Co. to Alert Bay, Prince Rupert, Ketchikan, Wrangell, Juneau, Skagway. Sailings as per schedule.

(FROM VANCOUVER):

Canadian National Ry. Co. to points as far as Skagway.

Note: Canadian lines go only as far as Skagway and do not touch at Sitka.



Horseshoe Bend of the Chulitna from Hurricane Gulch Bridge



Mt. McKinley from Mile 279 on Alaska Railroad

Alaska—available to Convention visitors because Seattle is a gateway



See opposite page for information. For more specific details or reservations, write to
CHARLTON L. HALL, Chairman Convention Committee
 % Washington Title Insurance Co., Seattle, Wash.

SHOP TALK

By C. B. Conrad, of Sycamore, Illinois

The foundation of our business as abstracters, and the main requirement for membership in our twenty-year-old association, is complete tract indexes. We must keep them in the best possible manner, ever with the idea in mind that ours are the only ones available.

Selection of binding, paper and ink are very important. Permanence in tract books is very desirable, and also that you use the smallest number of books that will take care of your postings. With this in view, loose-leaf books with binder locks prove very satisfactory.

We have just recently started using a loose leaf tract index. Each block has two pages to start with. Here is your block, and your legal description over here. It is a perpetual index, because as soon as a sheet is filled up you insert another sheet. The only disadvantage is that you have to use two pages at the start for each block, but I think that this is a great deal better than having a bound book with two pages to each block, and then when those two pages are filled, having to refer to a page in some other place for additional postings. A book arranged this way will last. It is just a question of how much you get to put in it and how big a book you want; we have so many books to handle in our office that it has worked out very well, and from now on we are going to use the loose-leaf binder for tract indexes.

Posting in the miscellaneous index is most vital, and I would rather have that index padded with instruments than feel that it was kept in a haphazard manner. Use the miscellaneous index not only for present posting of current take-off, but in making abstracts and in running through some of the older ones, many of the older transfers that should be classified in the index should be checked to see that they are posted. An affidavit may look on first reading simply like a posting for the lot you know the parties are interested in, but there may be facts in it that are of value and that will mean money to you in the title of some other parcel; so if the affiant declares, Philo Slater, a bachelor, owned such and such a parcel on a certain date, post it in the miscellaneous index. Affidavits, transcripts, blanket deeds, powers of attorney, bankruptcy orders, incorporation certificates, pre-nuptial agreements, deeds of trust, appointments of trustees and assignments of judgments are a few of the postings for this index, regardless of your opinion as to their usefulness, now or future.

We have some indexes in our office that have proved great time-savers. One of them is the "Abstracted Estates" index. That is an index of the probate and chancery proceedings that we have abstracted. It is an alphabetical index and shows in what copy book

and page the proceeding is. It is surprising to know the number of estates that inventory more than one parcel of land. By keeping your abstracted estates indexed you know where your court orders in that estate are, and with the inventories and any files which particularly affect the real estate to be abstracted, you can make short work of preparation.

Another of our indexes is an index to the lands of which we have abstracted the title. Years ago in our office this information was kept in the county atlas. The copy book and page was put on the quarter section or on the lot and block. That old atlas, which we still have and refer to once in a great while, reminds me of the hodgepodge of the movies. Surely, it is a Chinese puzzle. I am thankful that the showings in old abstracts are too brief for our local attorneys to pass at the present time, for if we had to depend on the old atlas to locate our copies we would soon wear it out.

Since 1895 we have indexed all abstracts and continuations in a card system. Each section is divided into quarter sections and each block has a space on the card for copy book numbers and pages. The cards that I refer to are prepared like this: There are four sections on a card. It is divided into quarter sections. If you abstract the whole northwest quarter, put down the copy book and page. If it is a forty-acre part of it you note that above the numbers. There is an addition of which we made the original abstract, and there is noted the copy book and page and there are lots that we have continued in certain blocks. A great many abstracters use a separate column in their tract books for this index.

I am sure we all agree that there are few, if any, short cuts in the abstract business. The work must be done and done right the first time. However, there are ways in which we can eliminate duplication and save time. These indexes are all time-savers, alike in writing up abstracts, in making estimates, and in giving out information at the counter or over the phone. How many times you are asked, was there ever an abstract made to such and such a parcel? Go to your index, get the card, and tell them over the phone "Yes" or "No;" over the counter, show them, for seeing is believing.

This is not only a time-saver, but it promotes a feeling of satisfaction on your part, and certainly gives the questioner the impression that your office is run with system. Which reminds me of the efficiency salesman who sold a patented system of factory accounting to a concern and called on them some few months after installing his system to ask about business. The

proprietor answered, "Business? I don't know how business is. I have been busy all the time keeping up your system."

That is also possible in the abstract business, but the indexes I have referred to, eliminating the tract indexes, are not laborious to keep; any stenographer who has had a little experience in an abstract office can index any of them, and during quiet times of the month or the year these indexes can be brought up to date.

We have a pad on the telephone stand which we call the telephone tickler, and a notation is made on the pad of every call that pertains to an abstract or title, just notes, made for the most part while talking over the phone. A glance at these notes just before quitting time is most useful in planning the next day's work. We make no charge for information and this has been the means by which we have practically eliminated commissions paid on abstract charges.

A paper dealing with office work would not be complete without a reference to estimates. "How much will an abstract of my lot cost?" Every day we have that question several times. My stock reply is, "I will look it up and let you know." Then, as soon as convenient, we go about it in the office just as if we were to make an abstract of the property. That is, we make a rough caption sheet, take off the tract book minutes, look up the estates and proceedings, and determine the cost—not an estimate, but the actual cost—and notify the questioner. The minutes and partial take-off are filed away by township and city or village in an ordinary file drawer, and I tell you now I have never had to transfer that file. Practically all the inquiries blossom into real orders shortly. Our work is not duplicated, and all guess-work is done away with.

It is well to have a firm rule in regard to abstracts leaving the office without the certificate attached for the purpose of examination and the filing of additional papers. No end of trouble sometimes results. If the lawyer insists, we make the proposition that we will make no additional certificate charge if the abstract is returned within ten days. However, we close and certify and bill the order. Such cases happen many times when attorneys are to file a chancery bill and want to know what parties to make defendants. If they will give us a future order, as a rule we furnish the minutes or notes without charge, and if the matter goes to decree of sale have them incorporate in the decree that the master shall order an abstract to date of sale and pay for the same out of the proceeds. Very few Circuit court sales are made in our county without the abstract brought down to date in this manner.

Every abstract office should have its library. The Statutes of the State of Illinois is probably the most important thing, and in our office the History of De Kalb County comes next. It is surprising the number of little things that history has helped us out on. Our record of the national proceedings should be kept for reference, and there are several books on real property that are most helpful to abstracters.

We use a form of office caption sheets, which leave nothing to memory. All items must be checked before the abstract or continuation is ready for the typewriter, such items as judgments, taxes, court house tract, office tract, defendant and plaintiff index, case entry book, mechanic's liens, the city court and the date must be checked. We check the tax collector's book on every order and find out who paid the last year's general tax.

I remember how this paid us well in one instance. The tract book record showed title in Ellen Howe. The tax was paid by Jerome Kirkpatrick, "Ex." We immediately started looking and found the marriage of Jerome Kirkpatrick and Ellen Howe and the will of Ellen Howe Kirkpatrick; no inventory had ever been filed. We also frequently find taxes paid by another party, a purchaser under contract and outside of the record, and we include this party in the judgment search.

We depend on the court house death record index, and of late years, since the joint tenancy deeds have been so popular, have had many occasions to use this death record.

As to plats, reference plats and abstracters' plats, no one will criticize an abstract because there too many plats. It takes time to show them and we should charge accordingly. I wish there were a state law which made it mandatory for all railroad companies to record their right-of-way maps, with acreage, in each county, and to keep them up to date. The state highway department deserves praise for its recorded plats of land dedications for the various highways in Illinois, for without them some of the engineer's descriptions would be very difficult to locate.

One of our local attorneys always asks us, on delivery of an abstract, "Where is this land?" I know the question is coming. It is a very good question, and our abstracts show beyond a doubt, if possible, even if we have made notations in red ink and noted them "Abstracter's Notations."

I have left the biggest time-saver I know of in abstracting until the last. It is the card system of daily take-off. Every instrument affecting real estate is taken off daily on a card, complete for your abstract and filed by document number. The information is taken from the original instrument and posted daily. This card is

compared with the record at intervals as frequent as possible, and then rechecked for posting and booked and paged on your tract. You are done, as far as that instrument is concerned, there is no running to the court house. Our office has done that for seventeen years, and it is a time-saver and a money-saver.

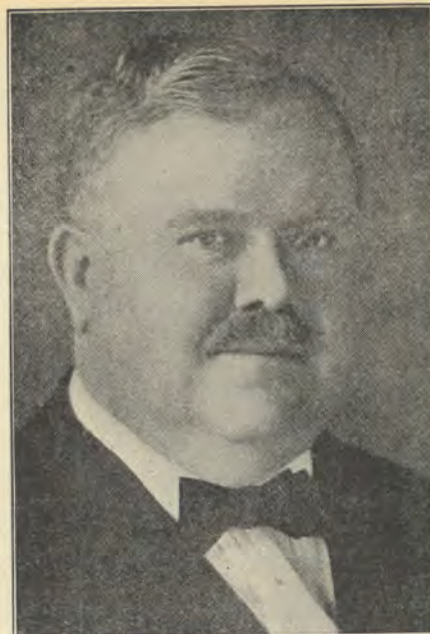
I have mentioned a few things inside the office which have helped us a great deal in the conduct of our business. I know you all have indexes very similar and more highly developed and efficient than is possible in a small office such as ours; but it seems to me we are all on common ground in one matter. That is in our relations with the bankers, lawyers, real estate men and the public in general. We do not have a sales branch in our business, and we cannot create a demand as dealers in merchandise or manufacturers can, but we do have an element that I call sales service or just plain satisfying those with whom we are doing business. Next to the reliability of our product, service is our most important responsibility. Of course, we immediately think of the time element, as usually that is uppermost in the customer's mind.

Right here is where sales service comes in; take a few minutes to show your customer why he cannot have an abstract from the Government to date the next day after his order is given and when you promise an abstract for a certain date you should be very zealous to see that it is ready.

During the first week of each year we mail a letter to all banks, lawyers and real estate men in the county, calling attention to the number of loans and sales that usually occur in January, February and March, especially on Mar. 1, and ask them to put in their abstract orders in plenty of time for us to complete them by the time set for closing, so that all may be satisfied. This has been very successful, and I recommend it to all who have not done so.

There has been a marked tendency to the consolidation of abstract companies, and now many counties have but one private concern in the abstract business. For this reason, none can afford to be too independent in service, else we are bound to experience trouble from Springfield; and it takes only one spot in the state to make trouble for all of us.

State conventions do us all much good, and I, for one, always go back home with renewed inspiration to dive into the old game. The going to one and looking forward to the next get-together helps keep me from going stale. Taking the state as a whole, we have reason to feel proud of our association and our business, for in the last fifteen years abstracting in Illinois has become 100 per cent better, I am sure.



JOE DURKIN is dead. This announcement will come as a distinct shock to his host of friends and acquaintances throughout the country. He had been ill but a few days when he succumbed, Mar. 6. His death caused grief through the entire community for, as expressed in an editorial, "there may have been men of wider acquaintance, but we doubt if there ever lived a man in Peoria who more thoroughly enjoyed the confidence and esteem of his friends than he. Joe Durkin was a modest man, a pleasant companion, retiring, somewhat diffident and little given to advancing his own claims to recognition. He was a good citizen, an honorable man, and Peoria will miss him all the more for those good qualities."

Joseph P. Durkin was born in Peoria and had been all his business life a prominent figure in business and financial circles. He had been active in the Title & Trust Co. for thirty-eight years. He was actively identified with all the worthwhile community enterprises; was a member of the famous Creve Coeur Club and did much to further the progress of that eminent organization; was an active religious worker; an ardent sportsman; was noted for his charity work and heavy giving to worthy causes. Characteristically though, he never openly admitted or allowed his name to be used in connection with ministrations for the needy.

In the title associations, "Genial Joe" was a figure. He occupied high positions in both the Illinois Title and the American Title Associations. He never missed a meeting of either organization—everyone knew that Joe Durkin would be present.

He was a real man; a lovable character, who will be missed in person and yet forever carried in the memories of his qualities and personality.

SEATTLE—CITY OF 400,000 POPULATION—BUILT IN ONE GENERATION

By CHRISTY THOMAS, General Manager, Seattle Chamber of Commerce

Members of the American Title Association who attend the national convention in Seattle next June will find Seattle a splendid climax to an interesting westward trip through the storied Pacific Northwest, a region which is becoming of increasing importance in the economic life of this nation.

Seattle itself is a colorful, progressive, western city, with every facility for entertaining a convention and possessing a group of business men who plan to have the delegates get a real, close-up picture of Seattle and the country surrounding it.

Those attending the convention are urged to include visits in Spokane, the famous Yakima and Wenatchee Valleys, Vancouver and Victoria, B. C., Tacoma, Longview, the remarkable industrial city between Seattle and Portland, and Portland, the rose city.

Cities, like individuals, have personalities, and visitors will be impressed with the desire of Seattleites to make their city not only bigger but better, and soon the traveler senses the initiative which has prompted our citizens to take advantage of natural resources and to develop a great world city of 400,000 people within the memory of some of the party of original white settlers.

Fifty years ago Seattle was a timbered wilderness inhabited by a few pioneer white men and women. There were no railroads, no regular steamship services, and no outside communication. Today Seattle is a world-known metropolitan city, the largest community west of Minneapolis and north of San Francisco. It is termini of five transcontinental railroads. The former frontier town of a few hundred souls is now a city of approximately 400,000. The western outpost has become the financial, commercial and industrial and distributing center of the empire of the Pacific Northwest and Alaska, and is America's chief Pacific port in Asiatic business. Seattle is where geography dictated a great commercial city was to be built.

Statistically, Seattle's growth is impressive. The population figures for the metropolitan area are 1890—42,000; 1900—80,000; 1910—237,000; 1920—402,000; 1926—430,000.

Chance has played no part in Seattle's advance, for Seattle is where a great world city had to be. Some of the factors which have made for this growth and which insure its continuance, include:

1. A mild climate the year around which gives a distinct advantage to labor production as well as health and physical comfort.

2. Seattle's trade territory has tremendous resources including timber, minerals, fisheries, and agriculture.

3. Seattle is the gateway to Alaska's expanding trade territory.

4. One of the great harbors of the world. Extensive low-priced industrial sites.

5. Seattle has increased its foreign trade 1,122 per cent in the last decade because it is the nearest American port to Asia.

6. There is team play between employer and employe.

Seattle ranks third to New York and Boston in the value of foreign imports, and second to New York in the number of people entering the United States through port cities. Seattle and Puget Sound are where the British, Japanese and American trans-Pacific lines are fighting for supremacy, due to the northern gateway being the short route across the Pacific. The American merchant marine put five twenty-one thousand ton passenger and express ships on the route from Seattle to the Orient to meet the competition from Japanese and British lines and an increasing trans-Pacific travel is going through Seattle. Seattle is the only American port having regular passenger service to Alaska.



Seattle, with Mt. Rainier in Distance

The opening of the Panama Canal and water transportation from the Atlantic seaboard gives Seattle distributors an advantage which has enabled them to penetrate eastward into new territory formerly restricted to Middle West distributors.

Forty-five per cent of the population of the Pacific Northwest is rural. Between 1910 and 1920 the area of land in farms increased from 50,000,000 to 82,000,000 acres. The number of farms in the same period increased thirty-six per cent.

Puget Sound lumber has largely replaced southern pine at the consuming points in the central states. The Pacific Northwest's vast concentration of standing timber wealth is estimated at 960,000,000,000 board feet, enough to build thrice over the 16,000,000 frame dwellings in the United States.

Many people are overlooking the tremendous industrial advance made in western Washington in the last three years in the pulp and paper industry. The producers of pulp and paper are finding that this is the logical place to manufacture and the United States Government experts declare Oregon and Washington must, within the next five years, start building ten new pulp plants annually to meet the demand.

Alaska, an empire one-fifth the size of the United States, whose commerce (largely handled through Seattle, the only American port having direct passenger and freight service to the territory) approaches \$1000,000,000 annually, is a single trade territory which many cities would covet as a purchasing district sufficient in itself. With the completion of the government railroad, mines are being opened up and settlement is going forward. Water power is being harnessed to run great paper pulp mills; ships for the first time in 1924 began carrying away Alaska's lumber, and great oil companies are spending large sums to investigate Alaska's petroleum resources.

On that day when industrial supremacy favors that location having the most and cheapest power, Puget Sound will play a prominent role. The State of Washington, with a maximum of 8,647,000 H/P, has within its borders one-sixth of the nation's total. Washington ranks third among the forty-eight states in developed water power. Puget Sound today offers new industrial opportunities because of its extensive power resources. With the lowest per horsepower cost of installation in the United States the Puget Sound district is assured of a continued supply of electric current at the lowest possible cost. There is and has been ample developed power for industrial requirements.

The federal government has seventy-five per cent of its Pacific Northwest headquarters in Seattle because it serves more people at less expense here than from any other point in the

Pacific Northwest. Washington has fifty-five per cent of the population of the Northwest and its chief city is Seattle, which has the added advantage of being the gateway to Alaska and the Orient, as well as the shipping, transportation, distribution and manufacturing metropolis of the empire of the Pacific Northwest.

The history of the past and the study of natural resources, world trade routes and factors governing the growth of cities must indicate to the most conservative that there is no question about our future size or growth.

But what is equally significant is that here, in a region favored climatically and in the heart of America's great scenic wonderland, we are continually taking steps to make us a better city. It is indeed remarkable that a one-generation city, 3,000 miles from the great congest of population of long established New England, can hold national records for low death rate, low rate of illiteracy, high percentage of home-owning citizens and unusually high educational standards. This means that Seattle's youth is a distinct asset, for we are able to profit by the experiences of older cities and copy that which is best.

In the pure joy of living no place excels Seattle, and besides all its wonderful physical and climatic features it is fascinating to be a part of a community developing almost overnight into a world center of industry and commerce.

Seattle is strictly a metropolitan city. Because of its youth it was able to avoid unwise features older cities acquired, prior to today's modern community planning. Seattle has no slums. It has no narrow business streets. It is one of the best lighted cities in America. It has less illiteracy than any other American city, with one exception. It has the lowest annual average death rate of any large city in the world. Seattle is the chief educational center of the North Pacific Coast. It is one of the few cities in the United States where a child may begin with the kindergarten, go through grade, grammar and high schools and receive training for almost any business or profession at a great university, and very exceptional advantages in music and the arts, without leaving the home city.

The convention visitor should remain in the Puget Sound area long enough to enjoy the wonderful scenery of this Evergreen Playground. Trips should be made to Rainier National Park, Mt. Baker National Forest, alpine lakes, like Crescent and Chelan, the Olympic Peninsula Wonderland, and all visitors should enjoy cruises along the 2,000 miles of shore line on Puget Sound. It is not a question of what to do, but how to crowd in visits to all the attractions in the limited time.

Banff



and Lake Louise

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America's Alps

"Castle in the air" is Banff's magnificent new hotel, enthroned on a crag overlooking the spectacular Bow Valley.

"Shrine to Beauty" is Chateau Lake Louise, kneeling in golden poppies beside the loveliest picture in all the world.

Here the smart and great of two continents come to play in soul-expanding grandeur. Banff has the warm sulphur baths, the newly remodelled golf course. Lake Louise has the glaciers and tea houses in the clouds. Both have tennis, swimming, boating, dancing, thrilling motor and trail trips.

Some prefer Banff, some like Lake Louise. Most people stop at both — that is, they do if they make reservations early enough. It's time now. Full information from

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Rainier National Park Within Few Hours of Seattle

Restless winds of spring are in the air, whispering to all the urge of adventure and travel; from the barefoot lad with his fishing pole to the man of money with trains and boats at his command. Some go north, some go south. Others travel the world around, but nowhere is there that unique charm of something different that prevails in Rainier National Park.

Beauty, no matter what form it takes, brings happiness, and happiness is the goal of all living creatures. There is no greater beauty than that created by nature. It is flawless and man models his art from nature's subjects. Where there is a great store of natural beauty there is inevitably an abundance of happiness.

The glorious Pacific Northwest has been generously provided with scenic beauties but mightiest of all is Rainier National Park. Here all has been left as nature willed and nowhere else in the world is there such a variety of gorgeous scenery and spectacular formations in an area so close to civilization.

Besides the vast store of scenic wealth in this park, there are two other causes contributing to its popularity. The park is so easily accessible from its four gateways that no inconvenience or loss of time is necessary to make this trip over excellent highways from Tacoma, Seattle, Longview and Portland; and the delightful weather is reason alone for many visits.

A mountain boulevard passes the snout of Nisqually Glacier where a few yards back the ice crashes and roars into the seething glacial torrent below. Forboding peaks pierce the heavens in weird forms. Meadows of alpen flowers, myriad hued, closely follow the receding fields of snow and many anxious blooms defy nature by pushing their cheerful heads through the earth's snowy carpet.

Mountain goats, deer, beaver, marmot and bears roam at will. There are scores of species of birds and small animals that have been zealously protected for years and today unafraid and curious, Rainier National Park animals are as interested in visitors as the visitors are in them.

In mid-summer, when the sun shines brightly and the air is warm, the Alaska dog team may be seen whirling across fields of snow with a sled load of gay park visitors. These same fields of snow furnish ample space for skiing and tobogganing. But most enjoyed of all snow sports in summer time is nature coatings. Equipped with specially made "tin breeches" the merry coasters merely sit on the snow and gather momentum as they slide until the bottom of the hill is reached in a flurry of snow and laughter.

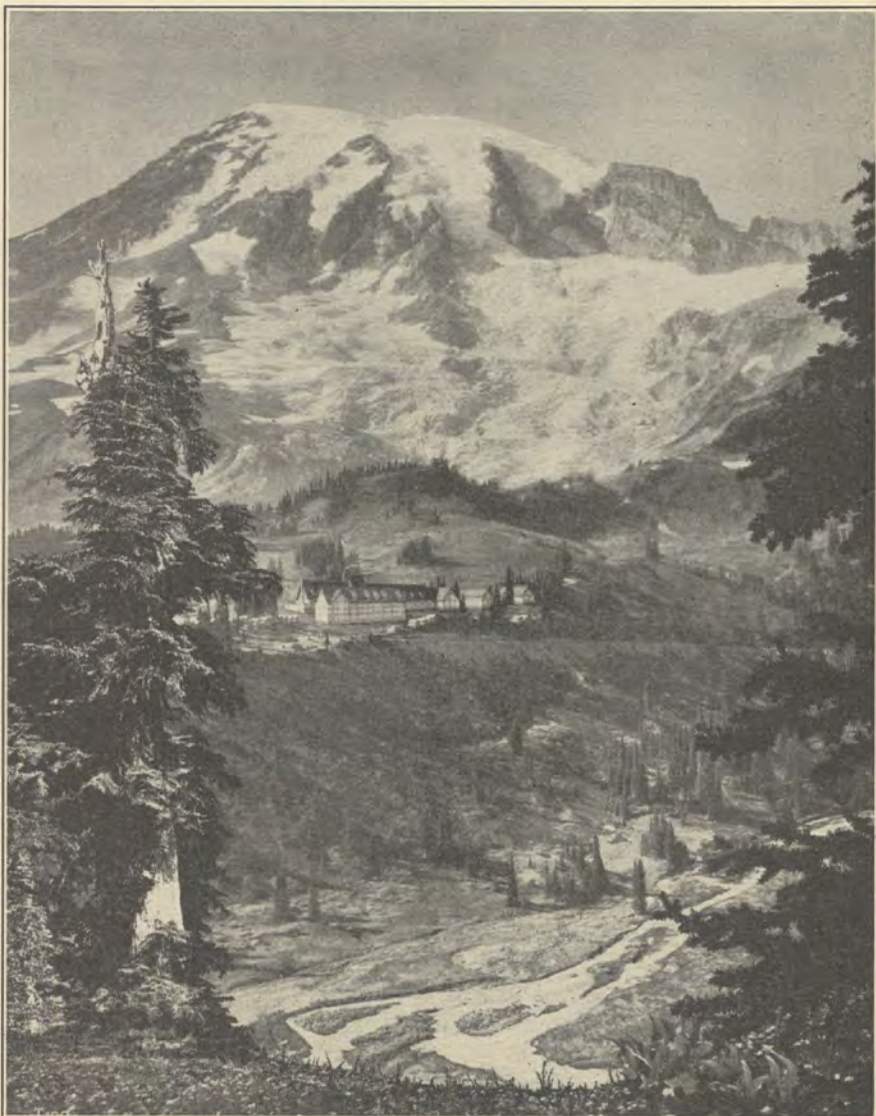
Nestled like a jewel in the foothills,

a few minutes' walk from Paradise Valley, is Reflection Lake. The weary hiker finds delight in swimming in its clear and cooling waters and boating and fishing attract many. Hikes are taken into the very heart of the mountains over woodland trails to rivers whose waterfalls fill the air with rainbow mists and whose deep pools hold many a sporty trout. Horseback trips lead to ridges where the purple haze of distant valleys and the snowy crests of mountain tops merge in glorious vistas. The glaciers are visited. These great, mysterious masses of ice as they slowly move down the mountain side make the most callous forget the present and wonder at the huge formations of another age. Sunlight sifts through the ceilings of natural cathedrals formed in Paradise Glacier and a symphony of blues and greens meets with the other rainbow hues in forming a spectacle too glorious for the brush or pen of man to describe.

The Rainier National Park Company, pioneer in the development of the Northwest, has built hotels and

camps on the highway at Longmire Springs and in Paradise Valley, terminus of the present highway. Accommodations range from the excellent and luxurious service of the modern hotel to the simplest necessities for "roughing it." The visitor to Rainier National Park is denied none of man's comforts or nature's glories.

The long sought for fountain of youth is really happiness. The beauty of nature makes man forget all else but the good fortune of living in a world so wonderful. As soon as the great log gateway of the park is passed the whispering of forest giants in this fir-scented region breathes an air of restfulness. The majestic snow-clad mountain, like a great father watching over all the smaller ranges, gives a feeling of security. The laughing streams and sunny wild flower meadows invite you to play. The keen mountain air brings peaceful slumber to the weary and happiness and contentment fulfill the wishes of the visitor to Rainier National Park, the mountain glacier wonderland of the Pacific Northwest.



Paradise Inn, Rainier National Park
(Four Hours from Seattle)

Federal Lien Cannot Be Released Until Liability is Satisfied

Not Possible for Collector to Make "Accommodation" Release to Preserve Priority of Mortgage Lien

The Revenue Department has definitely decided whether or not an existing federal lien can be released as an accommodation matter. It must be satisfied to be removed. This settles the matter then as to the status of such a lien in getting it temporarily removed to preserve the priority of an existing mortgage when said mortgage is being renewed or there is some re-financing that involves new papers. The Federal Lien will not be removed to allow mortgage papers to be recorded so as to have the status of first liens, and then the federal lien re-filed.

The decision as reported Mar. 15 is as follows:

Bureau of Internal Revenue, General Counsel's Memorandum, 3205.

The Government attached a lien for taxes on certain real property on which a mortgage already existed, and the General Counsel, Bureau of Internal Revenue, is now asked whether the tax lien may be released in order to permit renewal of the mortgage and then refiled.

His answer is in the negative, for the reason that there can be no deviation from the statute requiring satisfaction of the tax liability before the lien is released. Following is the full text of the memorandum:

Advice is requested relative to the release of a lien for federal taxes.

It appears that the Government's lien has attached to certain real property formerly belonging to A and by her deeded to the M Company. A mortgage on the property was executed by A prior to the transfer of the property to the M Company. It is desired to renew the mortgage and the loan secured thereby, and this renewal will necessitate a release of the present mortgage and the execution of a new one. The mortgage is prior in point of time of recording to the lien for federal taxes, and the mortgagee wishes to preserve this status. The collector has been requested to release the lien pending the satisfaction of the present mortgage and the recording of a new mortgage.

Liability Must Be Satisfied.

The present inquiry is for advice whether "it is right and proper that the lien should be temporarily raised and refiled upon the renewal of the mortgage.

Under the provisions of Section 3186 of the Revised Statutes as amended, if any person liable to pay a tax neglects or refuses to pay the same after demand the amount shall be a lien in favor of the United States from the time when the assessment

list was received by the collector, except when otherwise provided, until the tax is paid, upon property or rights to property belonging to the taxpayer.

There is a further provision in the statute that such lien shall not be valid as against any mortgagee, purchaser, or judgment creditor until notice of the lien is filed as provided in the statute. When a lien has attached to the property of a delinquent taxpayer it may not be released except as a result of satisfying the tax liability or after the institution of proceedings for the purpose of enforcing the lien. Section 3207 of the Revised Statutes, as amended, and as reenacted in Section 1127 of the Revenue Act of 1926, sets forth the appropriate proceeding to enforce the lien of the United States upon real property, or for the determination of the rights of interested parties where the lien of the United States is junior to the liens or claims of other parties.

It is, therefore, the opinion of this office that a collector is without authority to release a lien which has attached to the property of a delinquent taxpayer except as a result of the satisfying of the tax liability or of instituting a proceeding as provided in

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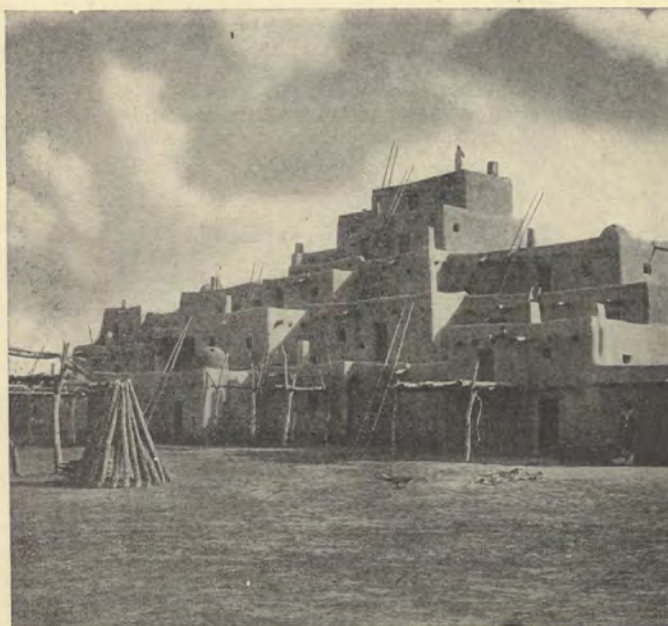


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Section 3207, Revised Statutes, as amended.

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Courtesy A. T. & S. Fe Railroad

Taos Indian Pueblo, Taos, New Mexico

LAW QUESTIONS AND THE COURTS' ANSWERS



Compiled from Recent
Court Decisions by
McCUNE GILL,
Vice-President and Attorney
Title Guaranty Trust Co., St. Louis, Mo.

Is a single contract of a foreign corporation "doing business"?

Held not doing business in Tennessee unless there was an intention to continue the business. *Richmond v. Minter*, 300 S. W. 574.

Does record constitute notice, if recorder omits part of deed?

It is not notice if the copyist's error is in the deed itself, but is notice if part of the acknowledgment (signature) is not copied. *Wilkins v. Reed*, 300 S. W. 588 (Tennessee).

Does contract of sale void the insurance?

It does, because seller ceases to be the sole and unconditional owner. *Hartford v. Bishop*, 300 S. W. 608 (Kentucky).

Is a verbal partition good?

It is if the parties take possession of the parts allotted and improve them. *Citizens v. Billingsley*, 300 S. W. 648 (Texas).

Where the holders of two defective adverse titles are both in possession, who wins?

The one whose possession commenced first. *Koch v. Jenkins*, 300 S. W. 469 (Missouri).

Can an error in a will be corrected by court decree?

Usually not; but court can so construe the will as to result in correction of error in description. *Paris v. Erisman*, 300 S. W. 487 (Missouri).

Is a person who never lived in the state, a "non-resident"?

Not always; thus a divorce was held void where husband moved to Missouri leaving wife in other state; (on theory that she was not "non-resident," as her domicile followed his). *Hairs v. Hairs*, 300 S. W. 540.

When does possibility of will contest expire as to minors and married women?

Usually not until after their disability is removed, even though later than the statutory period. *Buchanan v. Davis*, 300 S. W. 985 (Texas).

Is ten year trust good?

Held void in California because measured by years and not by lives, (the 25-year act being held unconstitutional). *McCray v. Citizens*, 260 Pac 940. A similar 30-year act was passed in Wisconsin in 1927.

Is beneficiary's interest in trust "for ten years and then to my heirs," vested or contingent?

Vested; and can be sold under execution even though interest is only equitable. *Thompson v. Zurich*, 260 Pac. 658 (Kansas).

Can notary correct acknowledgment to show true facts?

Not in Florida, especially as to separate examination of wife in conveyance of homestead property. *Robinson v. Bruner*, 114 So. 556.

Is acknowledgment over telephone good?

Not in Florida. *Robinson v. Bruner*, 114 So. 556.

Is release of reversion good if no breach has occurred?

Held good; and binds future heirs. *Trustees v. Putnam*. 224 N. Y. S. 651 (New York).

Does statute of limitations run against remainderman during life estate?

No; as in suit to correct unauthorized alteration of deed. *Cross v. Jones*, 158 N. E. 694 (Illinois).

ALONG THE WAY ON THE ALASKAN TRIP



Mt. McKinley



Columbia Glacier, in Prince William Sound



Alaska Bound

Is adverse possession good if real owner does not know of it?

Yes, if possession is exclusive and notorious. *Harrison v. Speer*, 114 So. 515 (Florida).

Is "Daily Record," devoted to news of courts, a legal newspaper for constructive service?

Held not sufficient where circulation was 350 in county of 150,000. *State ex rel v. Rose*, 114 So. 73 (Florida).

What races can be naturalized?

Only white and black; not foreign born yellow, brown, or red, nor half breeds; but Filipinos and Mexicans can be. *In re Fischer*, 21 Fed. (2nd) 1007, U. S. Dist. Ct., (California).

Are Land Trust Certificate agreements valid?

Held good in Wisconsin and not a perpetuity nor restraint on alienation, if shares are vested and assignable, (even though expiration of trust is indefinite), *Baker v. Stern*, 216 N. W. 147. (Contains verbatim copy of Land Trust Agreement form.)

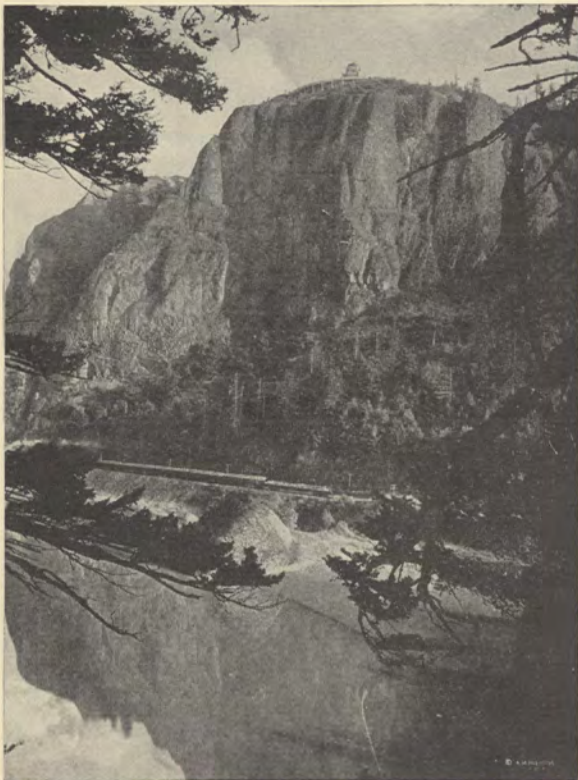
Is a "service charge" by a lender considered usury?

It is usury if the only service was passing on the security or the title; but not usury if the service was selling the bonds and superintending the building. *Miller v. Ashton*, 216 N. W. 448 (Michigan); *Real Estate v. Robhor*, 139 Atl. 351 (Maryland).

Does easement terminate when both tracts become vested in the same person?

Yes, basement merges with reversion, *Schifferdecker v. Busch*, 225 N. Y. S. 106 (Easement for waterpipe).

A Scene Along the Way to the 1928 Convention



Crown Point from Rooster Rock Along the Columbia River
Courtesy Union Pacific Railroad

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Easy Convention Side-Trip

Perhaps this may seem a bit early to be planning your summer vacation but not when it means attending the American Title Association Convention in the "charmed land."

You who have been privileged to attend previous conventions and know the pleasure and profit derived from meeting hundreds of keen, progressive business men in your line of work need no second invitation to avail yourself of this opportunity.

Naturally each convention is just a little finer than the last but the convention in Seattle, June 26 to 30, should be the biggest and best yet held for, in addition to having every facility for a successful convention, no city in the United States can offer the variety of wonderful side trips to be taken before and after the convention.

Because the grandeur of our western mountains is unexcelled in any part of the United States, Mt. Baker Lodge, built in Mt. Baker National Forest in the heart of the Cascade mountains, has a particular appeal to the people from other parts of the country and no stay in Seattle and the Puget Sound country is complete without at least a day or two in this new scenic wonderland which was opened to the public last year.

To Mt. Baker Lodge belongs the distinction of being the only resort of its kind—community owned—the property of 650 of the business men of Bellingham, an alert, progressive city of 37,000, ninety-six miles north of Seattle and twenty-eight miles from the Canadian boundary.

The building of the lodge is an interesting western story, the final chapter of which was written last year when the lodge opened its doors on July 1 and at once took its place as one of the foremost resorts of the United States.

Splendid roads take you from Bellingham to the lodge, built at Heather

Meadows in the heart of the Mt. Baker National Forest, through mile after mile of giant evergreens such as only the West boasts of. Snow-clad mountains, rushing rivers and tumbling waterfalls thrill the expectant tourist as he climbs up and up to the 4,000 foot elevation, not too high for comfort but high enough to give the exhilaration which only mountain air can give.

Heather Meadows is indeed well named, a beautiful mountain meadow, carpeted with heather of every known color, dotted with numerous little mountain lakes fringed with sturdy evergreens, the whole surrounded by a complete panorama of snow-clad peaks seldom seen from any resort.

Mt. Baker Lodge, of Swiss architecture and decorated throughout the lobby and lower floor with the Indian motive, is built on the shore of Sunrise Lake in whose crystal clear surface is reflected the majestic glacial clad slopes of Mt. Shuksan, standing like a silent sentinel on guard.

Warmed by the summer sun, Sunrise Lake affords delightful bathing and an Indian dug-out canoe provides the ideal kind of boating when guests feel so inclined.

The lobby of the lodge, 50 x 130 feet in length, has windows on three sides and a large stone fireplace at one end where a cheery fire blazes whenever the weather permits. At the opposite end of the lobby is a view tower, seventy feet in height, from which may be had a magnificent view of the surrounding mountains, lakes and forest which words are poor to describe.

The dining room, 50x90 feet, adjoins the lobby and will accommodate 500 guests.

Two floors are given over to guest rooms, ninety rooms having connecting baths and forty having hot and cold water. All rooms are electrically lighted and heated with power gen-

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erated nearby. Ice cold mountain water has been piped from a spring several thousand feet above the hotel. No resort offers greater recreational features than Mt. Baker Lodge, boating, bathing, fishing, hiking, mountain climbing, horseback riding and snow sports being popular during the daytime and dancing, cards, radio programs and special entertainments being enjoyed during the evening.

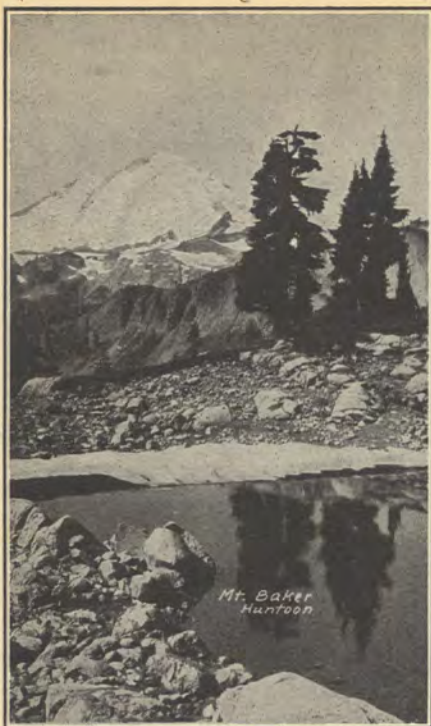
The side trips to be taken from the



A Mt. Baker Scene in August



Mt. Baker Lodge



lodge are numerous and may be taken on foot or on horseback, with or without guides. Snow never disappears

from the upper levels and never at any time is it necessary to go far from the lodge to enjoy winter sports, snow-balling, coasting, etc., being indulged in by both young and old during the entire season. The more popular trips are those to Panorama Dome, Table Mountain, Chain Lakes, Kulshan Ridge, Austin Pass, Baker Lake, Sholes Glacier, etc.

Organized parties leave the lodge twice daily under the leadership of a thoroughly experienced guide and all necessary equipment for such trips may be rented from the guide department.

Service in keeping with a half million dollar investment is found throughout the lodge, as neither time nor money has been considered by the stockholders in the building and equipment of this showplace of the Pacific Northwest.

This is but a brief word picture of one of nature's masterpieces which awaits your approval this summer on your trip to Seattle and, should it be your good pleasure to spend a few days enjoying the beauties of the Mt. Baker region, we believe you will understand as never before the charm of the country "Out Where the West Begins."

Some Timely Comments on Prices and Responsibilities of Abstract Work

The Wisconsin Title Bulletin recently contained the following very pertinent article. While it mentions Wisconsin, the name of any state could be inserted. Every statement is worthy of consideration.

What is a fair price for the various abstract services which abstracters are called upon to render in Wisconsin?

The Wisconsin abstracter or Title Association has now been in existence twenty-one years and in that time almost every possible question has been discussed and considered at our annual meetings but this one. Why has this subject never been taken up? Surely no subject is more important both to the public and the abstracters themselves.

Unless a fair price is paid, good service, it is well known, can not be rendered. Criticism of abstracts and abstracters past and present is often indulged in, but perhaps the abstracts criticized were as good as could be furnished for the price paid.

In some states, notably Minnesota and South Dakota, the price is fixed by statutes at so low a figure, the writer is informed, that the barest skeleton of an abstract is all that can be furnished for the money.

Some recent investigations in various parts of Wisconsin, as well as other

parts of the country, disclose the fact that there is a wide difference in the prices charged for the same service in adjoining counties and sometimes in the same county. Again it is well known by all abstracters that certain services are frequently rendered at a loss in order to hold certain customers, as, for instance, certificates or letters of title, when the title or titles in question are difficult and complicated, by reason of metes and bounds descriptions or estates or court proceedings or litigation requiring examination.

Again as properties advance in value and titles become more complicated foreign examiners especially as well as others are constantly making more and more stringent requirements as to certificates, frequently placing upon the abstracter the entire responsibility for the correct solution of various legal questions arising upon the record, as, for instance—what names are so nearly "idem sonans" as to require examination for judgments although not spelled the same as the owner's name as it appears on the record?

Again it is quite fair to ask abstracters, at least without additional compensation, to be responsible for any use to which their abstracts may be applied in the hands of anyone to whom they may come although not the ones for whom prepared or furnished?

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Values, conditions, laws and purposes in connection with which abstracts are used are constantly changing and every abstracter knows that many customers are much more exacting and critical than others. Why then

should the abstracter be required to assume a responsibility not laid upon the shoulders of the parties through any other contract?

No lawyer or other professional man, or even tradesman, it is well known, incurs any responsibility to any other person except the one to whom his opinion or advice or other services is given and paid for. Why then should an abstracter be held to an altogether different and much harsher rule?

The fact is abstracters almost universally are in need of a lot more plain common sense, business backbone than they are accustomed to exhibit. Even if a special certificate involves no additional responsibility it puts upon the abstracter the necessity of determining that question and perhaps paying for a legal opinion to do so.

It seems to the writer therefore that the time is ripe to take up this whole subject in a fair and reasonable spirit and try to reach some honest and intelligent conclusion about it, and by way of a starter the following is suggested as a fair rate of charge in the average county for the services named.

1. Letters or certificates of title should in no case be less than \$5.00 for each chain of title covered and if specially difficult an additional charge should be made.

2. The charge for ordinary deeds should be \$1.00, and for trust deeds and



other long or complicated instruments requiring special examination \$2.00 or more. This is the minimum charge of the registrar of deeds of most counties for merely copying these instruments.

3. For search and certificates (of continuations) the charge should be in all cases \$3.00 in addition to twenty-five cents for the names of all owners shown in the certificate, and in addition to the charge for instruments shown. If the time covered is for more than

one year and covers property in excess of \$5,000 in value an additional charge should be made.

4. The charge for showing wills, final judgments and other county or circuit court matters should be based on the time required for the examination as well as the number of pages shown in the abstract.

5. An extra charge should be made as to the certificate for judgments, liens, and other items abstracted from the federal court records, as well as tax liens in the city clerk's office.

6. An extra charge should be made for special certificates required by companies such as the Northwestern Mutual Life Insurance Company, the Federal Farm Loan, and the Prudential Insurance Company. The additional liability of these certificates as well as the extra work entailed requires that a charge should be made for such certificates.

7. A minimum charge of \$4.00 an hour for comparing and certifying to abstracts made outside of the abstract office, and one-half of the regular rate for making copies of abstracts from your own office.

8. A conference of neighboring counties should be held for the purpose of securing their adherence to similar rates adopted in any one county.

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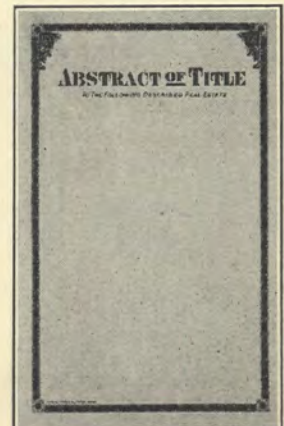
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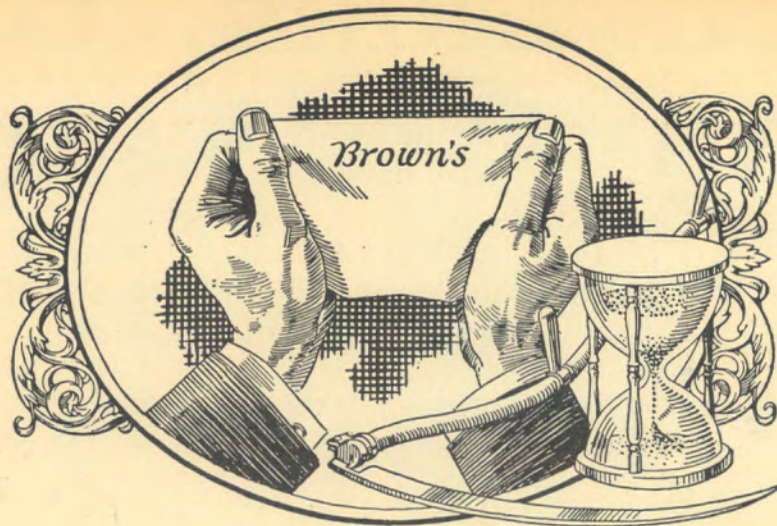
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