

SUE BOYER TRANSCRIPT

October 22, 2014

Damian Macey Interviewer

Transcribed by Donna Duzan, June 2016

D: Sue, would you tell us about your background and what would you like to tell us about?

S: Well, my parents lived in Terre Haute, IN, and that was where I was born, at a hospital there. I have lived in Marshall my whole life, have never moved away. I went to North Elementary school, never went to south, that was when town kids went to North school, bus kids went to South School. After elementary school I went to the Marshall Jr High School then to Marshall High School, I graduated high school in 1961.

I started working at the Dog N Suds when I was 13. I worked there until I was a senior in high school. I started working at Clark County Title Company in 1960. I was in the Office Occupational program at the high school so I worked a half day and attended high school classes a half day. I then continued working at the title company, and I bought the business in 1975 and I have been here ever since. I am thinking about retiring completely. Whether or not I do is another thing.

D: When you worked at the Dog N Suds did you ever work on skates?

S: No, we just delivered the food on foot. I don't know anyplace that did it on skates.

D: I believe Clark County Title is one of the older businesses in Marshall. Is that correct?

S: Right, it wasn't operated at Clark County Title Co. It was called Cole & Cole, most of the plat books that we have. Howard Young started his own business of Clark County Title in 1954 from what I can see. So, he was in competition with Cole & Cole. He bought them out in about 1960, bought the tract books and all their records. So Clark County Title Co has been around since 1954.

D: When it was Cole & Cole, do you have any history or background of them?

S: Well, I couldn't tell you the year, but they were here, I would say in the 1930's. There was Goldman Cole at one time which turned into Cole and Cole. I think Cole and Cole were Frank Cole, E.P. Daily and Clayton Cole. I think they were Cole & Cole. They started the tract books which are what we use now. They started the books by the entry and that is what we still use now and keep up to date.

D: So you use the term tract book, can you tell me what that is?

S: Okay, the tract books that are, you look up a property by the description, and everything that is on that property since the beginning of time, like a 40 acre tract, will be specified in that description.

D: Is that somewhat duplicated by records at the courthouse?

S: The information at the courthouse is where we get the information from that goes into the tract books.

D: Is that all typed or hand-written?

S: Handwritten

D: Do you think sometime that could all be computerized?

S: Well, we talked about that but other people who have abstract offices tried to do it and they said it didn't work but what they are saying now is all of the companies have started at a certain time and just use those computerized books.

D: For our house we have an abstract title which gives great history. But so many times anymore the abstract is not used but title insurance is used.

S: Yes, title insurance. An abstract is almost obsolete although people who own farms that have been in their family for many years have abstracts. People like to see abstracts because it does give the history of the property. They like to have their abstract but if the property sells, they don't update it we just use the back history and issue title insurance. Title insurance is just title opinion at that point in time; it doesn't give any back owners.

D: So then does issuing title insurance go through the same process?

S: Well, we are the company that does that, I am an agent for the title company and they are the ones that issue the title policy. They are the title company and that is who we work under.

D: How far then would abstracts go back then? You said since the beginning of time, but I think some of the early properties was originally started from title from, was it Palestine?

S: Well, yeah but they are patents from the government, they were issued by the President of the United States and they were issued to the person that actually bought the property from the government. That's why I said they go back to that time.

D: Well, will those record which originated in Palestine, will that be recorded in our courthouse?

S: There were not a lot of patents recorded here. They were not automatically recorded here. However, whenever you do an abstract for a coal company, they want that patent. And we have had to write to Washington to get those. And they send the original or a certified copy of the patent. But you can tell they are originals from the President of the United States.

D: Is there the actual signature of the President?

S: Sometimes it will be the President's signature and sometimes it will just be someone else who signs it.

D: If it's the President's signature that could become a valuable document.

S: Yes, if it's the original document.

D: I understand that some documents have the original signatures cut out because some people collect them and want the originals.

D: What is the origin of the word abstract?

S: That I don't know. It's called Abstract of Title.

D: What is the oldest one that you have researched?

S: We have done new ones, what we consider a new one is going back, like if a family has owned a property for many many years and need an abstract, we have gone back to the patent.

D: A few years ago there was a lot of oil and coal leasing in this area, and I think at that point there would not have been abstracts for oil or coal, do you research those?

S: We did a lot of those that was what I meant when I said the coal leases had to have a patent. So we had to order them for the coal companies.

D: Were you ever unable to find a history?

S: No, everything is in there; the tract records are very accurate.

D: Did the coal "folks" have a legal background?

S: I don't know if any of them were attorneys or not. But they were very thorough and they had a loan company.

D: Is that where Sylvia came in?

S: No, Sylvia came from Ritter Bader and Bader. And she was Ritter's daughter. She came and worked there and stayed until they retired or died, then she took it over completely.

D: So there was never any association with the loan company and the abstracting business?

S: There was between Cole and Cole. Because Cole and Cole did have a loan company. And if you look in some of these old abstracts you will see loans to Cole and Cole or to Frank Cole. But some of what they did is that when someone bought a piece of property the people would deed it to Cole & Cole and get their money from them, then when the loan was paid off they would deed it back. Well that was done so that they could make sure they got their money one way or another.

D: Could that create a legal issue?

S: Well it could create some problems somewhere, but I never really found that a problem with them deeding it back. The one thing that I did find is when they deeded the property back and anybody that is familiar with title work for coal and oil knows that they would retain the mineral rights and that is how they obtained all the mineral rights around the county.

D: Would the mortgages and loans ... I know one time I think it was early, they would get mortgages from individuals? Would that create some legal problems or title issues?

S: No, it was some usually legally. And most of the time if it wasn't family members there were releases done but we did have some problems with family not filing releases because they would pay them and just didn't think about needing to file a release for that mortgage that was filed.

D: If they paid it off, and someone had passed away where does that leave the owner?

S: What we have done before, most of the time they are older ones and that's what happened, we have affidavits made by the people that are the mortgagors that say the loans have been paid off. Of course they were usually older ones at the time.

D: Every period of say, a year, maybe, how many titles do you look up?

S: Well, I can't tell you, we've had up to 1500 orders in a year. We would start in a year with a numbering system to number each order.

D: That would indicate that there are that many properties changing hands...

S: Well, either that, or some of those a re-finance situations.

D: So is the business incorporated?

S: No

D: The business is owned by just you.

S: Yes

D: You said something about retiring, what kind of background would someone need to fit in to the business?

S: Well, in fact I have people interested now, but, a title company in Crawford County. There are a lot of people who say Oh, I want to buy this or I want to buy that, but there is just a lot involved that people don't realize. And some people, who do realize, don't want any part of it. So, there is just a lot of liability.

D: Does that require a special liability policy?

S: You have to get errors and omissions insurance.

D: With the name Cole and Cole, are there any of the Cole family still alive?

S: Yes, I think E Daily's daughter, Barbara maybe, is still alive.

D: There was a son named Sonny...

S: Right. I don't know if she ever passed away or not. I do know Barbara is still alive, but I am not sure about the other. Omer Shawler knows a lot about that because he has had to give us some deeds regarding them for the coal rights. But recently Cole and Cole was deeded to a bank and trust and if people wanted to buy back their oil interests they could do that.

D: Looking at that abstract laying on your desk, just out of curiosity, what year did that one begin?

S: This is part of the Original town of Marshall, dated October 17, 1835

D: There is a lot of interesting history when you start looking through them. Our house from the Dulaney Addition, there is a will in our abstract which I thought was quite unusual.

S: Even now when there is a will that passes the property, we have to show it in the abstract. We show the will with the entire estate included.

D: He had some things that he ordered in other places.

S: Sometimes you have personal property mentioned.

D: These records that you have there, I would think they are rather important and valuable; do you have fire-proof storage to keep them in?

S: We have two vaults in this building, one downstairs and one upstairs. I would not have bought this building if there hadn't been vault in it. Because the whole time when Clark County Title was upstairs, when I first bought it, we were upstairs above where the Marshall Township Office is, we had three huge safes that had the tract books in them. And then we had a couple other places that had stuff in it that we considered valuable.

D: With the fire that took place over in the Courthouse in 1900, I guess there were no records lost.

S: No, I don't think so, but most of the things that we find in our tract books are still over there. Well, like the plats, they are over there.

D: Could you get copies of those plats?

S: Yes

D: That is all typed, obviously at some point they started typing them, you said the original document was handwritten,

S: The original documents in the courthouse are handwritten.

D: So someone had to read that and transcribe it?

S: Yes, when you first start out, you think there is no way I can read this, but you eventually learn.

D: What determined the size of the abstracts?

S: I don't know, the first ones that Cole & Cole did were either 8 x 14 legal size or 8.5 x 11 regular size with maps in them, then they made them this size and had to fold the maps up to fit. Now when Harry Jones first started, from Clark County Title, he made the abstracts 8.5 x 11 but what he did was he took photos of all the documents and that's why he did that and folded those documents into the abstract, everything wasn't typed, some had to be handwritten.

D: Our house abstract is 8.5 x 11, but our others are (?).

S: Eventually what we did with the 8.5 x 11 (inaudible) when we would have to update them, we would make an extension of the smaller size. Most of the attorneys that examined the abstracts like these little ones, besides when we type them we pick out the important parts so that the attorneys didn't have to hunt for information when they examined the title.

D: Where was the first title company office?

S: It was over there where Dan Harper is now.

D: Did it move from there to the second floor of the...

S: Well no, it was Clark County Title, that's where he (Howard Young) was at the time, back in the early 1960's when he bought them out and they closed down Cole & Cole.

D: So really there have only been three offices in Marshall.

S: Well, after I bought it, and I can't remember when it was, I moved the office over to the KP building. We were there for several years. Then I bought the First Federal Bank building in 1994. But we didn't move over there for a couple years because we still had the office in the courthouse where the probation office is now.

D: Well, thank you so much Sue, I learned things I did not know. And a lot of the history is not only this business but (inaudible) Sounds like you will be here for at least a little while. What will you do when you retire?

S: Oh, babysit and work out in the yard.

D: You have a beautiful yard. Thank you again.