

It is contended by the lawyers that in examining and passing on titles the title companies are performing legal services, and that it is unethical and improper for anyone entitled to receive fees for legal service to divide them with a layman, such as a real estate broker; and, moreover, such practice is said to result in disadvantage to the lawyers.

The brokers and the title companies, on the other hand, contend that the examination and insurance of titles is not practicing law, and that the purpose of the bill is to take away from the brokers the incentive to give their title business to the title companies, with the hope that they would then give it to the lawyers, which would be to the damage of the title company business.

A great deal has been said and written on this subject recently throughout the country, and the contentions of each side of the controversy over the present bill can be and have been forcefully put.

What seems to me the controlling factor, however, is that the provisions of the bill make it unlawful for any title company to divide or share any premium, fee or commission it receives with any individual, firm or corporation whatsoever.

Title companies insure titles, and I know of no insurance company which does not pay part of the premiums or fees it receives to the solicitors or agents who bring it the business. Life, health, accident and fire insurance companies all do this. Title companies do it, too, and always have done it, the lawyers, brokers and trust companies who bring them business being treated in this respect as agents or solicitors.

Yet here is a bill which would render it unlawful for a title insurance company not only to make these long established and long recognized payments for business secured from lawyers, trust companies and brokers, but would actually make it a crime for one class of insurance companies, the class which insures titles, to pay commissions for their insurance business in the same way as all other classes of insurance companies are allowed to pay commissions for their insurance business.

I think this is sufficient to show that the bill must be vetoed.

UNDERTAKERS.

(Chapter 199, House Bill 241.)

At present it is unlawful for anyone other than a duly licensed undertaker to deliver the body of a deceased person