

DEED NEED BLANK OFTEN IS DANGEROUS

Delayed Insertion of Grantee's Name Held Risky.

FRAUD IS MADE POSSIBLE

Transactions of Sort Named May Be Valid, But Authority for Action Must Be Made Clear.

BY W. B. SHIPLEY.
(Chairman Legal Committee of the Portland Realty Board.)

Is a deed valid where, though duly signed and acknowledged, the name of the grantee is left blank until the understanding that the grantee's name is to be later inserted? This question, though one of importance, has been discussed but twice by the supreme court of this state. Transactions in which such deeds form a part are of occasional occurrence. The practice is a dangerous one and to be discouraged as creating an opportunity for fraud and subsequent litigation.

It may be stated briefly that such a deed is valid only where the grantee's name is filled in prior to the delivery of the deed by the grantor to the grantee. The authority to fill in the grantee's name may be oral.

Perpetual Case Cited.
In the case of *Telchow vs. Quiggle*, 74 Or., 165, 14 P. 2d, the facts were that Telchow, a single man, in 1905, owned a homestead in Lane county. One Tucker gained his confidence and proposed to Telchow that the latter should execute a deed to a farm in the Willamette valley. Thereafter Telchow executed and acknowledged a deed to his land with the name of Tucker in the blank and delivered the deed to Tucker, who was authorized by Telchow to trade the land for a Willamette valley farm of equal value. The deed was duly recorded and Tucker had the deed in his possession.

Quiggle finally traded two Portland lots and 40 acres of Clarke county land for Telchow's homestead. Quiggle deeded his lands direct to Tucker instead of Telchow and Quiggle's name was inserted in the blank left for the name of a grantee in the deed or deliver the same except upon the conditions stated by Telchow. Tucker made no account of the deed and Quiggle stated the conditions in regard to the deed.

As soon as Telchow heard of the transaction he brought suit to set aside the deed to his homestead, claiming that Tucker had no authority to fill in Quiggle's name or the name of any other person in exchange for a Willamette valley farm. The supreme court held that there were two conditions requisite to make such a deed valid: First, the blank must be filled by the party authorized to fill in the name of a grantee in the deed, or any other person's name, except on the conditions named in the deed, and upon to the conveyance to the plaintiff of a farm in the Willamette valley.

The whole transaction between Tucker and Quiggle was a fraud. If, however, the deed had been recorded in the name of Telchow, the deed would be valid, for a deed of that nature is not subject to the provisions of the statute relating to the recording of deeds. Telchow's continued open and notorious possession of the land, and the fact that he was the grantor in the deed, were also considered by the court.

Another case in which this same question was involved was *Croven vs. Deal*, 21 Or., 206, 12 P. 2d. In this case the court held that the authority to fill in the name of the grantee need not necessarily be in writing, but that an oral authority is sufficient.

Practice Dangerous One.
It is apparent from the foregoing cases that the custom of executing a deed with a blank in the name of the grantee and passing it on from one purchaser to another until it finally reaches someone who fills in his name and places the deed in a registry is a dangerous one, for such deeds if disputed may be void in spite of the recording act, especially in those instances where actual possession of the property is not taken; and one accepting such a deed invites trouble and the possible loss of the consideration paid for the deed. It should be kept in mind at all times that the two conditions requisite to make such a deed valid named by our supreme court must be carefully observed.

Big Company Buys Site
Building to Cost \$40,000 Will Be Erected in Near Future.
A half block of ground between York and Guild streets and facing the terminal railroad tracks was transferred from A. Cohn, president of the Northern Grain & Warehouse company, to the Pettit Feather & Bed company yesterday. The consideration being \$15,000. The plans of the Pettit Feather & Bed company, it was announced, are to erect a factory building at a cost of \$40,000 upon the land. The plans for the proposed factory are being prepared by F. Mason White.

Building Rising in Chehalis.
CHEHALIS, Wash., Sept. 13.—(Special.)—Another new brick building has been started on Park street, adjoining the big garage being erected by A. E. Judd. E. A. Hall, who recently came to Chehalis from New York, is building a structure 37½ x 190 feet to be two stories. The construction will be brick.

German-Import Fair to Be Held.
BERLIN.—The first international import fair to be held at Frankfurt-on-Main early in October has been approved by the food ministry. The principal object of the fair will be to determine what preliminary work is necessary to stimulate production and meet the needs of German manufacturers for raw materials.

Paul Starret Has Been Elected President of the United States Realty Company.
SANTA MONICA, Cal.—Complaint that aviators disturb divine worship here by flying so low over churches that the whirr of the planes interferes with the preaching and singing, has resulted in the city commissioners investigating the situation some time ago and decided that now is the time to build.

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BUSINESS OPERATIONS GREATLY IN DEMAND

Leases for August Aggregate Large Sum in Rentals.

PROSPERITY IS INDICATED

Two-Story Structure at Eleventh and Flinders Streets Leased to Auto Erasmeling Company.

One of the outstanding features of the real estate situation at the present time is the heavy increased demand for business locations in Portland. This is shown by the large number of leases.

Building in U. S. Active
NATION-WIDE IMPROVEMENT PROGRAMME LAUNCHED.
War Department Comments on Employment of ex-Soldiers to Restore Normal Conditions.

Building operations throughout the United States have greatly increased since the signing of the armistice, according to a communication sent out by the office of the assistant secretary of war at Washington, D. C. The communication comments upon the work of the realty managers and builders in giving employment to discharged soldiers and sailors and declares that in some of the larger cities of the country, the program of public improvement has been commenced in order to furnish employment and assist in restoring normal business conditions.

1200 REALTORS LICENSED
ABOUT HALF OF OREGON TOTAL OPERATE IN PORTLAND.
New Law Now in Effect Requires Payment of Annual Fee of \$5 and \$1000 Bond.

Salem, Or., Sept. 13.—(Special.)—There are more than 1200 licensed real estate brokers in Oregon, about half of whom are operating in Portland, according to a directory prepared by A. C. Barber, state insurance commissioner, and G. V. Johnson, in charge of the real estate department.

Hotel Plans Under Way
SEASIDE CITIZENS BUY STOCK IN CORPORATION.
Structure to Be Completed in Time for Summer Business at Beach Resort.

Plans for the erection of a new Hotel Seaside, costing \$250,000, on the beach at Seaside, are now under way, according to interested parties who are now in Portland.

Garages Are Among City's Construction Work at Present.
Among the garages now being erected in the city is one by the Holman Transfer company, which is going up at 123 Broadway, by the erection of a two-story building, which will be occupied by the Rubin Motor Car company, a Portland concern.

1200 REALTORS ARE LISTED
Insurance Commissioner Estimates 300 Others Have Ignored Law.

Honolulu, T. H., Sept. 13.—(Special.)—One million dollars will be spent on a good road in Honolulu in 1920, which, while it sounds large, really means not an extensive amount of road-building as the cost of the average paved road here per mile is close to \$20,000, due to high freight rates from the coast for cement and other materials.

Consults to Report on Business.
MEXICO CITY.—Consuls representing the United States, are Britain and France in Mexico have received instructions from their governments to complete as soon as possible a list of all of their respective nationals in the republic together with the business in which they are engaged and the extent of these enterprises.

Attractive Home Sells.
J. W. McFadden Asserts Belief Realty Will Still Rise.

The J. W. McFadden Building company, 264 Stark street, has under construction in various parts of Rose City Park, Alameda Park, Walnut Park and other sections of the city about 35 houses and is employing about 85 men in this work.

The Piano Sensation of the Year—What Has Portland Ever Had Equal to This?

IN FACE OF HIGH PRICES AND AGAIN, ADVANCING PRICES

To Keep Down the Cost of Living, We Are Doing for Pianos Here

CUT OUT THIS PRICE LIST

Discontinued, Rebuilt
STEINWAY & SONS Refinished Rosewood, 7 pedals, \$750 \$435
HALLET & DAVIS Rebuilt Ebony, gold and silver, \$450 \$195
STEGER & SONS Rebuilt Ivory, 8 keys, \$550 \$365
STARK PIANO CO Rebuilt Ivory, 8 keys, \$400 \$295
SINGER PIANO CO Rebuilt Ivory, 8 keys, \$500 \$345
DAVIS & SON Rebuilt Ivory, 8 keys, \$475 \$315
THOMPSON PIANO CO Rebuilt Ivory, 8 keys, \$500 \$345
STARK PIANO CO Rebuilt Ivory, 8 keys, \$400 \$295
SINGER PIANO CO Rebuilt Ivory, 8 keys, \$475 \$265
BACHMAN & SONS Rebuilt Ivory, 8 keys, \$450 \$265
GRAMER PIANO CO Rebuilt Ivory, 8 keys, \$450 \$265
GAYLORD COMPANY Rebuilt Ivory, 8 keys, \$425 \$290
VOSE & SONS Rebuilt Ivory, 8 keys, \$475 \$235
STOREY & CLARK Rebuilt Ivory, 8 keys, \$400 \$265
GAYLORD COMPANY Rebuilt Ivory, 8 keys, \$475 \$315



In the face of advancing prices—we bought up hundreds of specials. We scoured the piano factories and today our Big Factory Clearance Sale puts the eastern piano market right here into Portland for your selection, permitting us and now you to side-step the high prices during our Factory Clearance Sale, at least—for we also need pay the higher cost and therefore you need to pay the higher prices on all new pianos now coming through from the factories.

THE STEGER THE MOST VALUABLE PIANOS IN THE WORLD.
In magnificent mahogany, Circeassian walnut, fancy American walnut, hand-made oaks, fumed, satin, dull finishes and high polishes including cabinet and duet benches.

Refinished or Used
THOMPSON PIANO CO. 1918 model fumed oak, good as new, \$475 \$335
HARDMAN PIANO CO. Rosewood, refinished, \$450 \$265
BUSH & GERTS. 1914 mod. dull mah., 4 ft. 4 in. high, \$475 \$295
CABLE & SONS. 1916 mod. mahogany, 4 ft. 9 in. high, \$475 \$295
STOREY & CLARK. Art style, 1915 model, furl walnut, good, \$600 \$395
SMITH & BARNES. Refinished, plain, 4 ft. 9 in. high, \$375 \$245
SINGER PIANO CO. 1912 model, dull walnut, 4 ft. 7 in. high, \$425 \$295
STARK PIANO CO. 1915 mod. fancy case, price on top lid \$550 \$310
G. G. DIXON. 1916 model, good condition, \$375 \$285
SINGER PIANO CO. 1918 model oak, good as new, \$625 \$435
STEGER & SONS. 1918 model fumed oak, good as new, \$625 \$465
J. A. BRYAN. Refinished fumed oak, exchange department, \$410 \$265
KINGSBURY. Exchange department, polished mahogany, \$450 \$295
WEBER-NEW YORK. Exchange department, 1917 model, \$450 \$195
LELAND UPRIGHT. 1917 model, oak, ex., \$425 \$285
THOMPSON PIANO CO. 1917 model, oak, dis., \$500 \$315

REBUILT AND USED PIANOS
2 Thompsons in fume oak... \$475 \$290
2 Thompsons, fumed oak... \$475 \$315
2 Schrodner Bros. mah... \$450 \$315
3 Thompsons, mah... \$450 \$315
2 Thompsons, mah... \$475 \$315
2 Thompsons, mah... \$450 \$315
3 Thompsons, mah... \$475 \$315
12 Thompsons, mah... \$400 \$275
2 Mendenhalls, mah... \$400 \$275
11 Thompsons, mah... \$500 \$315
1 Steger & Sons... \$625 \$395
3 Stegers, mah and fu. oak... \$250 \$165
2 Steger & Sons, mah... \$475 \$315
2 Steger & Sons, mah... \$475 \$315

TRUTHFUL ADVERTISING This store satisfies the people through its unprejudiced business policy. We tell you the values. Truths fully named. Sincerity is our price identity. Why should pianos not have a price identity? Why should prices be hidden? Let us show you the values. Truths fully named. Sincerity is our price identity.

OUT-OF-TOWN BUYERS WE PREPARE AND MAKE FREE DELIVERY OF PIANO TO YOUR HOME WITHIN 200 MILES, AND THE PIANO WILL BE SHIPPED SUBJECT TO EXCHANGE WITHIN ONE YEAR, WE ALLOWING THE FULL AMOUNT PAID. This virtually gives you a one-year trial of the piano you order.

Schwann Piano Co.

of the houses which I started at that time have already been sold." Mr. McFadden is of the opinion that real estate prices in Portland will continue to rise. He says he anticipates an influx of people here from the east and middle west.

15 IRVINGTON LOTS SOLD
Ritter Lowe & Co. Dispose of Block of Ten to Mantz Building & Investment Company.
Irvington lots are going rapidly and a total of 15 located in what is known as the Hughes property have been sold by Ritter, Lowe & Co. within the past few days. The majority of these lots will be improved by the erection of houses immediately by the purchasers.

REALTY COMPANY FORMED
Interstate Investment Company Assumes Interests of Brong Company.
A new real estate company to be known as the Interstate Investment company was formed during the past week to take over the interests and offices of the Brong company. The new concern, with William L. Graham, president, A. B. Christensen, vice-president, and Clyde W. Castle, secretary and treasurer, will conduct a general real estate business from suite 603, 610 and 611 in the Henry building.

BEAUTIFUL 100x100 CORNER.
East 29th St. Between Sunnyside and Hawthorne Cars. An Ideal Location for Modern Apartment House. Improved at Present

SOCIETY
Chicago university, and of which Mrs. Helen Ekin Starrett of this city is principal emerita. Miss Dorothy Feenbaugh of the east side, Portland, has been entered as a pupil in the same school and left with her parents for Chicago some weeks since.

WARRANTEE
BACKED BY MANY MILLIONS IN CAPITAL