

TEN MODERN HOUSES ARE TO BE ERECTED

Dwellings Will Be Disposed Of on Installment Plan.

WHOLE BLOCK OCCUPIED

Promoters of Enterprise Desire to Provide Accommodation Rather Than to Make Money.

Erection of 10 dwellings to occupy the full 500 feet on the east side of Eighteenth street between Klickitat and Fremont, in Irvington, by the Title and Trust company, has been announced by Robert E. Smith, president of the company. The land was recently secured from Edgar W. Smith, president of the Astoria Flour Mills company. The dwellings are being erected more to aid in solving the present problem of inadequate housing facilities than for investment, it is announced, and will be sold at cost of construction plus price of lot, and on the installment plan, if desired. The dwellings when completed will be disposed of through members of the Portland Realty board.

Monthly Payments Reasonable.

The houses will average in price between \$3000 and \$5000, and may be paid for by cash or on an installment plan, 20 per cent down. The Mortgage Guarantee company will take a first mortgage for 50 per cent of the cost and the Title and Trust company a second mortgage for the balance. Payments will be 1 per cent per month of the amount of the second mortgage. The purchaser will pay semi-annual interest on the first mortgage and will pay the taxes. Thus on an \$3000 dwelling the cash payment would be \$1500, the monthly payment \$24, and there would be the taxes and interest on a first mortgage of \$4000.

The Mortgage Guarantee company was organized by the Portland clearing house banks, together with the Title and Trust company, for the purpose of financing homes in Portland and the directors of the latter company were encouraged to build at this time in order to assist in relieving the present congested situation with regard to houses.

"In considering the present high cost of building, the Title and Trust company found that the present low price of land to a large degree offsets the present high cost of building," said Mr. Smith, and in this way new and up-to-date houses can be built at a price which will compete with houses built in pre-war times. Particularly is this true if several of them are built at one time in the same vicinity, so as to reduce the cost of building.

"We have found that by building these 10 houses on this one block we can make a saving of from 15 to 20 per cent. This saving, of course, is made in the cost of materials, but there is the additional advantage of having better workmen on the job. As fast as the excavation for the first house is completed, the excavators immediately begin work on the second house, and so on until all the excavations are made. Of course as soon as the excavations are made, the house is done, the concrete men begin work and move down the line behind the excavators. Carpenters follow and the entire row of houses will be finished almost together.

"Another advantage which is secured in harmony of design. We will build a double garage between every other house, making one driveway serve two houses and thus giving more space for lawns."

Houses Well Designed. Each house will be of five rooms and bathroom, with provision for finishing two more upstairs if desired. The houses will be heated with gas furnaces and will have gas water heaters installed, with a wood fireplace in the main room and a gas fireplace in the main bedroom. The floors downstairs, except the kitchen, will be hardwood. While the houses will be different in design from the others, both interior and exterior, the plans being worked out so as to form a harmonious block. Each house will be set back about 20 feet from the sidewalk and the lawns will be graded and beautified by the Title and Trust company. De Young & Rold are the architects and will supervise the building, which will be by day work instead of contract.

RANCH SELLS FOR \$45,000

Lieutenant O. V. Morrow, Portland, Buys Brookhurst, Near Medford.

MEDFORD, Or., March 20.—(Special.)—The second big ranch sale within the week was announced Wednesday, the transaction involving the purchase of Brookhurst, Dr. E. B. Pickle's property north of the city. Lieutenant O. V. Morrow of Portland for \$45,000. The ranch consists of 153 acres, 60 acres of pears, 6 apples and the balance in grain and alfalfa.

A residence and barn are included in the deal. Lieutenant Morrow was an officer of the Rainbow division. He expects to take charge soon.

Elevator Company Will Build. The Otis Elevator company will occupy a new building to be erected at 74 Tenth street, near Everett, the contract for which has been let, and which will cost when completed approximately \$30,000. The structure will be 50 by 100 feet and specially designed for the plant of the company. Sutton & Whitney have completed plans for two comfort stations on the north park blocks near the North Bank station, estimated to cost about \$25,000. Parker & Bantfield are to erect a one-story building at East Third and Davis streets, covering a ground area 100 by 100 feet, at a cost of about \$10,000, according to announcement.

Realty Firm Expands. Henry G. Ritter, who has been employed with the Standard Oil company at Tacoma, arrived in the city last week to become associated with Ritter, Lowe & Co. Mr. Ritter, who is a nephew of A. R. Ritter, head of the firm, will have charge of the insurance department of the company, this department having grown markedly during the last few months.

Board Receives Applications. Additional applications for membership in the Portland Realty board, filed with the membership committee, have been announced as follows: W. S. Kellogg, John Ferguson, Clarence Marsters, C. E. Adams, William R. Bald, John D. Matthews, all active members; E. F. Williams, D. B. Zigler and the C. M. Olsen transfer company, associate members.

HANDSOME RESIDENTIAL PROPERTIES ON EAST SIDE CHANGE HANDS.



Above—Dwelling sold by Charles A. Russo to C. V. Anderson, located at the corner of Twenty-second and Weller streets, in Irvington; consideration, \$13,500. Below—Residence at 445 East Forty-seventh street North, sold by J. L. Davies to E. R. Shaw; consideration, \$5500. The former sale was handled by A. B. Cleveland of the McClintock-Cleveland company, and the latter by J. C. Booth of the same concern.

GOOD HOUSES IN DEMAND

OUTLOOK BRIGHT FOR SPRING AND SUMMER SALES.

Dealer Says Real Estate Always Last to Be Affected by General Business Improvement.

That the outlook for the sale of high-class homes is excellent for this spring and summer is the statement of A. B. Cleveland of the firm of McClintock-Cleveland company, who has recently been making an investigation of residential property values and of the cost of building.

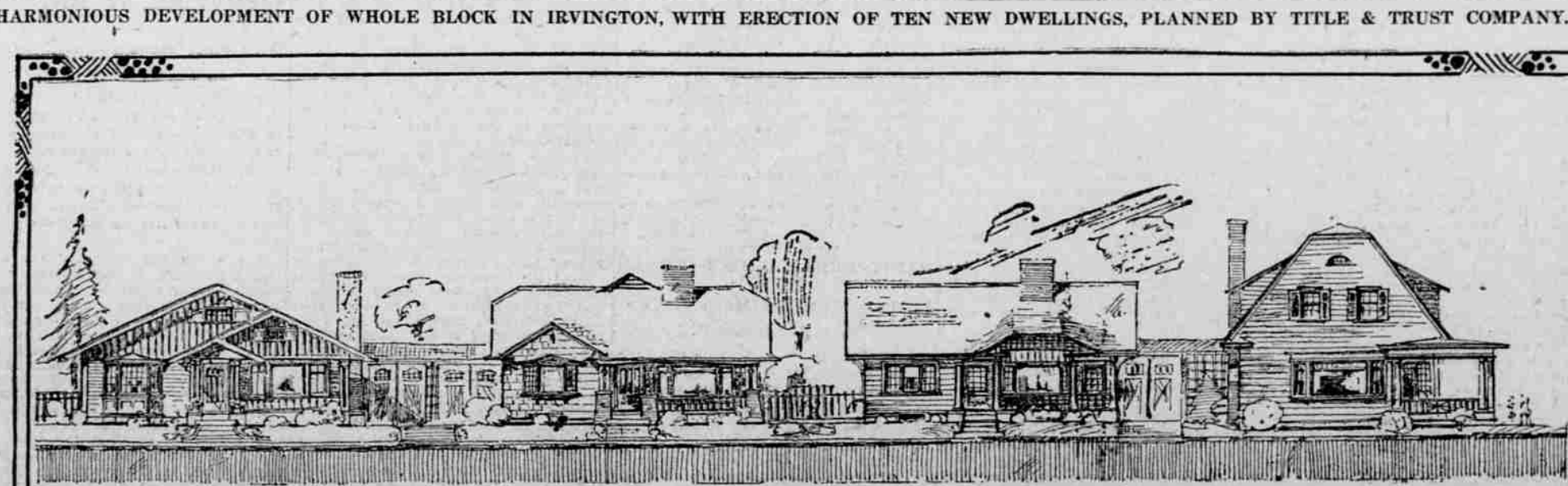
"The real estate market is always the last to be affected by the general increase in business. We all know that business of every sort has been depressed. There has been a demand for all kinds of goods whether manufactured or otherwise. The demand, however, has become greater and greater for better goods of all kinds. It is only natural, therefore, to assume that the call for better

houses will be in line with the demand for better goods generally."

Utilitor Company Coming. The Northwest Utilitor company will establish headquarters in this city shortly, the concern having obtained a lease last week on a portion of the first floor of a new building now being erected at the corner of Sixth and Flinders streets. The arrangements were made through Metzger-Parker-Ferguson company. The company, which handles the sale of a gasoline-driven garden cultivator, already has branch offices in several cities of the northwest.

Yakima Ranch Brings \$65,000. YAKIMA, Wash., March 20.—(Special.)—Peter Agor and wife, and his son, Ben Agor, have sold a ranch of 242 acres west of the town of Union Gap, for \$65,000. Lawrence Wood of Seattle, formerly director of the federal employment work in this state, has leased a Moxee ranch and will bring his family here to live.

Harmonious Development of Whole Block in Irvington, with Erection of Ten New Dwellings, Planned by Title & Trust Company.



GROUP OF FOUR OF THE TEN MODERN BUNGALOWS WHICH WILL RISE ON THE EAST SIDE OF EIGHTEENTH STREET, BETWEEN KLICKITAT AND FREMONT STREETS, AT COST OF FROM \$3000 TO \$5000 EACH.

HOSTILE POSSESSION OF LAND MADE CLEAR

Title to Property Lies in Method of Control.

SHIVELY DEFINES TERM

Mere Holding of Property Not Enough if Occupation Is Permitted by Owner.

BY W. R. SHIVELY, Chairman, Legal Committee, Portland Realty Board.

(This is the third of a series of articles written by Mr. Shively on the law of adverse possession as applied in this state. Previous articles will be found in the Sunday issues of March 7 and 14.)

May one enter upon the land of another, with the latter's permission, and, after residing thereon continuously for ten years, claim to own the land by right of adverse possession? Readers of this series of articles will recall that it is well settled in Oregon that adverse possession of another's real estate for the statutory period of ten years vests in the possessor the title to the real estate, extinguishing all rights of the former owner; also that to constitute adverse possession there are five elements necessary, that is, the possession must be hostile, actual, notorious, exclusive and continuous. The first of these elements is that the possession must be hostile, and it is the purpose of this article to take up and discuss that particular feature of a title by adverse possession.

The term "hostile," as used in the law of adverse possession, is not to be construed as showing ill will against the true owner, but as meaning that the one claiming adverse possession is an enemy of the person holding the legal title. The term is construed to refer to the occupant who holds and is in possession of the land as the owner thereof, irrespective of who else may claim to be the owner. *Massachusetts vs. Murray*, 76 Or. 537, 145 Pac. 517, 521.

It is held in *Bessler vs. Powder R. D. Co.*, 90 Or. 663, 176 Pac. 791, that recognition of the true owner at any time during the ten-year period will be fatal to the adverse claimant.

Mere Possession Not Enough.

There have been many cases where one enters upon another's land without the owner's permission, as tenant, vendee, licensee, mortgagee, trustee, or the like. Can such a one, after occupying the land for ten years, successfully claim to own the land by right of adverse possession? The answer, subject to the following discussion, is "no," for the reason that if the entry is made with the owner's permission, it is necessarily in recognition of the owner's title, and, therefore, cannot be hostile or adverse.

In *Abraham vs. Owner*, 20 Or. 511, it is held that a permissive occupancy, no matter how long continued, is never adverse.

This principle has been applied to many different circumstances. For instance, there is the case of *Thayer vs. Thayer*, 69 Or. 128, 132 Pac. 473. In this case the defendants having resided upon certain land for more than ten years, therefore claimed to own the same in the hope that they might some day be able to purchase it, and they continued to use a strip of the city's land in connection with their right of way for over 30 years, after which the railroad claimed the land by right of adverse possession. The court held that the railroad's entry upon the land was by the permission of the city, wherefore the railroad could not claim that its occupancy was adverse.

Railroad Case Cited. In *Oregon City vs. O. & C. R. Co.*, 41 Or. 165, 74 Pac. 224, the defendant railroad, with the permission of the city, had used a strip of the city's land in connection with its right of way for over 30 years, after which the railroad claimed the land by right of adverse possession. The court held that the railroad's entry upon the land was by the permission of the city, wherefore the railroad could not claim that its occupancy was adverse.

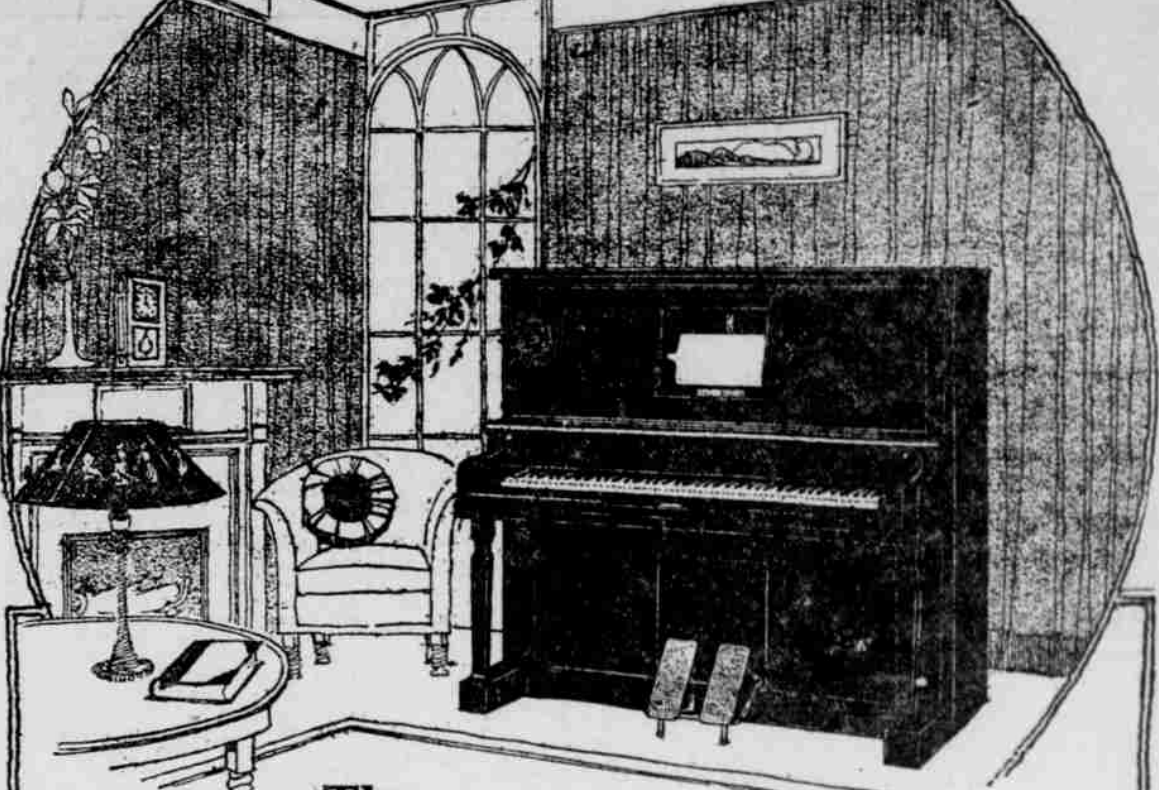
Distribution to Members. Publication of the 1920 booklet of the Interstate Realty association, containing the full proceedings of the third annual convention held at Victoria, B. C., last summer, was concluded last week and the volume sent by Secretary Paul Cowgill to all active and associate members of the association throughout the northwest. As the total membership now exceeds 1300, it was necessary to have a larger number of the volumes printed this year than ever before. The booklets are sent free to all members.

This year's volume is practically the same size as the one issued last year and contains, in addition to the complete proceedings of the 1919 annual convention of the Interstate association, the list of officers of the association and a complete roster of membership, arranged alphabetically by states and cities, the constitution and by-laws of the association and the code of ethics.

The volume this year contains 228 pages, and is considered of particular value because of the roster of membership. As a realty dealer can only become members of the association after careful scrutiny as to their reliability, the list is considered to be one for ready reference to reliable dealers in practically all cities and towns of any size in Alberta, British Columbia, Idaho, Montana, Oregon and Washington.

Medford to Open Street. MEDFORD, Or., March 20.—(Special.)—At the council meeting Tuesday night the purchase of the property for the opening of King street was sanctioned over the mayor's veto of two weeks ago and the city will now go forward in opening up this thoroughfare which has been a bone of contention for many years. The mayor's veto was on the ground of economy, he maintaining the price of \$2500 being out of all proportion to the value derived. Councilman Hargrave was the only member of the council to support the mayor, however.

\$1000 Opening Sale Player



The Two New Stores' Opening Sale Is Giving People a New Vision of Pianos

When we say the sale is doing this, we mean specifically the pianos that are the making of the sale. The Schwan Piano Company's piano is one thing which suffered no deterioration as a consequence of these difficult times. Our pianos and player pianos are as good, yes better than ever.

This is a show of Pianos which gives the word home a new cultural significance. The assemblage of pianos and player pianos in our Mezzanine and Quality Store, is regarded by critical and experienced visitors as without equal in scope, sumptuousness, and desirability. You may want a Period Chippendale, Sheraton, Louis XV, or quite modern style of piano of refined tone—the choice here is hardly duplicated in Portland.

And they are pianos of such a genuine sort—genuine all the way through. This is a sale meeting every requirement of common sense, of practical service, of superlative tone and of sound economy. Speaking of economy you will please bear in mind that the saving here is still 25%—same quality would cost you 25% more if bought anywhere.

\$900 quality Steger & Sons pianos, "the most valuable pianos in the world," grands in upright form, for \$675 cash, or \$50 cash, \$20 monthly; \$800 Steger & Sons upright pianos for \$555 cash, or \$18 monthly; some 1919 models in Steger \$750 quality for \$562, \$17 monthly; \$675 quality Reed & Sons' pianos for \$495 cash, or \$25 cash, \$15 monthly; \$650 Singer quality large upright grands for \$487 cash, or \$25 cash, \$15 monthly; \$650 Thompson Colonial models for \$487, \$15 monthly, as also our opening sale special, the \$525 quality Thompson at \$395, \$25 cash, \$12 monthly. Then in our quality store you will find the famous Natural Player Pianos, the wonder of this age. \$1250 Steger Players for \$937; \$1150 values at \$862; \$1050 Reed & Sons Natural Players at \$797; \$1000 Singer Piano Co. Players at \$750, as also the most popular opening sale special \$900 quality Thompson Player Piano at \$675, \$50 cash, \$20 monthly.

Then there is our downstairs store with its underpriced pianos. What variety of new and used pianos, inexpensively priced! There are charming new Bungalow Pianos in Mahogany, Oak Fumed and Golden—all marked at distinct savings. One Oak \$150 Console at \$75; one Mahogany \$200 Kimball at \$100; a splendid \$750 Steinway & Sons at \$345, also a \$750 Steger in fumed oak for \$465, and one Steger in polished mahogany at \$485, also a dull mahogany \$475 Kingsbury for \$265, a \$475 Yuse & Sons for \$235, a modern style mahogany \$475 Kingsbury for \$265, a \$475 Yuse & Sons for \$235, a Bush & Gertz and a large McIntyre & Goodell at, each \$295; as also a large Hallett & Davis Upright at \$195, one Newby & Evans at \$195. Cash or with payments as low as \$5.48, \$16 more monthly, all to be paid within 2 1/2 years! Then, again, here you will find some good makers' Player Pianos—a mahogany \$750 Stark & Co. at \$495, an Oak \$500 Mendenhall at \$495, and a new \$500 Player for \$555, on terms of \$15 monthly if you do not wish to pay cash.

Schwan Piano Co.

You Are Cordially Invited to Attend Our Opening

101-103 Wash. St., at Washington and Stark Sts.

Portland's Largest Piano Distributors

REALTORS PLAN JAUNT

NATIONAL CONVENTION AT KANSAS CITY JUNE 2-5.

25 Realty Boards in Oregon, Washington, Idaho, Montana, British Columbia Represented.

More than 25 realtors from the Pacific northwest will attend the next annual convention of the National Association of Real Estate Boards, to be held in Kansas City June 2, 3, 4 and 5, according to assurances that have been received by F. E. Taylor, of the F. E. Taylor company of this city, executive committee member of the national association for Oregon, who is making plans for an excursion of northwest realtors to the convention city.

There are 25 realty boards and exchanges in Oregon, Washington, Idaho and Montana and British Columbia, the territory embraced in the Interstate Realty association. It is expected that the presidents of nearly all of these boards will attend the convention and several of the boards are planning to send delegates. The delegates from the Portland board having signed up for the trip.

Special Car Planned. The realtors are planning to leave Portland in a body, arrangements being made for a special car. The delegation is to be entertained en route to Kansas City by the Denver Realty board for one day, and probably also by the realty board at Salt Lake city.

Among those planning to make the trip is C. V. Johnson, manager of the real estate department of the state of Oregon, who will address the national convention on the merits of the new license law now governing realty transactions in the state of Oregon.

In the near future the Portland Realty board will conduct a contest in order to decide who is to represent the five-minute speaking contest at the national convention. Following a time-honored custom, the authorized realtors of the respective boards compete for a handsome silver trophy, which is awarded to the speaker who can deliver the best talk pertaining to his home city. The Portland board has already voted to send the winner of the local try-out contest to the convention at the expense of the board.

Delegates Already Listed. In addition to this five-minute speaker and delegates from the Spokane, Vancouver, Victoria, North Yakima and Walla Walla boards, the following is a list of the delegates which have notified Executive Committee member Taylor of their definite intention to make the trip to Kansas City on the "realty special."

E. B. Arthaus of Hoquiam, president of the Interstate Realty association; E. O. Dole, president of the Grays Harbor board; W. O. McCaw, secretary of the Grays Harbor board; E. S. Goodwin of Spokane, past president of the Interstate Realty association; H. L. Lambuth, past president

of the Seattle Realty board; A. L. Murphy, president of the Caldwell, Idaho, board; George M. Elliott, president of the Tacoma board; W. A. Barnes, secretary of the Tacoma board; Walter S. Bruce, president of the Boise, Idaho, board; G. C. Bennett, president Seattle board; N. M. Apple, secretary of the Seattle board; C. V. Johnson, manager real estate department, state of Oregon.

From Portland—F. E. Taylor, executive committee member for Oregon; Fred W. German, president of the Portland board; Fred O. Brockman, secretary of the Portland board; Paul A. Cowgill, secretary of the Interstate Realty association; Coe A. McKenna, W. W. Ferguson, Harold Jungck, Fred H. Strong, Paul C. Murphy, H. E. Beckwith.

Club Expresses Regret. Since regret at the death of Roger B. Sinnott was expressed by the Portland Realty board through a resolution adopted by it at its regular weekly meeting Friday, Mr. Sinnott, although not an associate member, had shown a most active interest in matters taken up by the realty board, and not long ago represented the club in speaking against the adoption of the zoning ordinance originally proposed. The resolution follows:

"Again we mourn. One of our best known and most highly respected associate members will meet with us no more. Roger B. Sinnott died at his home Tuesday evening, March 16, 1920. He was a good citizen and a sincere friend of the board, who could always be drafted when he could be of service to us. He was a regular attendant at our meetings and we will miss him in our future activities. Because of his merit and high character and of his association with us; now, therefore, be it resolved, be it further

"Resolved, That we sincerely regret the loss of our associate member, Roger B. Sinnott, and that we deeply sympathize with his widow and relatives in their bereavement; and be it further

"Resolved, That these resolutions be spread upon the minutes of this board as a testimonial of our respect, that a copy be sent to his widow."

Lumberman to Build Residence. EUGENE, Or., March 20.—(Special.)—E. B. Kingman, president of the Alsea River Lumber company, with headquarters in this city, now erecting a large sawmill at Glenbrook in southern Benton county, is planning to erect a \$20,000 residence in Eugene.

Fire Horses Leave London. LONDON.—The last horse-drawn fire engine remaining in the London fire brigade has been offered to the South Kensington Science museum.