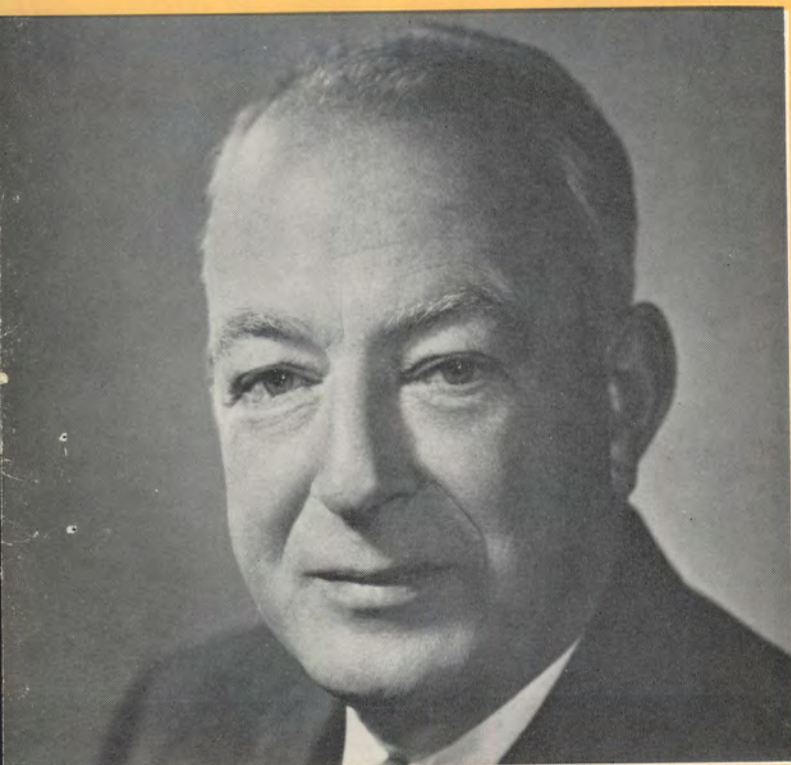


TITLE NEWS



OFFICIAL PUBLICATION

American Land Title Association



VOLUME XLIII

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A MESSAGE

from

THE CHAIRMAN TITLE INSURANCE SECTION

Fellow Members:

Through the courtesy of our President, I have the welcome pleasure of reporting to our members, and particularly the members of the Title Insurance Section, some of our recent activities, and revealing plans in progress for the Annual Convention to be held in Philadelphia, September 20 to 23.

During the past several months it has been my privilege to attend the three Regional Meetings of the Title Insurance Section. The Central States Regional Meeting was held in Chicago, April 23 and 24; the Atlantic Coast Regional Meeting was held at Absecon, New Jersey, on April 27 and 28; and the Western Regional Meeting was held in Colorado Springs, on May 25 and 26. Each of these meetings were attended by 30 to 40 title insurance company executives, who had the opportunity to engage in round-table discussions on problems facing the title insurance industry. These meetings were extremely rewarding to me and I am sure to those who were in attendance. Many problems of the industry were discussed such as the progress of the FHA resale program; the continued interest in the Uniform Commercial Code; questions arising under the ALTA policy coverages, and the expansion of the affirmative insurance; management problems regarding personnel and production, and many other matters of equal interest to members.

All of these meetings were considered highly successful by the participants who received many benefits by reason of their presence. Particularly impressive were the frank and open discussions which took place and the sincere efforts by members to make constructive suggestions toward the solution of problems.

At the Philadelphia Convention your chairman has the responsibility of presenting an afternoon program for the Title Insurance Section, as well as workshops for other sessions. The advice and assistance of the Section's Executive Committee is being solicited in preparing the program and workshops in a sincere effort to make them as interesting and enlightening as possible. I am happy to announce that Mr. Carey Winston, President of the American Mortgage Bankers Association, will be a guest speaker at the Title Insurance Section Meeting. After attending the Regional Meetings, I have made extensive notes which will be of assistance in devising workshops that will meet with the greatest interest to the members, and we will endeavor to secure the ablest men in the industry to assist in presenting the subjects.

(Continued on Page 34)



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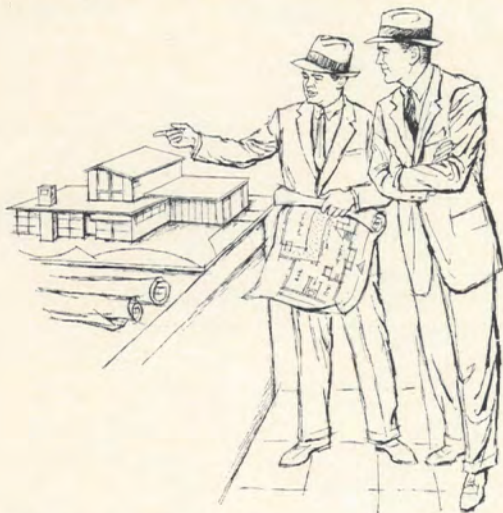
Features

	<i>Page</i>
The Housing and Community Development Act of 1964.....	2
<i>Dr. Robert C. Weaver</i>	
More Convention Tips.....	40
<i>Distinguished Speakers Confirmed</i>	
Title Insurance Process: The Socratic Method.....	44
<i>A. J. Gilbert</i>	
ALTA's Only Living Charter Member.....	46
<i>Hugh H. Shepard Reports</i>	

Departments

A Message From the Chairman, Title Insurance Section.....	Inside Front Cover
On the Cover.....	5
In the Association Spotlight.....	8
From the Federal Register.....	23
State Association Corner	
Texas	25
Washington	29
Pennsylvania	30
Wyoming	33
Tennessee	35
Iowa	36
Stranger Than Fiction	39
In Memoriam	42
Meeting Timetable	Inside Back Cover

The Housing and Community Development Act of 1964



By **ROBERT C. WEAVER**, Administrator, Housing and Home Finance Agency

The Housing and Community Development Act of 1964, which President Johnson has recommended for enactment by this Congress, is a continuation and extension of the long-established and recognized principles of Federal assistance to private enterprise and local community that have played a major role for more than a quarter of a century in this country's tremendous progress in housing and community growth and improvement.

The rapid expansion of our housing economy, the dynamic growth and renewal of our cities, the record increase in homeownership, and in improved housing opportunities for increasing number of our lower income families that has marked our postwar progress could not have been achieved without the support that Federal programs have given to our communities and our private housing economy. The 1964 bill applies the established principles and the same basic instruments both to the new developing needs of the sixties and the areas in

which our past efforts have not yet been adequate to our total needs.



DR. ROBERT C. WEAVER

Failure to continue and adapt these means to present and future needs would mean a complete reversal of our national housing policy and a national default in our responsibilities for our housing and urban future.

The opposition voiced by some to this legislation is not because we have departed from our proved policies, but rather against their continuation in terms of future requirements. Their arguments are based primarily on the same objections and come largely from the same sources which have opposed these programs since they began, going back to the creation of the Federal Housing Administration in 1934.

An objective examination of the President's recommendations will disclose that what is proposed here is for the Federal Government to do for our urban economy in the future what it has so successfully done in the past. These future challenges themselves are in many ways greater

and different, since our national growth, our tremendous urbanization and population increase, and our needs in today's world are different. But the objectives and the principles are those that were formulated and stated in the Housing Act of 1949.

Basically, the 1964 Housing Act will serve to help us move closer to the objectives enunciated in the Housing Act of 1949: ". . . the realization of the goal of a decent home and a suitable living environment for every American family."

While the 1964 bill is one of many specifics, its basic objectives are few and readily defined. Its housing provisions would broaden the scope and make more effective use of our mortgage insurance and secondary market programs. They would give greater assistance to the housing industry to meet the expanding housing demand of the future. They would expand FHA assistance to include land development for our urban growth. The

ABOUT THE AUTHOR

Housing Administrator Robert C. Weaver has been concerned with housing and urban problems for the past 25 years.

As Administrator of the Housing and Home Finance Agency, he is the directing head of the Federal Government's principal programs for better housing and communities. Under his supervision are the expanded programs authorized in the Housing Act of 1961, including FHA mortgage insurance, urban renewal and planning, public housing, community facilities, a secondary market to provide funds for housing mortgages, and the new programs of Federal aid to improve mass transportation and to preserve open space land in growing urban areas.

A native of Washington, D.C., Mr. Weaver first entered the Government in 1933 and has since filled a number of important Federal posts.

He was adviser on Negro Affairs in the Department of the Interior and also served as a consultant with the Housing Division of the Public Works Administration. Under PWA the first public housing and slum clearance projects were built as part of the emergency public works program during the Depression.

He later became special assistant to the Administrator of the U.S. Housing Authority. This agency evolved into the present Public

Housing Administration, one of the operating constituents of the Housing and Home Finance Agency, which Mr. Weaver now heads.

He left Washington in 1944 to become Executive Director of the Mayor's Committee on Race Relations in the city of Chicago. He later served the State of New York as Deputy Commissioner of Housing and as Administrator of the State Housing Rent Commission.

Before being appointed Housing Administrator by President Kennedy in February, 1961, he was Vice-Chairman of the Housing and Redevelopment Board of the City of New York. The Board directs and administers the City's multi-million dollar urban renewal and middle-income housing program, the largest in the nation.

Administrator Weaver, who holds a Ph.D. from Harvard University, has also been active in the field of education. He has lectured and taught at Northwestern University in Evanston, Illinois, at the Teachers college of Columbia University and at the School of Education of New York University.

He has contributed time and work to the programs of various national organizations in the housing, civic and public service fields and is the author of two books and numerous articles on minority problems, housing and urban affairs.

bill would continue and broaden the low-rent public housing program. It would afford new aids to deal with the problems of displaced persons, providing greater relocation assistance to elderly individuals, families, and small businesses displaced by urban renewal and public housing activities.

In the community development field, the bill calls for a continued, unabated attack on slums and blight and the renewal and improvement of our communities. It would also provide planned, economic and orderly development of our urban areas as our population grows.

It has long been recognized that public housing serves the poor, when we just consider these facts: The average family income of those in public housing is \$2,460, or well below the \$3,000 income that sets the minimum level necessary to satisfy the essential human needs in our non-farm areas.

There are still some 9.3 million families with incomes of less than \$3,000. More than three fourths of them have incomes below \$2,500.

We still have more than 8 million families and individuals living in sub-standard housing, and another 4½ million in seriously deteriorating housing.

Public housing offers the most significant source of decent housing for our low-income elderly people, whose numbers are rapidly increasing. About half of the 100,000 public housing units authorized by the Housing Act of 1961 have been planned for elderly tenants, and some 24 percent of occupied public housing units house senior citizens.

In public housing, the 1964 bill proposes two significant things. First, it would provide for the use of existing housing for low-income housing in addition to continuing the program of new construction at levels attained in the past three years. With the present vacancy rate of 7.3 percent, many local housing authorities can speed up considerably the rehousing of low-income families by using existing privately-owned standard housing — especially for larger families.

Secondly, the bill recognizes the needs of housing the very poor in public housing. In the Housing Act of 1961, this responsibility with respect to the elderly was acknowledged by providing additional subsidy assistance to those of very low income. The 1964 bill would give the same extra assistance to those displaced by urban renewal or public housing construction.

The Housing Act of 1961 released the balance of the annual contributions authority for public housing provided in the Housing Act of 1949. That has meant the approval of some 100,000 additional new units over the past three years. That authority is now exhausted.

The 1964 bill would increase this authority sufficiently to support 35,000 new public housing units per year over the next four years. In addition, this increase will permit an average of 15,000 existing private units per year to be purchased, and, if need be, rehabilitated for public housing use. It would also enable local housing authorities to lease an additional 10,000 private units per year for low-income needs.

Other provisions in the 1964 bill designed to provide a greater supply of decent housing for the elderly include special help to elderly homeowners of low income in urban renewal areas by authorizing FHA to insure rehabilitation loans on such homes at the below-market interest rate provided under the Section 221 (d) (3) program.

For the urban renewal program, the 1964 bill contains a series of amendments designed primarily to simplify, expedite, and increase the effectiveness of the urban renewal program at the community level.

Over the years, urban renewal has become a vital and decisive force in redeeming our towns and cities from blight and transforming deficit areas into productive ones. Although many of our largest communities are participating in the program, about two-thirds of the communities involved have populations of less than 50,000.

The program is generating private

investment many times over the amount of public funds involved. For 479 projects involving about \$1.25 billion in Federal grants, estimated private investment will be about \$7.5 billion, and another \$2 billion will come in public redevelopment expenditures.

Urban renewal is turning deficit areas into paying areas that will contribute to the economic and social needs of the entire community. For some 400 projects where redevelopment has been started, or completed, estimated assessed value will be more than five times as great.

During the past three years, an increasing amount of land made available under the urban renewal program has been used for sorely needed moderate—and low-income housing. Urban renewal has revitalized business and downtown areas, increased employment, provided land for public buildings and recreational use, and for cultural, medical, and educational purposes. It has preserved and protected from decay many historic older buildings and neighborhoods. More and more, it is becoming an effective tool for strengthening the economic base of our cities.

Urban renewal is clearing slums on a large scale. In over 800 projects more than a quarter of a million substandard housing units have been, or will be eliminated.

The 1964 bill calls for an increased urban renewal grant authorization of \$1.4 billion to cover new reservations for the next two years. This is a slightly higher rate than the \$2 billion authorized for three years in the 1961 Housing Act.

The increase reflects the growing recognition by local communities, including an increasing number of small towns, of the merits of the urban renewal program and its potentialities as a permanent deterrent to slums and blight and a dynamic force for physical, social, and economic revitalization.

The most important innovation in the 1964 legislation is its proposed program to assist private developers and urban areas to provide a rational

ON THE COVER

It is an honor and a pleasure to welcome to the cover of TITLE NEWS the distinguished president of the Mortgage Bankers' Association of America, Carey Winston. Representing a professional group which is the very cornerstone of this nation's system of free enterprise, Mr. Winston has spent a busy year speaking to related professional groups throughout the country (see page 40). Members of American Land Title Association congratulate the Mortgage Bankers' Association for their splendid record of public service, and wish them success and prosperity as they begin the second fifty years of their history.

pattern for the future growth of our metropolitan and urban areas.

By the turn of the century our population, the bulk of it in urban areas, will have increased some 30 percent, and the amount of land brought into urban development will be double the amount today.

This is as if we would have to provide for and build in the next 35 years, housing and urban development virtually equal to all that we now have.

This cannot be done on the hit-and-miss basis of suburban development since the war. Such unprecedented growth, with its impact on transportation, on schools, public facilities, and open space, will produce far greater consequences than the problems that our suburban areas are now wrestling with.

The new bill proposes using our housing and community programs in new ways to meet these imminent urban growth pressures on a planned and advance basis.

The new legislation would provide for land development through FHA mortgage insurance for both large subdivisions and for new outlying communities. It would also provide for planned construction, under the

public facility loan program, the public facilities needed for this growth and for advance acquisition of land for those public needs. All of these aids, however, would be predicated on the local development of sound, comprehensive planning of the urban areas to be served. In principle, this program of insured land development would enable the FHA to do for broad urban areas contiguous to our built-up metropolitan communities what it did for postwar subdivision development in our suburbs.

The 1964 bill recognizes the vital role of the FHA in the Nation's home-building and mortgage lending industries and in better housing for the majority of our people.

Over the past 30 years, FHA has insured loans for more than 7 million homes, more than one million rental units, and more than 26 million loans for home improvements.

The provisions of the 1964 bill reflect a determination by the Administration to see that the FHA continues to play as strategic a role in the future growth of this country as it has played in the housing progress of the past three decades.

In addition to the proposed new assistance for large subdivisions and new communities, there are other important provisions to assist private development. For example, FHA would be given authority to undertake the cost of correcting substantial defects in FHA-inspected housing which the builder is unable or unwilling to remedy.

The bill contains provisions designed to encourage lenders to exercise further forbearance in case of mortgage defaults beyond the homeowner's control. This would help homeowners weather temporary periods of economic hardship and prevent defaults from resulting in unnecessary foreclosures.

FHA-insured rehabilitation loans would be liberalized, both inside and outside urban renewal areas. It is expected that legislative improvements, plus intensive work by FHA and the Urban Renewal Administration will spur activity in the rehabilitation pro-

gram, theretofore, not overly productive.

In order to keep FHA competitive with alternate means of financing and to keep the scope of its operations current with the higher average cost of homes, the 1964 bill would authorize and increase in the maximum mortgage amount on FHA-insured home loans. In the case of single-family homes, the maximum would be raised from \$25,000 to \$30,000. The \$20,000 limit on Government-backed mortgages eligible for purchase by the Federal National Mortgage Association under its secondary market operations would be removed so as to permit control by the FHA statutory maximums or other prudent lending practices. These changes are considered essential to bring the benefits of home mortgage insurance to many segments of the home building market, in view of rising family income and higher standards.

In his Housing Message to Congress last January, President Johnson said, "Our Nation stands today at the threshold of the greatest period of growth in its history." Most of the growth will occur in and around our urban areas. It will affect not only our larger cities and metropolitan regions, but also our medium and smaller towns and once-rural communities.

As I see it, the Housing and Community Development Act of 1964 would deal with the unfinished business of the present and the impending needs of the future in housing and community development.

Members of American Land Title Association are always interested in legislation affecting the general welfare and are particularly alert to their responsibilities with regard to legislation concerning the housing industry. In recent months, TITLE NEWS has been privileged to carry articles concerning the proposed housing legislation, some of it critical in nature. We are delighted to present here a statement by the distinguished Dr. Weaver outlining the Administration's point of view as it presses for enactment.

WRITE BY HAND

...or any other way



William _____ wife
Es. _____
Robert _____

Know all men by these presents that I William and Betty his wife of the town of Poughkeepsie County of New York in consideration of One hundred dollars to one in hand paid by Robert _____ of the town aforesaid the receipt whereof is hereby acknowledged have bargained sold and quit claimed and by these presents do bargain sell and quit claim unto the said Robert _____ and unto his heirs and assigns forever all my right title and interest claims and demand in good to all that certain piece or parcel of land situate in the town of Poughkeepsie (sic) fifty acres of land to be taken off from the south end of the south east division of lot number one hundred in said town and bounded on the East South and West by the lots of said division and on the north by a line parallel with the south line of said division and so far distant therefrom as will include fifty acres of land also one other piece of land a part of North east division of number fifteen in said town and bounded as follows commencing at the North east corner of said division and running South by the east line of said division six rods thence East eight rods thence North six rods thence West six rods to the place of beginning containing forty eight rods of land including all highways of any width be white oak and Spruce the headrights therein belonging in witness whereof I have hereunto set my hand and seal this day and year first above written.

Sealed and delivered
In presence of David Griggs Jr
on the 14th day of April 1855.

William _____ Sp.
Betsey _____ Sp.

Monroe County Clerk

On the 14th day of April 1855 personally came before me the above named William _____ and Betty his wife known to me to be the persons whose names are subscribed to the above written instrument.

Original records come in all ages and every conceivable condition. One may be a land grant, handwritten on sheepskin . . . another a slick piece of microfilm. There is only one way to get perfect copies from any existing record—photographically. And the best way is with a PHOTOSTAT® Photocopier!

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**IN THE
ASSOCIATION
SPOTLIGHT**

C. J. Hironymous Retires

C. J. Hironymous, 1821 North Edison, Stockton, Vice President and Central Valley Division Manager for Title Insurance and Trust Company, retired at the end of May after 42 years of service with the firm.

Mr. Hironymous joined the title and trust company in 1922 at its San Joaquin county office in Stockton, and was named manager of that office five years later, a position he held until 1961, when he was put in charge of the firm's Central Valley operations.

A native of Yerington, Nev., Mr.



Hironymous received his elementary and high school education there. He went on to the University of California in Berkeley, where he studied two years, and then took correspondence study with the La Salle Extension University for four years. He completed his requirements for a Bachelor of Laws and Letters in 1923 at Lincoln University in San Francisco. During World War I, he served in the Army infantry.

Active in service, civic and professional groups, he is a member of the Stockton Kiwanis Club, Stockton YMCA, Stockton Chamber of Commerce, Delta Lodge A.F. & A.M., Salvation Army Advisory Board, American Legion, Dameron Hospital Advisory Board, California State Bar Association, San Joaquin County Bar Association, the First Baptist Church of Stockton, California Land Title Association, Grandfathers Club and the Yosemite Club. He is also a former member of the City of Stockton Board of Adjustment, Stockton Redevelopment Agency, the Stockton Board of Education and the Stockton Metropolitan Recreation Commission.

Mr. Hironymous has served the Kiwanis Club as director, the Masonic Lodge as master, the California Land Title Association as president and is a former trustee of the First Baptist Church.

Married, Mr. Hironymous and his wife, Nancy, have three children, William Robert, and Barbara (Mrs. D. A. Yager). William is also with the Title Insurance and Trust Company, serving as advisory title officer for Contra Costa County.

With his approaching retirement, Mr. Hironymous is looking forward to the leisure time which will permit him to pursue his favorite hobbies of fishing and gardening.

FHA Aids War on Poverty

P. N. Brownstein, Commissioner of the Federal Housing Administration, told a meeting of the Pacific Coast Builders Conference in San Francisco that policies of this Administration had resulted in tremendous savings in interest costs to home purchasers. He said this in turn has spurred the home building industry into three highly productive years.

Commissioner Brownstein cited the fact since 1961 when the Administration lowered the maximum mortgage limitation from 5¾ percent to 5¼ percent in two steps that over a million families were able to get better housing with liberalized FHA mortgage insurance, and that the total savings in interest costs were about \$1.5 billion. Commissioner Brownstein added "This lowered interest rate affected the rate structure of the country in a way that has been enormously beneficial to the home buying public and the home building industry."

Commissioner Brownstein participated in a panel discussion of the housing legislation now pending before Congress. He said the principal impact of the legislation as it pertains to the Federal Housing Administration would be to bring about better land usage. The Commissioner cited California as an example of the land problems facing the country. He noted that about 125 square miles a year were used for home building in California and that in less than 10 years the average price of a homesite in California had been increased by almost 131 percent.

Commissioner Brownstein said provisions of the 1964 housing bill would permit FHA insurance for land development mortgages. He said one of the purposes of this provision is to lower the cost of land development to builders "so the saving can be passed on to the home owner."

Citing problems of urban sprawl and inflated land costs, Commissioner Brownstein told the builders a land development program is inevitable. "The question is not if we will have a land development program but when we will have it and what form it will take."

The better and cheaper we can provide housing, he said, the more effective we are helping the President's war on poverty.

Commissioner Brownstein told the builders FHA is making internal improvements to make the agency "an even more useful instrument in achieving President Johnson's goal of a decent home for every American."

Realtors Acknowledge Responsibilities

Realtors acknowledge they share a heavy responsibility for the quality of their communities — a responsibility for government, for schools, for a healthy economy, for social progress, and for a myriad of other elements that affect relationships with one another, Ed Mendenhall, High Point, N.C., president of the National Association of Real Estate Boards, told the delegates to the XV Congress of the International Real Estate Federation at Tel Aviv, Israel on June 1.

The National Association of Real Estate Boards, Mr. Mendenhall stated, is this year emphasizing what he referred to as the "professional triad—responsibility, ethics, and education." Delegates from at least 12 countries of the Free World are in attendance at the Congress from May 28-June 5.

He explained the Association was continuing to stress ethics because "we are striving to convert our business into a profession. To do so, we must not only espouse high professional standards, but we must all adhere to them rigidly."

In stressing education the National Association realizes that its members

cannot become professional except as they are fully informed of all the multitude of facets and intricacies of the real estate calling. NAREB is striving to provide adequate educational facilities not only through the national organization and its affiliated institutes, societies, and councils, but also by encouraging universities and colleges to provide technical courses of instruction, as more than 200 universities are now doing, he said.

Mr. Mendenhall advised the delegates that NAREB feels the pent-up demand for housing which followed World War II has been met, and that NAREB is now turning increased attention to improving the housing of the low income families. One approach is through the Association's Build America Better Committee which sends teams of renewal and redevelopment experts from the NAREB membership to cities which request the service. These teams then investigate and analyze the methods by which adverse housing conditions can best be improved, and the findings are turned over to local officials for action.

Mr. Mendenhall added that NAREB is now in the process of developing a program "which we hope will result in substantial improvement in the housing of families at our lowest income levels," while the property remains in the hands of private owners.

Several of the nearly 150 delegates to the Congress from the United States—all members of the American Chapter, International Real Estate Federation, a NAREB affiliate—will travel through Europe after the Congress in Tel Aviv.

Appointments Announced

Thomas H. Quinn, President of Inter-County Title Guaranty and Mortgage Co., has announced the appointment of Douglas B. O'Malley and Albert W. Petersen as Assistant Vice Presidents. Both are assigned to the Manhattan office of Inter-County.

Redfield Elected to Board

John J. Redfield, a partner of Cadwalader, Wickersham and Taft, has been elected to the Board of Directors of the Home Title Division—Chicago Title Insurance Company, New York. Mr. Redfield is a member of the New York State Bar Association and the American Bar Association. He is a graduate of Williams College and obtained his law degree from Columbia University. Mr. Redfield resides, with his wife, in Montclair, N. J.



Title Company Promotes Two

C. F. Greene, Vice President and General Manager of the Fresno County operations of the Security Title Insurance Company, announced the appointment of William H. Ryan as assistant Vice President in charge of business development succeeding Ferguson Camberan. Ryan has been the sub-branch manager of Security's Fig Garden office since its opening last July.

Greene also announced the promotion of J. Elden Clark, formerly an escrow officer and foreclosure supervisor in the Mariposa Street office, to assistant Vice President and sub-branch manager of the Fig Garden office.

National Realty Club Elects

The National Realty Club has added five governors to its board. They are Daniel A. Brener of Brener & Lewis, George F. Brunner, Vice President of the home title division of the Chicago Title Insurance Company; Eugene A. Hegy, Jr., Executive Vice President of the Futterman Corporation; Louis Smadbeck, President of Wm. A. White & Sons, and Charles S. Weingart, President of the Apartment Location Bureau.

Morgenroth Promoted

Mr. John B. Waltz, President of Commonwealth Land Title Insurance Company, has announced the promotion of Irving Morgenroth to Assistant Vice President and Title Officer. He is presently assigned to the Special Accounts division dealing with bulk purchasers of land and customers having unusual service requirements.



Mr. Morgenroth was born in the Bronx, New York, and obtained his education in Philadelphia having graduated from Central High School and the University of Pennsylvania. He received his LL.B. Degree from the University of Pennsylvania Law School in 1957 and was engaged in the private practice of Law until he joined Commonwealth in June, 1959.

Institutes Mobile Escrow Service

Thomas DeFouw, Executive Vice President of Lawyers Title of Phoenix, Division of Arizona Land Title & Trust Company, announced the inauguration of the Mobile Escrow Service for the Phoenix area. Revolutionary in the title industry, this exclusive Lawyers Title service makes available an escrow specialist to travel to real estate offices and set up escrows.

This new Lawyers Title method reduces the time spent away from active selling on the part of the brokers and salesmen and eliminates the possibility of confusion on the telephone and delivery problems, which result in wasted time and money.

Named to initiate the new program is service representative, Vern L. Christie, veteran of 17 years in the title industry. Christie, a native of Fitchburg, Massachusetts, moved to Phoenix in 1947 following 5 years in

the Air Force. Christie, his wife Doris, and their two sons, Richard and Robert, reside at 4247 East Cambridge in Phoenix.

Siepel Joins Union Title

Virgil L. Siepel has joined Union Title Company as assistant vice president and senior title officer, President J. H. Sharpe has announced.

Born in West Liberty, Iowa, Siepel received a Bachelor of Arts and a Law Degree from Drake University. After a year of private law practice in Iowa, Siepel joined the Air Force in 1941. From 1942-1945 he acted as special agent in the U.S. Counter-Intelligence Corps.

Since 1946 he has served as title examiner, assistant trust officer, title officer, and chief advisory title officer in title insurance and trust companies in Florida and Arizona.

He is past secretary of the Corporate Fiduciaries Association of Arizona, chairman of the membership committee of the American Right of Way Association, Arizona Chapter No. 28, chairman of the Standard Forms and Practices Committee of the Land Title Association of Arizona, and is past president of the Arizona Counter-Intelligence Association.

He is married to Jane D. Siepel and has three children. They reside at 6636 North 10th Avenue, Phoenix.

Three Elected Officers

Three men were elected officers of Title Insurance and Trust Company, California, at the monthly meeting of the firm's board of directors.

Donald Burdine, manager of the Law Department, and Harold D. Nelson, Jr., manager of the Systems and Research Department, were named vice presidents, while Charles L. Coffman, formerly assistant controller, was elected controller.

Burdine joined the company in 1947 and served as associate counsel and assistant manager of the Law Department prior to being named manager of the department. He is a

graduate of the Los Angeles College of Law.

Nelson came to the title and trust company in 1963 from Montgomery Ward and Company, where he was manager of the Systems and Research Department. A graduate of Grinnell College, he took his degree in economics and business.

The company's new controller has been with the firm since 1947, serving in managerial capacity in accounting phases of the operation before being named assistant controller. Coffman is a graduate of California Western University, San Diego.

Labrie Named Manager

Harold R. "Hal" Labrie, Sacramento, has been named Central Valley Division Manager for Title Insurance and Trust Company, succeeding C. J. "Hi" Hironymous, Stockton, who retires June 1.

Concurrent with Labrie's assumption of his managerial duties, division offices will be moved from Stockton to Sacramento. The Central Valley Division is comprised of Fresno, Merced, Placer, Sacramento, San Joaquin, Stanislaus, Tehama, Tulare, Yolo, Yuba and Sutter Counties.

Labrie, a vice president with the firm, has served as assistant manager of the Central Valley Division since July, 1963. He joined the title and trust company in 1946 at the Sacramento office, and prior to his division assistantship, served successively as escrow officer, title officer, chief title officer, assistant county manager and county manager, all at the Sacramento office.

A native of Sacramento, the new appointee attended elementary and high schools in that community. During World II he served with the 101st Airborne Division (attaining the rank

of captain. He served in the European theatre, and participated in the Normandy invasion. Labrie was recognized with the Purple Heart, Combat Infantry Badge and the Theatre Ribbon with Invasion Arrowhead and Battle Star.

Labrie is a member of the Right of Way Association, Valley Hi Country Club and the Park Terrace Swimming and Tennis Club, and formerly was active in the Sacramento Chamber of Commerce, Lions Club, Executive's Association of Sacramento and the Sacramento Home Builders. He has served as treasurer of the Right of Way Association and president of the Park Terrace Swimming and Tennis Club.

Married, he and his wife, Helen, are the parents of two sons, Lane and Kent. The family resides at 1021 Casilada Way, Sacramento.

States Should Cure Mail Fraud Problem

The states should be encouraged to cure the problem of mail order land fraud, John C. Williamson, Director of the Department of Governmental Relations, National Association of Real Estate Board, recently told the Subcommittee on Frauds and Misrepresentations, Senate Special Committee on Aging.

"Progress has been made and will continue to be made on the state level, and NAREB believes it would be far more effective and less burdensome on the sellers of real estate to continue this approach," Mr. Williamson said.

"The NAREB License Law Committee in 1962 drafted a suggested model law for control of sales of subdivisions within state boundaries, and the model law was referred to our state associations," Mr. Williamson said. "Since then Realtors have been active at the state level in securing legislation to curb fraudulent land sale practices. Typical of the new state laws patterned after our model statute is that of New Mexico. The bill was drafted by the Legislative



Committee of the Realtors' Association of New Mexico.

"The new act makes it illegal to offer to sell or lease improved or unimproved real property in a subdivision of 25 or more parcels until the subdivision plots have been approved by the appropriate county commission and until public access is available to each lot from an existing public highway. The act also requires the seller to disclose to the purchaser or lessee the availability of utilities and water, existence and status of blanket encumbrances, if any, and the complete financing terms. It also prohibits false or misleading copy and drawings in brochures and advertisements relating to the subdivision.

"We believe that state statutes of this type, coupled with increased vigilance on the part of the Federal Trade Commission, and Post Office and Justice Departments, will contribute materially to the elimination or certainly reduce to a minimum the undesirable practices in the field of land sales."

To arm better the Post Office Department, he urged the enactment of H.R. 7818, which would permit the Department to stop the use of the mails in cases where there has been a misrepresentation of a material fact concerning the property. Under existing law, the Department must prove intent to defraud, and by the time this can be accomplished the damage to the purchaser is generally beyond repair.

Mr. Williamson said the question arises that with total reliance on state laws how the state can protect their citizens against in-state sellers of out-of-state lands, and how a state can curb the activities of out-of-state promoters of land within the state's borders.

He pointed to New York's "excellent example of policing of all subdivision advertisements placed in publications printed within its borders." And, he said, Ohio requires that any agent or salesman of an outside land development company must register with the State Securities Commission

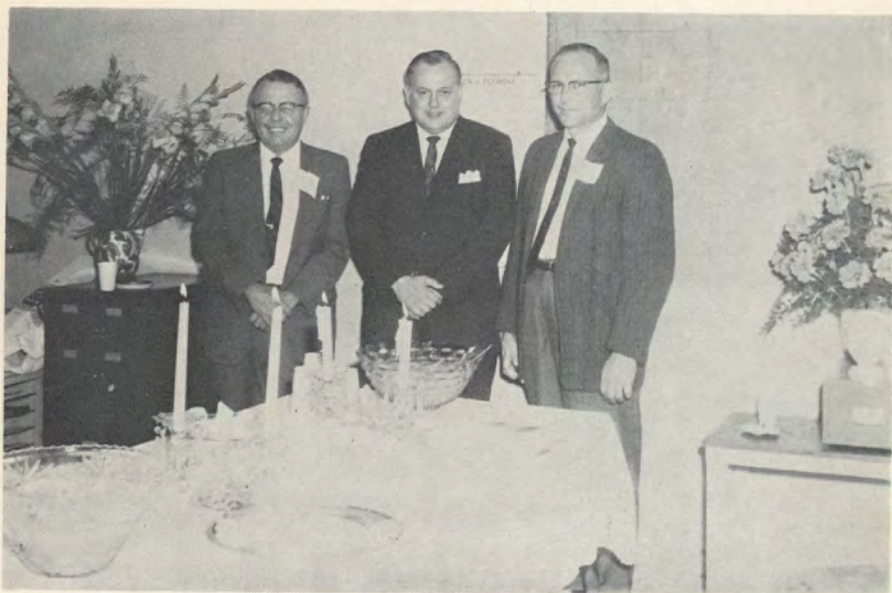
prior to any contact with Ohio residents.

"The one remaining gap in state enforcement," Mr. Williamson said, "appears to be the situation in which a developer owning land in New Mexico, for example, chooses to operate a sales office in Florida with the assistance of nationally-distributed advertisements. What can New Mexico do to curtail this operator's activities, assuming Florida authorities do not, or are able, to act? If this question can be adequately answered whether by compact, by extradition laws (in the event of criminal fraud), or by federal statutes dealing with this specific situation, then in our view state protection, assuming an active interest on the part of all of the states, is the most effective answer."

Mr. Williamson pointed out that the type of land sales activity which prompted these hearings reflects on the real estate profession and is a violation of NAREB's Code of Ethics. Article 3 of the Code provides that it is "the duty of a Realtor to protect the public against fraud, misrepresentation, or unethical practices in the real estate field." Article 4 requires the Realtor to ascertain all pertinent facts concerning property for which he accepts agency in order to avoid concealment or misrepresentation of a material fact. Our Association requires that local boards discipline by expulsion members who are guilty of violating the Realtor's Code of Ethics, he added.

"Our Association believes that the situation, serious as it is, does not justify the involvement of the Securities and Exchange Commission," he said. "Our attention has been directed to a draft bill which would require the registration of real estate subdivisions with the SEC. The bill would require the SEC to issue a public report concerning a subdivision. To protect itself the SEC would have to inject itself into appraising, market analysis, and a host of other factors to justify its implied endorsement. This should not be the function of any regulatory agency."

The 75th Anniversary Celebrated



Left to right, Charles H. Mann, Jr., President of Title & Trust Company of Florida also the President of Florida Land Title Association; Claude C. Jones, Jr., Owner & Manager of DeSoto Abstract Company and Warren Sheffield, Vice-President of Abstract and Title Corporation of Florida.

The 75th Anniversary Celebration of the Desoto Abstract Company, Arcadia, Florida was celebrated April 9, 1964. The Title Company has been owned and managed by the same family for the entire 75 years.

Founded by John L. Jones in 1889 when Arcadian County was, new, the son Claude C. Jones, Senior continued the company in 1929. Claude C. Jones, Jr., became manager on the death of his father in 1958.

All three men have been active in the growth of the city of Arcadia and Desoto County.

John L. Jones held a meeting of Florida Title men prior to the organization of any title association. He was also a charter member of the American Land Title Association and the Florida Land Title Association. The records do not show any break in continuous membership in both associations.

Over 350 persons attended the reception. The floral presentations would have done credit to a flower show.

Denounces 'Illogical' House Action

On May 21, 1964, the House of Representatives passed the Independent Offices Appropriations Bill cutting the FHA appropriation request for the fiscal year beginning July 1, 1964, by \$6,125,000.

Congressional budget cutters were accused of denying the benefits of FHA-insured loans to the nation's home buyers by Carey Winston, President of the 2000-member Mortgage Bankers Association of America. He said, "The House of Representatives, by their action in cutting over \$6 million from the Federal Housing Administration's appropriation request is actually cutting it below its level for this year, despite the fact that FHA's workload is increasing. FHA is expected to service applications for one million housing units this year, which is indicative of the desire of the American public to have the benefit of this Government service. Many more could be expected to use FHA's services but for the processing delays occasioned by FHA's inability to hire sufficient people to process the applications promptly."

Winston, who is president of The Carey Winston Company, Washington, D.C., pointed out that FHA does not actually make any loans at all, but merely insures the loans made by private lenders. He stated that "all costs of administering the agency are borne out of the income from insurance premiums, therefore FHA does not impose any burden on the Federal Treasury. The result of this House action," he emphasized, "is to make it difficult for home buyers who are willing to pay for FHA's services to obtain it. The delays are also costly to builders and realtors, who therefore discourage people from using FHA loans, thus denying the home buyers of the country the low downpayments and longer terms offered by FHA.

"It is false economy to suggest that by denying FHA money, taxpayers are benefited," Winston explained. "Year after year, representatives of this Association have endeavored to point out to the Congress that FHA is a **self-supporting** agency, spending its **own** income derived from the fees received from citizens who demand and are benefited by its services. There is no rational explanation for the decision of the Appropriations Subcommittee to put FHA in a financial straight jacket and for the Subcommittee's refusal to recognize the difference between the funds FHA requests authority to use, and those appropriations requested by other agencies of the Government.

"What the Committee fails to note," Winston continued, "is that FHA has always lived within its income and at no expense to the tax-paying public. What it also fails to note is that the Congress itself has imposed substantial new responsibilities on FHA from year to year. The agency's expenses and jobs only increase as the Congress imposes new functions and as the public uses its services.

"This Federal agency was conceived and has always operated to assist, not to supplant, private enterprise," Winston concluded, emphasizing, that, "FHA-insured home loans are still the best bargain in the market—for borrower and investor alike. We hope the Senate will give consideration to this problem and correct what we can only construe as illogical action on the part of the House of Representatives."

Soto Gets Managership

Promotion of Richard M. Soto to assistant Vice President and manager of Valley Title Co.'s Willow Glen office at 1086 Lincoln Ave., was announced by Robert L. King, Vice President and Manager of branch operations.

Soto will replace Helen Root, who has managed the office seven years. Mrs. Root will retire and begin a new career as a housewife.

Reorganizes Title Department

The Commercial Standard Insurance Companies of 6421 Camp Bowie Blvd., Fort Worth, Texas, have appointed James W. Hull as Director of Field Operations and Paul F. Dickard as Attorney and Office Manager of the Title Department.

James W. Hull, formerly Agency Supervisor, has been employed by Commercial Standard for 2½ years, resides at 2634B Merrick, Fort Worth, Texas, and is a graduate of the University of



HULL

Texas, with a B.B.A. in Industrial Management. He is a native of Fort Worth, Texas, the son of Mr. and Mrs. H. A. "Salty" Hull, and in his new position will be in charge of title agency operations, investments and production.



DICKARD

Paul D. Dickard has been employed by Commercial Standard for one year as an attorney in the Title Department. He resides at 3917 Wosley, Fort Worth, Texas, with his wife and family, and is a graduate of the University of Texas and the University of Texas Law School. In his new position, Mr. Dickard will be responsible for all legal work connected with the Title Department and the management of the office staff. Mr. Dickard is the son of Mr. and Mrs. Paul F. Dickard, Waco, Texas.

National Life Board Elects Three

The National Life and Accident Insurance Company, Nashville, Tennessee, elected E. P. Carrier Associate General Counsel at the meeting of

the Board of Directors in February.

Other promotions at the meeting were E. M. Haywood and A. M. Griffin, Jr., to Assistant General Counsel.

FHA Sells More Homes

April was the first month in several years in which the FHA sold more home properties than it acquired, Commissioner P. N. Brownstein of the Federal Housing Administration said recently. Sales of 3,700 properties represented an increase of 15 percent over the number sold in March and a 68 percent increase over sales in April, 1963.

"Recent streamlining of our property disposition procedures, and the availability of private financing for sales of acquired properties," Commissioner Brownstein said, "have combined with a generally favorable economic climate to bring about a gradual closing of the gap between the number of properties acquired and the number sold. Sales volume and ratios of sales to acquisitions have been greater in the last three months than at any time last year, and we hope the trend will continue."

FHA acquires properties from lenders in the course of its mortgage insurance operations. Foreclosure rates for mortgages in general, including those insured by FHA, have risen since 1958. The FHA put into effect last year a policy of private financing for sales of its acquired properties, and has made special efforts to encourage sales in areas where it had a substantial inventory on hand. Properties are sold at prices competitive with those of comparable properties in the locality, and with minimum down payment requirements. FHA pays the settlement costs and waives its application fee.

Commissioner Brownstein said he expected the rate of foreclosures to remain relatively stable at about 1.08 percent of insurance in force. The increased rate of home mortgage foreclosures, particularly those written on very liberal financing terms, have been attributed to the abatement of the postwar housing shortage, the accompanying decrease in housing price inflation, and localized

problems of unemployment and economics.

Foreclosures generally have stabilized recently, and Commissioner Brownstein said the favorable and continually improving economic climate under the Johnson-Kennedy Administration should ease the problem even more.

Rehabilitation Essential

Even the most stubborn advocate of the bulldozer approach to urban renewal has finally conceded that rehabilitation of existing structures is as essential to the overall success of a renewal program as the demolition, according to a Boston renovation expert.

Martin S. Berman, CPM, writing in the May-June issue of the **Journal of Property Management**, adds "this admission vindicates those who have not only preached but practiced this method of neighborhood improvement for many years."

The **Journal of Property Management** is published bi-monthly by the Institute of Real Estate Management, an affiliate of the National Association of Real Estate Boards. The Institute awards the designation Certified Property Manager (CPM) to real property managers who meet its standards of ethical and competent service to the public.

In support of his thesis, Mr. Berman points out the example of an apartment complex his firm recently modernized. Not only were the buildings transformed from old-fashioned, dark, dreary units with black soapstone sinks into light, airy, attractive apartments with all modern conveniences, but the owner was handed a sizable profit by way of increased equity. The modernization of the buildings gave them an appraised value higher than that of the original investment plus the renovation costs.

Twenty new units were created by the modernization, a dismal weed patch that was used for unorganized parking was paved, organized, and landscaped to add to the desirability of the buildings by making the ground level apartments which open-

ed onto the parking areas more saleable and by adding easy and safe access to the buildings.

Completely new ceramic tile baths, formica kitchen cabinets, new electrical wiring, and new mail boxes and house phones were included in the modernization, which was paid for by a modest rent increase.

"Apartment house properties not only lend themselves to periodic modernization, they require and demand it," Mr. Berman declares. "The American standard of living has constantly been improving at a pace which, in a few short years, has made central heating, home freezers, and television necessities. Following quickly behind these leaders are central air conditioning, garbage disposals, and dishwashers."

Harvey Humphrey Takes Over New Post

The career of Harvey Humphrey, formerly Vice President of Title Insurance and Trust Company took a new turn in February after he was elected Executive Vice President of the Title Insurance and Trust Company Foundation. He continues as Secretary-Treasurer of the Foundation. Humphrey has also been appointed assistant to Ernest J. Loebbecke, Chairman of the Board of TI, and will devote time to civic community and related activities.



A native of Missouri, Humphrey attended Central College of Fayette, Missouri, and Colorado State Teachers College in Greeley. He left college to enter the service during the first World War.

After beginning his business career in the real estate and insurance fields in Colorado, Humphrey moved to California, where he worked as a newspaperman in Fresno and was

active in trade association activities. In 1924 he joined a major western title insurance company and served as director of public relations, publicity and advertising until 1938. In March of that year, he joined Title Guarantee and Trust Company as director of personnel and public relations.

World War II interrupted his title career in 1942, when he was called into the Army Air Force. He held many information and public relation posts with the weather wing and with Air Force Materiel, attaining the rank of Lieutenant Colonel.

TG and TI having merged in 1942, Humphrey returned to TI after the war, as director of community relations. In 1953, he was elected a Vice President and appointed Manager of administrative services. He was appointed administrative assistant to President Loebbecke, now chairman of the board and chief executive officer of TI, in January, 1962, and elected secretary-treasurer of the TI Foundation.

Humphrey brings to his new post in the Foundation not only his distinguished title career but many contributions to civic and community organizations. President of the California Land Title Association in 1953, he has been its treasurer since 1931. For eight years he was a vice president of the Los Angeles Board of Traffic and Parking Place Commissioners. He has been first Vice President of the American Society of Insurance Management and has served as president of its Southern California chapter, receiving its Distinguished Service Award in 1957.

He is a Past President of the Los Angeles Junior Chamber of Commerce and since 1934 has been President of its Past Officers and Directors Association. He was a Vice President of the United States Junior Chamber of Commerce and Chairman of the Public Relations Group of Los Angeles.

TI Foundation Organized

The TI Foundation, which Humphrey now serves as both Executive Vice President and Secretary-Treas-

urer, had its beginning in December of 1952, when it was organized to make contributions to and support organizations having exclusively charitable, scientific, literary, educational and/or religious purposes and activities. No substantial part of the activities of such organizations may be engaged in propaganda, or in otherwise attempting to influence legislation, nor may any portion of the Foundation's donations be used for the benefit of any private shareholder or individual.

While many corporations make charitable contributions allowed by Federal and State law, direct, approximately 2,000 have set up corporate or company-sponsored foundations, which are separate legal entities from the sponsoring companies and are controlled by their own trustees. A foundation enables a company to stabilize its contributions, and to plan ahead in its giving. With more time devoted to contribution programs by foundation trustees and officers, more intelligent giving is usually achieved.

How Requests Are Passed Upon

TI, as well as its subsidiary companies in Nevada, Oregon and Washington, makes contributions to the Foundation. Requests for charitable contributions are considered by the Foundation trustees, in the light of funds available and the policies and qualifications of the Foundation. Over the years the Foundation had developed a practice of supporting worthwhile organizations in its various areas of giving. These contributions comprise the Foundation's annual budget.

Some leeway is allowed and any additional requests received during the year are considered at the quarterly meetings of the trustees. If a request meets with Foundation standards, and if funds are available, the donation is made. If funds are not available in the current year, the request is held for consideration when the following year's budget is prepared. Sometimes, of course, contributions cannot be made even though requests are worthy and within policy requirements.

Where Contributions Go

During the early years of its operation, the Foundation's contributions were primarily to health and welfare agencies. Recently its giving program has become more varied, with emphasis in the educational and cultural fields. This past year a comprehensive study was made of its educational giving program and how it could help more effectively in this field. In addition to gifts and capital funds for buildings, improvements and equipment, it approved a program for the support of fellowships and scholarships at colleges and universities within the areas of the Company's operations. The Foundation contributes only to non tax-supported educational institutions.

Since it gives liberally to the United Way, United Funds, Crusades and Community Chests for operating expenses of the agencies comprising these organizations, the Foundation largely confines its support in the field of hospitals, health and welfare to capital funds for buildings, physical facilities, etc.

Currently, the Foundation is contributing to approximately 50 capital fund projects (building equipment, etc.) in all fields, and to the operating expenses of 58 colleges and universities in some 43 contribution programs; of 31 educational agencies other than colleges and universities; of 48 cultural, civic and other agencies and of more than 220 hospitals, health and welfare projects. The 1964 contributions are apportioned 32.9 percent for educational support; 55.7 percent for hospitals, health and welfare and 11.4 percent for cultural, civic and other agencies.

Trustees and Officers

The TI Foundation is directed by seven trustees; Chairman Ernest J. Loebbecke, W. Herbert Allen, Harold Bayly, Freeman R. Brant, George B. Garber, Elvon Musick and Stuart O'Melveny, and by the following officers: President Ernest J. Loebbecke, Executive Vice President and Secretary-Treasurer Harvey Humphrey and Vice Presidents W. Herbert

Allen, Briant H. Wells, Jr., and Carroll R. West.

Elected to Board

James D. Landauer, Chairman of the Board of James D. Landauer Associates, Inc. and President of the Real Estate Board of N.Y., Inc. has been elected to the Board of Directors of Home Title Division, Chicago Title Insurance Company.



Mr. Landauer, who was cited as "Realty Man of the Year" for 1963, is also President of Grand Central Building, Inc. and Director of the International Real Estate Federation and a trustee of the East River Savings Bank. He has also served as a Governor and as Chairman of the Consultants Committee of the Real Estate Board of New York and as a member of the Advisory Committee of the Department of Real Estate of the City of New York.

Also active in civic and religious activities, James Landauer is a director of the Graham Home for Children (the Orphan Asylum Society in New York City), a member of the Board of Managers of Memorial Hospital and a Deacon-Trustee of the Fifth Avenue Presbyterian Church.

Pennsylvania Promotions

Gordon M. Burlingame, President of The Title Insurance Corporation of Pennsylvania, of Bryn Mawr, Pennsylvania, has announced that the Board of Directors of the Corporation has elected Joseph J. Hurley, to



Joseph J. Hurley

membership on the board; Gordon M. Burlingame, Jr., to be Assistant Vice President of the National Department; Thomas R. McKee to be Manager of the National Department; and George M. Sauer, Jr., to be Assistant Title Officer.

Joseph J. Hurley, a native of Bryn Mawr, a veteran of the European Theater of Operations in World War II, was graduated from St. Joseph's College High School and from St. Joseph's College in Philadelphia, from which latter institution he was awarded the degree of Bachelor of Science in Accounting with the Class of 1949. Upon graduation from college, Mr. Hurley joined The Bryn Mawr Trust Company. In December of 1954, he was elected Secretary-Treasurer of The Title Insurance Corporation of Pennsylvania, and was elevated to the office of Vice President and Treasurer in 1958. He is active in the Pennsylvania Land Title Association, Mortgage Bankers Association of Philadelphia, Corporate Real Estate Association, as well as many community and service organizations, among which is the Main Line Kiwanis Club, of which he is currently President.

Gordon M. Burlingame, Jr., another native of Bryn Mawr, is a graduate

of Malvern Preparatory School and Villanova University, at which institution he earned the degree of Bachelor of Science in Economics. After active duty at Fort Knox, Kentucky and Fort Devens, Massachusetts, he is presently a member of the Active Reserve of the United States Army. Joining

The Title Insurance Corporation of Pennsylvania as a trainee in 1960, he was promoted to Assistant Title Officer and Assistant Treasurer in 1962 and was assigned to the National Department as Assistant to Andrew A. Sheard, Vice President in charge of that Department. His recent promotion will free Mr. Sheard of many of the details involved in the administration of this fast growing department.



G. Burlingame, Jr.

Thomas R. McKee, a native Philadelphian presently a resident of Chester, Pennsylvania, graduated from Overbrook High School in 1943 and immediately entered the title insurance field. After serving with other title insurance companies as Closer, Abstracter and Examiner, in 1962 he became affiliated with The Title Insurance Corporation of Pennsylvania as Manager of its Upper Darby Branch Office, where he remained until his recent promotion. He is active in the Boy Scout Movement and in the affairs of his church, The First Presbyterian Church of Chester.

George M. Sauer, Jr., is a native of Philadelphia, where he attended public schools and Brown Preparatory School. He was a member of the Class of 1937 of Cumberland University, Lebanon,



Thomas McKee

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G. M. Sauer, Jr.

George M. Sauer, Jr., is a native of Philadelphia, where he attended public schools and Brown Preparatory School. He was a member of the Class of 1937 of Cumberland University, Lebanon,

Tennessee. Mr. Sauers served four years active duty during World War II in the Anti-Aircraft Artillery of the United States Army and now holds the rank of Major in the Army Reserve, Retired. He entered the title insurance field in 1938, and prior to his association with The Title Insurance Corporation of Pennsylvania in 1963, had been an abstractor and title examiner with another company.

Elected Vice-President

E. Brooke Lee, Jr., has been elected as Vice President of the four companies in District-Realty Title Insurance Group, it was announced by Board Chairman William B. Wheeler. Mr. Lee returned here recently from Philadelphia, where he was a marketing official of the Scott Paper Co. for 23 years.

New Santa Cruz Office

A ribbon-cutting ceremony, with the mayor of Santa Cruz doing honors with the scissors, officially opened Title Insurance and Trust Company's new quarters for its Santa Cruz office. The dedication took place May 8, with representatives of the title and trust company's top management present.

The building is the first new structure in the City of Santa Cruz' down-

town development area. Designed by Ernest J. Kump, F.A.I.A., the two-story building incorporates many structural and convenience innovations, and makes heavy use of redwood, brown granite and plate glass, with the heavy column motif lending a Grecian effect.

Ample parking space is provided by 37 stalls. Richard E. McCarroll is vice president and Santa Cruz county manager.





ARCHITECTS RENDERING OF NEW BUILDING

New Building for Pioneer Title

Pioneer Title Insurance Company of Nevada, Las Vegas, broke ground recently for a new home office building.

The building will be 125 feet X 140 feet and will have ground level parking under three floors of office space. Out of 55,000 square feet of office space, Pioneer will occupy approximately 25,000 square feet; the balance will be available for rental. Because of the extremes in temperatures ranging from 0 degrees to 120 degrees the windows will be of thermopane and the air conditioning and heating equipment will be of the latest high pressurized design.

The lobby on the ground floor will be enclosed with glass and marble, with two high-speed elevators to the office areas above.

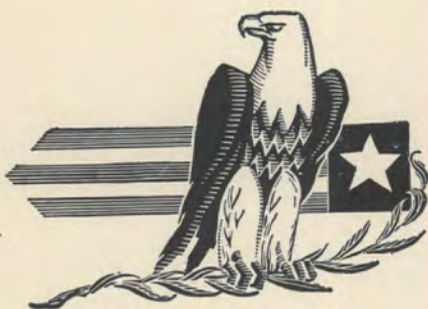
Total investment in the building will be approximately \$1,500,000.00 and completion date is scheduled for late spring of 1965.



Left to right: Walter Zick of the architectural firm of Zick & Sharp, H. W. Wandesforde, President, Pioneer Insurance Company of Nevada, and J. A. Tiberti, contractor for the new building.

From the Federal Register

Title 43—Public Lands: Interior



Chapter II—Bureau of Land Management, Department of the Interior

Subchapter A—General Management (1000)

(Circular No. 2143)

Part 1810—Introduction and General Guidance

Authority to Bind Government

The purpose of this amendment is to incorporate into the regulations the principles that the authority of the United States to enforce public rights or protect public interests is not vitiated by laches, acquiescence, or failure of its officers or agents to act; that the United States is not bound or estopped by the acts of its officers or agents in entering into arrangements or agreements not sanctioned by law, and that reliance on information or advice or office records cannot vest any right not authorized by law. These principles are enunciated in many Departmental and court decisions including *United States v. William M. Barnett et al.*, A-29157 (May 13, 1963); *Mike Abraham*, A-28163, (November 16, 1959); *Orvil Ray Mickelberry*, A-28432 (November 16, 1960); *Robert L. Miller*,

65 I.D. 81 (1961); *Utah Power and Light Co. v. United States*, 243 U.S. 389 (1917); *United States v. California*, 332 U.S. 19 (1947); and *United States v. San Francisco*, 310 U.S. 16 (1940).

Although the Department of the Interior customarily observes the rule making requirements voluntarily, that procedure is not followed in this case because the amendment involves long-established principles.

This amendment shall become effective on publication in the FEDERAL REGISTER.

A new section is added to Part 1810 as follows:

1810. 3 Effect of laches; authority to bind government.

(a) The authority of the United States to enforce a public right or protect a public interest is not vitiated or lost by acquiescence of its officers or agents, or by their laches, neglect of duty, failure to act, or delays in the performance of their duties.

(b) The United States is not bound or estopped by the acts of its officers or agents when they enter into an arrangement or agreement to do or cause to be done what the law does not sanction or permit.

(c) Reliance upon information or opinion of any officer, agent or employee or on records maintained by land offices cannot operate to vest any right not authorized by law.

Stewart L. Udall,
Secretary of the Interior

May 14, 1964.

(F. R. Doc. 64-5049; Filed, May 20, 1964; 8:45 a.m.)



State Association

CORNER

Duke Taylor Sh Jack Rattikin at

Silvers a Big

It would be difficult to pinpoint the most dramatic moment of the 54th Annual Convention of the Texas Land Title Association, the largest state title association in the county.

Duke Taylor was elected President while Herb Becker was unanimously re-elected as Executive Secretary.

The business sessions were outstanding. A. B. Waldron, outgoing President, ruled the convention with finesse and good taste. He was businesslike or gay, depending upon the circumstances.

Among the important matters presented to the delegates were "Oil and Gas Problems" by Jack Naumann of the Humble and Oil Refining Company; "Servicing Problems," a panel discussion featuring some of the Nation's leading mortgage bankers; "Views from the County Clerk" by the President of the Texas County Clerks Association; "Abstracters Problems" by a panel of outstanding abstracters; "New Manual Revisions" by E. G. Feuille; "Title Losses," featuring another panel; a stimulating speech, "Why Be a No-Class Citizen?" by Senator Frank Owen of El Paso; and an applause-provoking speech by ALTA's President, Clem Silvers.

BELOW: (Left) Nadine Silvers accepts two dozen roses from outgoing President, A. B. Waldron. (Center) New officers and directors for 1964-65. (Right) Clem Silvers' bogus country cousin brought down the house when she came looking for her distinguished relative.

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cker, Executive Secretary of the As-
thusiastically reported a record attend-
3. Among the plans for the ensuing
e appropriation of a substantial public
udget, an abstracting school, and an
membership dues.



ABOVE: Moving up from the office of Secretary-Treasurer to Vice President, Frank A. Stamper, shown here with his lovely wife Bess.

LEFT: ALTA President Silvers congratulates Duke Taylor of Taylor Abstract Company, Center, Texas, upon his election as new President of the Association.



It was a happy, laughing crowd of Texas Titlemen and women who celebrated the 54th Anniversary of the Association at the Lincoln-Sheraton Hotel in Houston. Preconvention activities included a bus trip to the San Jacinto Inn for a most delightful seafood dinner. Delegates were offered a choice of sharing this unusual meal with fellow titlemen or attending the cinerama production, "Thomas Becket."



ABOVE: President Silvers congratulates the new Texas President and his wife.

ner dance. It had everyone asking "What are we going to do for an encore?"

ALTA President Silvers was simply overwhelmed. He looked mighty dashing in the western hat presented by President Waldron, but this was only the beginning. Clem was constantly being surprised by new gifts and editorial honors.

During the banquet, a disturbance threatened the tranquility of the proceeding. An outlandish farm woman, toothless and cackling, staggered through the banquet hall, searching for her "cousin". You guessed it—she was part of the act and Clem entered into the spirit of the occasion beautifully by ad-libbing his way through the dinner.



ABOVE: Outgoing President Waldron confers honorary citizenship on Clem Silvers.

"Early Bird" door prizes were part of the fun in the business session the following morning.

A cocktail party on Friday evening preceded the annual din-

BELOW: Three Presidents—A. B. Waldron (outgoing), Clem Silvers of ALTA, and new President, Duke Taylor.



ABOVE: "Cowboy" Silvers is honored by Texas Titlemen.



Jack Rattikin, Jr., treasures the plaque he received as "Titleman of the Year."

Unique Honor For The Rattikin Family

Jack Jr., Named
"Titleman of the Year"

There wasn't a dry eye in the banquet hall at the 54th Annual Convention when the selection committee announced that Jack Rattikin, Jr., had been honored by the Association for extraordinary service as chairman of a most fruitful liaison committee.

Jack, Jr., who was recently nominated for the office of President of the Texas Junior Bar Association has been active in his father's firm for many years.

Other distinguished Texas Titledmen, of course, had been accorded the same honor in the past. What made this situation both unique and touching is the fact that Jack, Jr.'s father had been similarly honored by being named "Titleman of the Year in 1962."

Also present at the convention was Jack Rattikin's son-in-law, Bill Thurman, Vice-President of the firm, with his lovely wife. Bill is presently serving on ALTA's Public Relations Committee.

BELOW: (Left) The 1964 "Titleman of the Year" is pictured with his wife, Glenda. (Center) Double winners in the Texas Sweepstakes; Jack Rattikin and his wife Ann are pictured with this year's "Titleman of the Year," Jack, Jr., and his wife, Glenda. (Right) Father and son congratulate each other as the family is honored by their fellow titledmen.



Wash

Thomas H. Clement



ABOVE: Mr. and Mrs. Richard Hogan; ALTA Executive Vice President Joseph H. Smith; Mr. and Mrs. Thomas H. Clement.



BELOW: A typical banquet scene as Washington Title men meet at the Ridpath Hotel, Spokane.



ABOVE: Newly elected president Tom Clement is congratulated by Joe Smith as William T. Noel and Clem Silvers smile approval.



Washington Stages "Top" Convention

Named President



ABOVE: ALTA President Clem Silvers is surrounded by (Left) Mr. and Mrs. William Noel and (Right) Mrs. and Mr. Chester W. Easton, the convention chairman.

BELOW: A group of Washington Title men and women relax at dinner after a fine business session.

BELOW: Fun and food characterized the less serious portion of the convention program.



Davis Elected in Pennsylvania



ABOVE: Newly elected President, Larry Davis, is congratulated by Andy Sheard and Oliver Twist.

A highly successful convention of the Pennsylvania Land Title Association took place at Pocono Manor, a lovely resort hotel in the wild mountains of the State. ALTA's Executive Vice President, Joe Smith, was on hand to carry a message from the national office. Mortimer McDonald

was also present to tell Pennsylvania Titlemen about the Association's Group Life Insurance Program.

BELOW: Presentation ceremony as Oliver Twist (right) presents a gift to the new president.

BELOW: Gordon Burlingame pauses for refreshment with Mrs. and Mr. George Scott of Lawyers' Title Insurance Corporation.





ABOVE: Oliver Twist, Lawrence J. Davis, Andrew Sheard, Carl Obermiller, and Louis Anderson.

Among the visiting dignitaries was William Deatly, just returned from an extensive tour of Europe.

High on the list of priority for discussion were plans for the forthcoming annual convention to be held at

the Bellevue Stratford Hotel, Philadelphia, September 20-23.

Lawrence J. Davis, Vice President, Louisville Title Insurance Company, was elected president of the Association.

RIGHT: The ALTA camera man caught George Clothier, Earle Frankhauser, and Jack Kunkle at the reception preceding the banquet.



Don Nichols Wyoming

FRED VINES ELLIOTT

Vera Rose and I had a wonderful time at Casper, Wyoming, from Thursday night, May 21st to Saturday, May 23rd, attending the Wyoming Land Title Association Convention at the Gladstone Hotel.

The turn-out was very good as they had 50 at the social functions and 40 at the business sessions.

The "Legal Descriptions and Survey Discussions" were led by two Civil Engineers from Casper, "Speck" Worthington and J. H. Carpenter. These two did a good job and the questions were numerous and of interest to all.

The "Forum on Abstracting License Law" was the highlight of the business session. The original provisions and draft used at our San Francisco workshop was taken line by line and rewritten, as necessary to adapt them to Wyoming use. President Roy Hill, Jr., conducted this forum himself and did a fine job. Lorin Guild of Wheatland had reviewed the original San Francisco presentation and presented typewritten revi-

TOP TO BOTTOM: (1) Don and Vera Rose Nichols with Mr. and Mrs. Hill and Mrs. Rose. (2) A banquet scene. (3) The hors d'oeuvres table was the center of attraction at the annual reception. (4) A typical business session.



Reports on Convention

CTED PRESIDENT

sions of several sections adapted to Wyoming usage. This saved much time and certainly indicated he had devoted considerable time and effort to the revisions. Present for this forum also was Robert R. Rose, Jr., an attorney from Casper who is associated with Roy Hill, and who gave valuable counsel to the group on conflicting Wyoming laws, etc. Final result, and this forum carried over into the afternoon session for almost an hour, was the unanimous adoption of a resolution by the convention that they approve the License Law as revised, and allow their Executive Committee authority to spend any funds now budgeted (up to \$3,000.00) necessary for preparing and submitting this to the next session of the Wyoming Legislature. The feeling seemed to be they should not put off action until next year waiting for a more polished pattern law to come from ALTA but get going now on this one.

A short business meeting was held in the afternoon with routine reports by Auditing committee, Budgeting committee, and Nomi-



TOP TO BOTTOM: (1) The "official" Wyoming family. Newly elected President, Fred Vines, is third from left (2) Don Nichols receives the key to the city. (3) Worthington, Carpenter, and Hill. (4) The ever-popular coffee break.

nating committee. Election of officers was then held and Fred Vines, Campbell County Abstract Co., Gillette, Wyoming was elected President, Lorin Guild, Platte County Pioneer Abstract Co., Wheatland, Wyoming, Vice President, and Frances Rossman, Weston County Abstract & Title Co., Newcastle, Wyoming was re-elected Secretary-Treasurer. Also at the business session it was voted to revise their long practiced policy of no registration or meal charge at conventions and allow two from each company gratis with charge made, based on actual meal expenses, for any additional registrants. Sounded like a realistic approach especially since all members pay identical dues in Wyoming. Their new budget was: \$100 for bulletin; \$650 for expenses for delegate to national convention; \$60 Secretary expense; \$100 for past presidents plaques; \$350 for State convention expense; \$25 miscellaneous; and \$500 for legislative budget, total \$1,785.00.

President Roy Hill then read and there was some discussion on

Sections I and J of the Title Insurance Code, primarily regarding agents and their inclusion in the code. No action was taken at this convention regarding the adoption or intent to present the Title Insurance Code.

Afternoon session concluded with general discussion on "New Approaches and Problems in An Abstracting Plant." Some recent court actions regarding Abstracters were presented and of interest to the group at this forum.

The banquet Saturday night was preceded by a short cocktail party. At the banquet I was presented by Chamber of Commerce President with a key to the city which made me an "Honorary Wyoming Rancher" and by Milton M. Coffman, Convention Chairman, with a big box of buffalo salami and elk summer sausage.

Both Vera Rose and I enjoyed the opportunity to represent the ALTA at the Wyoming convention.

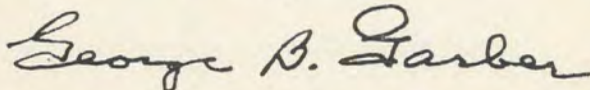
Yours truly,
Don B. Nichols, Chairman
Abstracters Section ALTA

TITLE INSURANCE SECTION —
(Continued from Inside Front Cover)

Those members who have had the pleasure of attending the National Conventions in previous years already know of their great value. One of the most interesting sessions is the open forum sessions where our members will have an opportunity to participate. These open discussions are always lively and interesting, as well as rewarding in expanding our knowledge of the title insurance business.

I would strongly urge that each of you plan to attend the Philadelphia Convention and take advantage of the opportunities afforded by our Association.

Sincerely,



Chairman, Title Insurance Section

Record; Group Meets in Tennessee

The best attended convention in the history of the Tennessee Land Title Association took place at the Holiday Inn of America, Nashville, Tennessee, May 22-23.

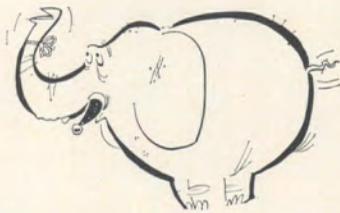
A reception, dinner, and dance opened the convention Friday evening, May 22. It was a holiday atmosphere as Tennessee Titlemen renewed old acquaintances. Business sessions the following day were brisk and informative.

Elected to serve as president for the ensuing year was Don Aitken of



Tennessee Title Company, Chattanooga, while Wiley O. Woods, Jr., of the same Company, was named Secretary-Treasurer.

DON'T FORGET



American Land Title Association

58th Annual Convention

SEPTEMBER 20-23, 1964

Bellevue-Stratford Hotel
Philadelphia, Pennsylvania



ABOVE: (Left to right) Virgil Shepard, G. T. Murphy, Tim Campbell, G. A. Harstad, and Allen K. Buchanan. CIRCLE: (Left) Newly elected President M. V.

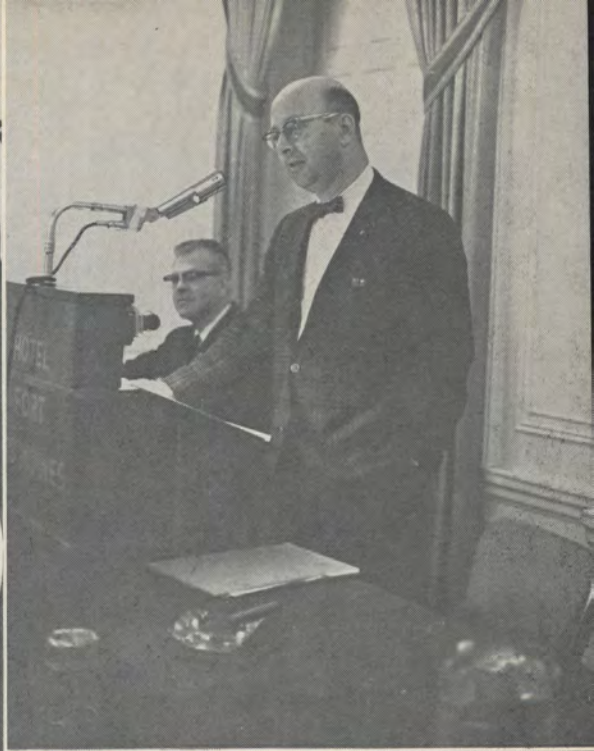
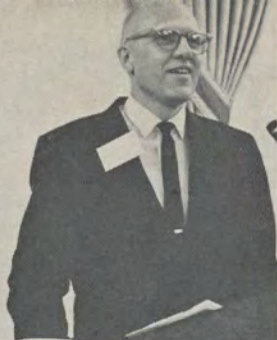


ALTA President, Clem Silvers, was enthusiastically applauded.

"Tobe" Henc In

The American Land Title Association was well represented at the 61st Annual Convention of the Iowa Land Title Association, Des Moines. ALTA President, Clem Silvers and Don Nichols, Chairman of the Abstract Section, were both enthusiastically received.

Lively business sessions featured



Henderson, presents plaque to retiring President, G. A. Harstad. (Right) An all-women "Problem Clinic", moderated by Geraldine Brown was a big hit.

erson Named owa

an outstanding speech by United States Senator Jack Miller and a most timely address by Howard Remley, President, Iowa State Bar Association.

M. V. Henderson, Fayetteville, was elected president for 1964-1965, while Allen K. Buchanan was re-elected secretary-treasurer.



United States Senator Jack Miller made an inspiring speech.



ABOVE: A most impressive swearing-in ceremony dedicated the newly-elected officers to a year of service. **RIGHT:** Two presidents, G. A. Harstad and Clem Silvers.



President Harstad presides at the annual banquet.



Carlton W. Crosley, a famous name in Iowa abstracting circles, engages in heated conversation during the annual dinner.



A group of Iowa abstracters applauded the entertainment during one of the relaxing moments of the convention.





A cardinal objective of a title insurance policy is to keep the insured in possession of his real property. Toward this end a most careful search of the public records is made.

However, losses can and do occur. This is another in a series of case histories involving actual experience arising from title defects.

Most folks enjoy reminiscing; we title men are notorious in this respect. All of us from time to time enjoy sharing our experiences with tough titles and title losses. Having changed all identifiable facts . . . Have you had one like this?

Saul was a Jewish immigrant from Poland who lived alone in his modest home, worked at his trade and bothered no man. He made no close friends and had no apparent contact with any relatives whomsoever. Saul died during World War II, leaving his will by which his entire estate was devised to his mother residing in the old country. Administration of the estate was important because Saul had died seized of land on which a petroleum company had erected a substantial installation. As months became years the pressure mounted to clear the title for conveyance to the petroleum company.

After the war we learned that Saul's mother had died on an unknown date during the war and may have predeceased him.

Assuming Saul to have been a bachelor we searched for his mother's heirs. No one available to us had any knowledge of the family at all, but we soon learned that Saul's mother and family had lived in a village the Nazis had obliterated as an act of reprisal. Friends of the family who had lived in neighboring villages were able to establish the original

family for us by identifying people shown on old photographs we had found among Saul's effects. His father had died many years before but at the commencement of World War II his mother had been the matriarch of a large and closely-knit family, now dispersed. We turned our efforts towards tracing Saul's many brothers and sisters.

More months and years elapsed and still the pressure mounted. At long last the project leadership gathered to consider the fact that we had established the near-eradication of Saul's family within the degrees of consanguinity provided in the applicable statute, except for a brother of whom we had no information other than sufficient to establish his existence in the early 1900's. The facts of death could be based only on probabilities and presumptions; dates were utterly impossible.

On a "What else?" theme we decided to advertise publicly for general information as to Saul and his family.

Within weeks we heard from Saul's missing brother, living in this country! He hadn't seen his brother Saul since Saul had left to come to this country . . . some fifty years before.

Within grasp of closing the matter, we were again frustrated by the death of Saul's brother. Shortly, however, his estate was raised and we re-established contact, culminating in

(Continued on Page 48)

More Convention Tips

Distinguished Speakers Confirmed

In the May and June issues of TITLE NEWS, we outlined some of the attractive features of the 1964 Annual Convention. Now we are pleased to announce the confirmation of two additional outstanding convention speakers, Louis O. Kelso, noted author, whose topic will be "Beyond Full Employment" and Carey Winston (see front cover), whose subject will be "The Mortgage Market Now and For 1965". We also welcome to our pages Mrs. Lawrence Davis and Mrs. Andrew Sheard, who will serve as Co-Chairmen of the Ladies' Hospitality Committee.

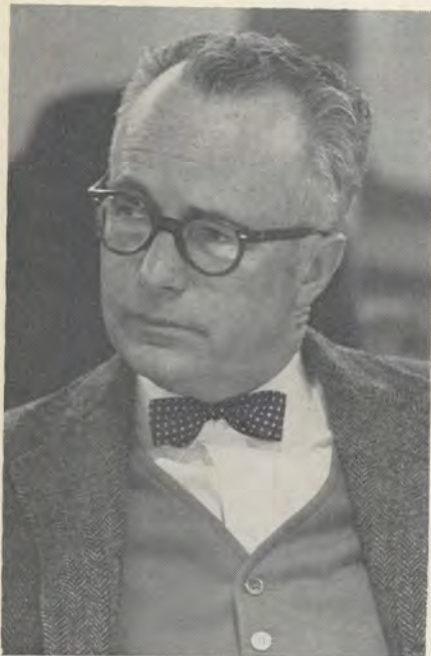
Louis O. Kelso is a lawyer, economist, author and lecturer. His writings include **The Capitalist Manifesto**, published in 1958, and **The News Capitalists**, published in 1961, both of which he co-authored with Mortimer J. Adler. These two books analyze the logic of a private property, free market economy and deduce a theory of capitalism. Mr. Kelso is also the author of a number

of published essays on the theory and practice of a private property economy.

Mr. Kelso's advocacy of reforms making capital ownership accessible to vastly greater numbers of families has not been limited to writing and lecturing. His firm, which engages primarily in a corporate and financial practice, has made a specialization of handling and counseling on business transactions which stimulate capital ownership and capital growth for families with inadequate or no capital ownership.

The practical Essence of Mr. Kelso's theory is that we cannot have a private property economy without a growing proportion and number of private owners of capital and that our legal, financial and business institutions should undergo gradual modification through a program to vigorously promote increase in the number of capital owners. The measures he proposes are designed to restore economic and legal integrity to corporate stock ownership in order to render it effective as private property.

Carey Winston, President, The Carey Winston Company, Washington, D.C., was elected President of the Mortgage Bankers Association of America at the Association's Golden Jubilee Convention in San Francisco, October 2, 1963.



LOUIS O. KELSO

A Director of Washington Title Insurance Company, the Bank of Commerce, and the Metropolis Building Association, all of Washington, D.C. Mr. Winston is a native of Seattle, Washington, and a graduate of the University of Washington. He entered mortgage banking in Seattle in 1926. He moved to Washington, D.C. in 1934 as Assistant General Manager of the Home Owners Loan Corporation, serving later as deputy board member of the Federal Home Loan Bank Board. He organized his present firm, The Carey Winston Company, in 1941.



WINSTON

Mr. Winston has served MBA as First Vice President; Second Vice President; Chairman of the Executive, Conventional Loan, Education, FHA, Public Relations, Conference, and Ethics and Standards of Practice Committees; and since 1952, as a regular member of the Board of Governors. In addition, he is a member of the Bankers Legion, the Association's honorary social fraternity for distinguished mortgage bankers, and, in 1956, received the Association's

Annual Distinguished Service Award for outstanding service to the Mortgage Industry.

He has also been active in other trade associations, having served as President of the National Institute of Real Estate Management, the Washington Real Estate Board, and the Metropolitan Washington Mortgage Bankers Association. In addition, he has been a Vice President of the National Association of Real Estate Boards.

Mr. Winston has been active in community affairs, serving as President of the Kiwanis Club of Washington in 1960, Real Estate Commissioner of the District of Columbia from 1945 to 1954, and is active as a Board member of the United Community Services, The Travelers Aid Society, The National Conference of Christians and Jews, and of the Chapter, Washington Cathedral.

Mr. Winston, who resides at 4329 Hawthorne Street, N.W., Washington, D.C., is married, the father of two children—James M. and (Mrs.) Jane Winston Hall—and has two grand children.

Special - - - For the Ladies

You will be delighted to know that Mrs. Lawrence Davis, wife of the State Association President, and Mrs. Andrew Sheard, whose husband is serving as general chairman for the 1964 convention, have accepted the responsibility of providing for the comfort and entertainment of the ALTA ladies attending the Philadelphia meeting. They are co-chairmen of the Ladies' Hospitality Committee.

These ladies are determined that the 1965 convention will provide an outstanding program for Title women and for the wives of ALTA members.



LEFT: Mrs. Lawrence Davis.

Among the tentative plans for entertaining the ALTA ladies are a style show and luncheon at the famous Philadelphia Art Institute, a possible trip to Valley Forge and a tour of historic sites in the nation's most interesting city.

Mrs. Davis and Mrs. Sheard advise us that appropriate attire for ladies attending the 1965 convention will be light-weight suits with dressy blouses; dark cottons or dark light-weight dresses; cocktail dress; a warm wrap—either light-weight coat, stole, or sweater.



MRS. ANDREW SHEARD

In Memoriam

Pioneer Abstracter Dies

Elmer McClure age 84, Board Chairman of the Beach Abstract and Guaranty Company, died at a Little Rock, Arkansas hospital.

He was a pioneer in the abstracting and title business, having begun his career in 1910 with, what is now the Little Rock Abstract Company. He was one of the organizers of the first title insurance company in Arkansas — The Little Rock Title Insurance Company — and was its President until 1913. At that time he and the late E. L. Grady took over management of the Beach Company.



He was President of Beach until January of 1957, when he was made Board Chairman. He was President of

the Arkansas Land Title Association for three terms. He was a member of the First Christian Church.

Mr. McClure was a member of Trinity Lodge No. 694, F and AM, Union Chapter No. 2 of Royal Arch Masons, the Hugh de Paynes Commandery, Bendemeer Grotto and for many years was director of the Scimitar Shrine Temple Band. He was past President and a life member of the Musicians Local No. 266.

Survivors include his wife, Mrs. George Virginia Middlebrook McClure of Little Rock; a son, Roy C. McClure of Huntington Park, California; a granddaughter and two great-grandchildren.

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This advertisement will be carried in the August issues of the following trade journals:

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NAHB Journal
Right of Way Magazine
American Bar Journal

Savings and Loan News
The Mortgage Banker
American Builder
Burroughs Clearing House

Title Insurance Processes:



The Socratic Method

By A. J. GILBERT, Associate Counsel,
Title Insurance & Trust Company, Los Angeles, California

The scene opens upon an Athens street near the Lyceum. Socrates sits at a table in a side walk cafe' known as "Archon's Porch." He slowly sips from a cup set before him. As he looks up, he sees Gilberticus bug-eyed in front of a slave market specializing that day in fresh girls. Shh! Socrates speaks:

SOCRATES: Gilberticus! Come over here—I would discourse with you!

GILBERTICUS: (startled) Wait, good Socrates. One of these is indentured to me. A sort of blonded-indebtedness — ha ha! (sheepishly turning and walking towards Socrates).

SOCRATES: Tell me, dear Gilberticus, is it true that Attorney Georgimus P. heaped abuse on you this very day relative to a policy of title insurance your company was asked to issue to his client?

GILBERTICUS: 'Tis true, noble Socrates, that Georgimus complained that \$63.00 was too high a premium to place on a policy and that he could do the job better for fewer quids pro quo — ha ha. But he surely knew more about the title business when I got through with him.

SOCRATES: Ah, good! esteemed Gilberticus — then you must have

taken him by hand through the Alpha and Omega of Title Insurance?

GILBERTICUS: (forcefully) And how! My skill at teaching was not this day wasted, you can cast lots on that!

SOCRATES: Beautifully put, Gilberticus. You probably started with "The Problem of Land Titles", is not this true?

GILBERTICUS: Well, as a matter of fact, I did mention some of our problems, the panics and traumas and all . . .

SOCRATES: What? Did you not discuss the sources and significance of the problem — marketability and caveat emptor? Did you not identify the terms to be used? Describe the Americus recording system: the process — transcribing instruments — indices — other public records? Did you not point out the shortcomings and insufficiencies of the public record system: chance elements in and out of the record — interpretation — frauds — forgeries — incapacities?

GILBERTICUS: (defensively) Well, my method differs from yours, Socrates, as it must with all learned

men. Of course, I was a little mad. I did tell him how methodical we were. He knows now we earn our keep. Was there not "method" to my madness, good Socrates?

SOCRATES: More likely madness to your method — but come now dear Gilberticus, what "Methods of Assuring Titles" did you outline to Georgimus? Surely you distinguished the Abstract Opinion from the Certificate of Title from Title Insurance? You pointed out, did you not, the responsibility of the abstracter and attorney examiner? The liability and reliability of the Certificate of Title? The origin of Title Insurance and *Watson v. Muirhead* (1868) 7 Pa. St. 161 as the cause celebre? The meaning and use of preliminary statements of title?

GILBERTICUS: (fidgittingly) No. Socrates, I had no time for the refinements of a schoolman! Georgimus wanted facts about our "process" and I told him plenty!

SOCRATES: Well spoken, good Gilberticus. And these "Title Insurance Processes" you allude disregard to included what, pray tell?

GILBERTICUS: (boldly) Here I excelled, Socrates! I told Georgimus that a single policy had to go through maybe fifty or a hundred or even more steps and this takes time and hard work what with the panics and traumas and all . . .

SOCRATES: What? Did you not point out carefully the title plant: the lot books — the general index — the map books — press copies — starters? Did you not emphasize data collation: examination of the chain of title — summarization — classification? Did you not point up data interpretation and analysis: record and off-record matters — analysis of judicial proceedings affecting title such as bankruptcies, probates, divorces?

GILBERTICUS: (frightenedly) My throat is parched, dear Socrates. What is that you sip?

SOCRATES: 'Tis a new decoction of an herb of the species *cicuta* — locally referred to as the "Sunken Head". You wouldn't like it, Gil-

berticus, since its effects are far too lasting. But continue, wise Gilberticus, you did enumerate these processes, did you not?

GILBERTICUS: Oh, there was no time for these things which I know so well, Socrates, for Georgimus pressed me for our "Policy" and I gave him plenty as you will agree or I swear you may have my slave-girl.

SOCRATES: Marvelous, good Gilberticus, and as to the Title Policy itself, what words of learning did you impart?

GILBERTICUS: (ebulliently) Why I told him our policy was the best and that we treated everyone right and I gave him the old cliché of Voltaire, or was it Cattulus . . .

SOCRATES: What? Did you not discuss Title Policies in General: owner's form — lender's form — Coverage: protection against record defects — protection against off-record risks or matters — special indorsements — extended coverage? And did you not analyze the Specific Title Policy: the insuring agreement — consideration — amount of liability assumed — indemnity phase — nature of losses insured against? Did you not discuss Schedule "A": the subject matter of the contract — the interest or estate of the insured — the vestee? Did you not discuss Schedule "B": "the exceptions" or "objections" of standard or extended coverage policies? And what of the "conditions and stipulations": the warranties — method of payment of loss — subrogation — pro tanto indorsement — co-insurance — assignment — special reservations and exclusions — duties of title insurers to defend? and . . .

GILBERTICUS: (indifferently) Great Gods of Janis, Socrates, the market is about to close! Another time perhaps for I must go now — Or I could call you — what's your exchange?

SOCRATES: Try Hemlock,* dear Gilberticus. (And Socrates' head sinks to his breast as exeunt Gilberticus.)

* A telephone exchange in the Long Beach, California area.

ALTA'S ONLY LIVING CHARTER MEMBER

Excerpt from remarks given October 1, 1941, by Hugh H. Shepard, President, Shepard Abstract Company, Mason City, Iowa, at the 35th Annual Convention of the American Title Association held at French Lick Springs, Indiana.

It was my privilege to be one of the 59 abstracters and title men who gathered at the Palmer House in Chicago on August 8, 1907, for the purpose of organizing a national association of persons interested in the title business, then commonly known as the abstract business.

The meeting was called by W. W. Skinner of Chippewa Falls, Wisconsin, and 59 individuals from 15 states gathered for the purpose of completing a national organization. Mr. Skinner objected to the use of the name "abstracter" for obvious reasons so the organization was named "The American Association of Title Men" and included abstracters, representatives of title insurance companies and title examiners.

W. W. Skinner was the first President, A. T. Hastings, of Spokane, Washington, was the first Vice-President, H. L. McNeal, of Paw Paw, Michigan, was the first Secretary and Hugh H. Shepard of Mason City, Iowa, was elected the first Treasurer.

Harrison B. Riley, President, and William C. Niblack, Trust Officer of the Chicago Title and Trust Company, were in attendance; Carrol D. Judson, of the Realty Title and Trust Company, Jacksonville, Florida; A. T. Hastings of the Fidelity Abstract Company, Spokane, Washington; A. M. Mayo, of the Mayo Knapp Abstract Company, Lake Charles, Louisiana; M. P. Bouslog, of the Mississippi Abstract Company, Gulfport, Mississippi; John T. Kenney, of the Dane Abstract Company of Madison, Wisconsin; Walter R. Taylor, of Kalamazoo, Michigan; George Wedthoff, Bay City, Michigan; Varick C. Crosley, Webster City, Iowa; President



HUGH H. SHEPARD

of the Iowa Abstracters Association; Almor Stern, of Logan, Iowa; Charles E. Lambert, Rockville, Indiana; and many others.

This partial list is given to show that even the first meeting was attended by abstracters and title men from widely scattered places.

The survival and success of the American Association of Title Men was made possible by the various State organizations whose entire membership joined the national organization and the State organizations collected and remitted the dues to the national association for their individual members.

It was my duty as first treasurer of the Association to contact these various State organizations and to get them to join the national association as State organizations and to pay national membership dues for

their individual members, and I can assure you that this was quite a task and required a great deal of correspondence and considerable perseverance.

Individual memberships in the national association were issued to title examiners and to abstracters in States that had no State organization. The membership of the national association has included many able men who have been students of their profession.

In the early days many abstracters were still writing the abstracts in long hand on wide form sheets. The typewriter had been in use in many offices for less than 10 or 20 years. The first public demonstration of the rectigraph was made at the organization meeting in 1907 by the Rectigraph Company of Rochester, New York, in charge of a Mr. Biedler who showed the members of the association how the public records could be photographed and these photographs be included in the abstract plant of the abstracter or title insurance company.

The proceedings of the third annual meeting of the American Association of Title Men held at Seattle, Washington, on August 10th and 11th, 1909 include a directory of the officers of 22 State organizations of title men. The treasurer's report shows that the treasurers of the State associations failed to respond to the request for funds and that a number of the State associations had failed to pay their dues so that the abstracters in general were solicited for additional funds at \$2.00 apiece and the cash receipts for the year to August 1, 1909 were \$405.00, the disbursements \$433.10 and the balance remaining in the hands of the treasurer was \$61.31.

The meeting at Cedar Point, Ohio, on August 26, 27, and 28, 1913 was one of the high points of the Association's history. It was held at the Breakers Hotel. There were no outside diversions and the members of the Association who had been coming to the conventions for half a dozen years got an opportunity to get well acquainted.

It was at the Cedar Point Conven-

tion that the committee on Legislation, headed by Judge H. L. Burgoyne made a report submitting 16 proposals for the simplification of the system of the conveyance and transfer of titles to real estate, suggesting limitations of actions to recover real estate to 10 years, a general lis pendens law, legalizing defective acknowledgments, permitting married persons to convey lands individually except homesteads. It was suggested that the inchoate right of dower should be barred 10 years after maturity, that a short statutory form should be adopted for deeds and mortgages which form should imply all the usual covenants, that claims against unadministered estates should be barred in 7 years, that certificates of acknowledgment should be simplified and separate acknowledgment for the wife should be abolished, that private seals and witnesses in deeds and mortgages should be abolished, that the property rights of parties should be adjusted where decrees of divorce are entered. There were other recommendations of lesser importance.

Judge Burgoyne was a very able chairman and was chief title examiner for the Union Central Life Insurance Company at the time.

At the Omaha Convention held on August 31, September 1 and 2, 1914 in his annual address, President M. P. Bouslog, of Gulfport, Mississippi, reported that prior to 1907 the abstract and title business in this country was in a state of uncertainty in some places, inertia in others and of undevelopment in still other sections. The business was threatened by hostile legislation in the guise of reform and individual title men could not combat this sentiment and meet conditions single handed and unorganized.

Mr. Bouslog referred to the ambitious program of work that was mapped out by the officers after the Cedar Point Convention and reported that the Association had made a great growth in membership and by its activities had accomplished much good of general interest and benefit to title men and was financially in a

most excellent condition. The proposals looking to the simplification of the laws as recommended at the Cedar Point Convention had received much favorable comment from all sections of the country.

At the Omaha meeting Mr. Hugh H. Shepard as chairman of the committee on legislation reported his visit to Washington, D.C., in May to call upon certain members of Congress who were members of the Banking and Currency Committee of the House and were in charge of the Bulkley Bill, known as the Federal Farm Loan Act.

Senator Pat Harrison, of Mississippi, Congressman Bulkley, of Ohio, and Congressman Woods of Iowa, were interviewed and the indications were strong that the Farm Loan Act would be passed or presented for passage during the coming short term or session of Congress.

The Farm Loan Act as originally drawn provided for systems of title registration but it was passed in a form that permitted abstracts of title to be used in the same manner that private concerns had been using them for a long period of years.

It was also my privilege as Chairman of the Legislative Committee of the American Title Association of Title Men to carry the 16 proposals of the Cedar Point meeting to the Farm Mortgage Bankers Association of America at its organization meeting held in Chicago, Illinois shortly

after the Cedar Point meeting was held by our Association.

The Farm Mortgage Bankers were impressed with the fact that farm loans depend on the security of the title that must be furnished by the abstracters and title men and also on the sufficiency of the physical security that is determined by their own appraisers and representatives. The suggestions made by the American Association of Title Men at the Cedar Point meeting for simplifying our system of land titles were most favorably received by the Farm Mortgage Bankers Association of America and were recommended by them to various members of Congress and to various State Legislators with the result that we have come a long way in getting our system of land titles simplified and many of the old troublesome matters have been fully cleared up by legalizing acts, curative acts, statutes of limitation and by other means.

I experience a great feeling of pleasure and satisfaction in noting the marvelous progress that has been made in the development of the organization. Conditions are serious now, much work of importance remains to be done, the future has many problems that must be solved. We will face the situation resolutely, fearlessly and courageously and I am sure that the American Title Association will carry on and will continue its splendid record of achievement.

STRANGER THAN FICTION—

(Continued from Page 39)

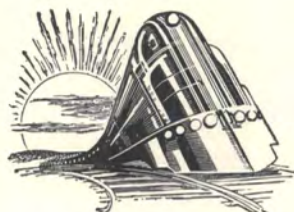
a deed executed and acknowledged around the world.

Sometimes I wonder if Saul ever married or if any of his heirs escaped the Nazis. Then I am proud to be part of the title insurance industry

which provided the best possible protection to the purchasers of this somberly colorful, if dubious, title.

Prepared for Title News by Lyle F. Hilton, Assistant Vice-President Commonwealth Land Title Insurance Company, Philadelphia.

Meeting Timetable



JULY 15-16-17-18-19

New York State Title Association
Whiteface Inn
Lake Placid, New York

AUGUST 27-28-29

Minnesota Land Title Association
Ruttger's Birchmont Lodge
Bemidji, Minnesota

SEPTEMBER 10-11-12

North Dakota Title Association
Holiday Inn Motel
Bismarck, North Dakota

SEPTEMBER 11-12

Kansas Title Association
Town House Hotel Kansas City, Kansas

SEPTEMBER 11-12

Utah Land Title Association
Ramada Inn Salt Lake City, Utah

SEPTEMBER 20-23

ANNUAL CONVENTION

American Land Title Association
Bellevue Stratford Hotel
Philadelphia, Pennsylvania

FUTURE ALTA CONVENTIONS

1965—Chicago
1966—Miami Beach
1967—Denver
1968—Portland, Oregon

SEPTEMBER —

Louisiana Title Association
Roosevelt Hotel New Orleans, Louisiana

OCTOBER 18-19-20

Ohio Title Association
Commodore Perry Hotel Toledo, Ohio

OCTOBER 22-23-24

Wisconsin Title Association
Uphoff's Motel Lake Delton, Wisconsin

OCTOBER 25-26-27

Missouri Land Title Association
Belair East Motor Hotel
St. Louis, Missouri

NOVEMBER 8-9-10

Indiana Land Title Association
Claypool Hotel Indianapolis, Indiana

NOVEMBER 12-13-14

Florida Land Title Association
Lucayan Beach Hotel Freeport, Bahamas

NOVEMBER 13-14

Land Title Association of Arizona
Phoenix, Arizona

FUTURE MID-WINTER CONFERENCES

1965—Washington, D.C.
1966—Chandler, Arizona
1967—Washington, D.C.

