

1932-1937

FSTC: Scrapbook of Anne B. Call, including correspondence (1 of 3)

Fairhope

10517-a

16

LEASE

This Lease, MADE THIS _____ DAY OF _____, 19____, BY AND BETWEEN

FAIRHOPE SINGLE TAX CORPORATION, OF FAIRHOPE, BALDWIN COUNTY, ALABAMA, AND _____

OF _____, HEREINAFTER DESIGNATED AS THE LESSEE.

WITNESSETH: THAT THE SAID FAIRHOPE SINGLE TAX CORPORATION; FOR AND IN CONSIDERATION OF THE ANNUAL RENTALS AND COVENANTS HEREINAFTER MENTIONED, HAS THIS DAY LEASED TO AND SAID LESSEE TAKEN POSSESSION OF THE FOLLOWING DESCRIBED PORTION OF LAND TO WIT _____

SECTION _____, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA, FOR THE TERM OF NINETY-NINE YEARS FROM THIS DATE SUBJECT TO THE CONDITIONS HEREIN STATED AND THE REPRESENTATIONS AND AGREEMENTS OF THE LESSEE IN HIS APPLICATION FOR SAID LAND HERETO ATTACHED AND A PART OF THIS LEASE CONTRACT AS FULLY AS IF PRINTED HEREIN.

(1) The said lessee, his heirs, or successors, shall pay to the said Fairhope Single Tax Corporation, its successors or assigns, in equal payments, on the first days of January and July of each year, the annual rental value of said land, exclusive of his improvements thereon, to be determined by the said Corporation through its Executive Council or Board of Directors, under its avowed principle of so fixing the rentals of its lands as to equalize the varying advantage of location and natural qualities of different tracts and convert into the treasury of the Corporation for the common benefit of its lessees, all values attaching to such lands, exclusive of improvements thereon. And the said lessee, for himself and his heirs, hereby expressly agrees that the said annual rent shall be determined by the said Corporation upon the principle just stated, and shall be expended by said Corporation, subject to the conditions hereinafter stated.

(2) The land herein leased shall be used for such purposes only as may not be physically or morally offensive to a majority of the resident members of the Fairhope Single Tax Corporation, and the lessee shall be subject to such reasonable sanitary regulations as may be imposed by the Executive Council or Superintendent of Public Health of said Corporation.

(3) In consideration of the payment of the rents herein provided for, the Fairhope Single Tax Corporation agrees with the said lessee to pay all taxes levied by county and state upon the land herein described and on receipt of the County Treasurer's receipt for taxes paid by him upon the improvements and other personal property held upon such lands—moneys and credits excepted—to give him a certificate of equivalent amount, receivable from bearer at its face value on rent, or in the discharge of any indebtedness to the Corporation. Provided that said lessee will appoint whomsoever may be designated by the Corporation as his agent to return his property for taxation, where permitted by law so to do; and that in no event shall the Corporation be bound to pay taxes on any more than the fair valuation of the property, on the basis require by law.

(4) And the said Fairhope Single Tax Corporation further agrees in consideration of the covenants of the said lessee herewith evidenced, that no part of the rents paid by him upon the land herewith leased, shall be appropriated as dividends to its members or any other persons, but that all shall be administered as a trust fund for the equal benefit of those leasing its lands.

(5) And the said Corporation still further agrees, that in the distribution of the benefits which its purpose is to secure for residents upon its lands, no distinction shall be made between individuals, whether members of the corporation or not, but that with the exception of the right of members as participants in the government of the Corporation, all shall be treated with strict equality.

(6) It is agreed by the parties hereto, that time is of the essence of this contract. All rents not paid within ninety days of the time the same become due, shall be subject to a penalty of one per cent per month until paid; and the lessor shall have a prior lien on all improvements upon the land herein leased, to secure the payment of the rent and for the payment of all other indebtedness of any description whatsoever, by the lessee to the lessor. If the land leased be unimproved, or in the judgment of the Corporation the improvements thereon are not of sufficient value to secure the payment of the rent and cost of collecting same, then, in such event, all rights under this lease shall be subject to forfeiture without notice, after the rents shall have been due and unpaid for ninety days; and the improvements, if any, shall revert to the lessor. Upon failure to pay the rents, or any portion thereof, for six months after the same become due, the lessor is hereby authorized to sell at public sale the improvements on any leasehold, for satisfaction of the amount due, after first giving ten days' notice by one publication in some paper published at Fairhope, Alabama, the cost of such publication and the making of such sale to be paid with the rent out of the proceeds of such sale, and the remainder, if any, to be returned to the lessee or such other person as may be authorized to receive the same. The lessor, its agent or attorney, may conduct such sale; and the party so conducting the sale is authorized to make, in the name of the lessee, proper conveyance of the property so sold. The lessee hereby waives all right of exemption of any property as against the collection of any debt due under this contract. The sale of the improvements under legal process shall work a forfeiture of all rights under this lease.

(7) The Fairhope Single Tax Corporation agrees that in case of its dissolution, either by voluntary act of its members or otherwise, and the division of its assets among its members, the said lessee, if a member, shall be entitled to have the land herein described and leased—or so much of it as he may designate—included in his portion, at its actual value at the time, exclusive of improvements thereon, and if it exceed in value such portion, to purchase the excess at such valuation. If not a member, the lessee may at such time acquire title to the land herein leased by paying to the Corporation its actual value exclusive of improvements upon it.

(8) The Fairhope Single Tax Corporation believes its title to the land herein leased to be good, and will use every proper means in its power to maintain the same; but it is distinctly understood that the Corporation, acting only with the benevolent purpose to secure land and administer it for the benefit of those who may desire its use, shall not be held liable for any losses resulting from defects in its title.

(9) The right is reserved by the Fairhope Single Tax Corporation to resume possession of all or any portion of the land herein described, for public purposes only, on payment of the appraised value of the improvements thereon.

(10) Should it become necessary to determine the value of said land, or of the improvements thereon, in compliance with the provisions of clauses 3, 7, or 9, of this lease, the same shall be determined by three disinterested persons, to be selected as follows: the Corporation and the Lessee each choosing one of three persons named by the other and the third to be selected by the two. Should any Lessee fail to name his arbitrators within thirty days after written notice by registered mail to do so, the Corporation may name an arbitrator for him.

(11) This lease is assignable only to members of the Fairhope Single Tax Corporation, or to persons acceptable to it. The original lease must be returned to the Corporation with any proposed transfer endorsed thereon and, if approved, a new lease will be issued to the transferee.

(12) Surface rights only are hereby leased. All mineral rights are reserved by lessor.

IN WITNESS WHEREOF, THE PARTIES HEREUNTO HAVE SET THEIR HANDS IN DUPLICATE,

THIS _____ DAY OF _____ 19____

BY ORDER EX. COUNCIL _____ 19____ FAIRHOPE SINGLE TAX CORPORATION

By _____ President

Lessee Secretary

CONSTITUTION FAIRHOPE SINGLE TAX CORPORATION

1929

PREAMBLE.

Believing that the economic conditions under which we now live and labor are unnatural and unjust, in violation of natural rights, at war with the nobler impulses of humanity and opposed to its highest development; and believing that it is possible by intelligent association, under existing laws, to free ourselves from the greater part of the evils of which we complain, we, whose names are hereunto subscribed, do associate ourselves together and mutually pledge ourselves to the principles set forth in the following constitution.

ARTICLE I—NAME.

The name of this organization shall be FAIRHOPE SINGLE TAX CORPORATION.

ARTICLE II—PURPOSE.

Its purpose shall be to establish and conduct a model community or colony, free from all forms of private monopoly, and to secure to its members therein, equality of opportunity, the full reward of individual efforts, and the benefits of co-operation in matters of general concern.

ARTICLE III—MEMBERSHIP

Sec. 1. Any person over the age of eighteen years whose application shall be approved by the Executive Council and who shall contribute to the Corporation one hundred dollars, shall be a member of the Corporation; provided that on petition of ten per cent of the qualified membership filed with the secretary within thirty days after action on any application by the Executive Council, such application shall be submitted to a vote of that membership.

Sec. 2. The husband or wife of a member shall, upon signing the constitution, also be considered a member and entitled to vote in the government of the Corporation, while such relation exists in fact; but only while such member remains in good standing.

Sec. 3. Any member against whom complaint of violation of the spirit and purpose of the Corporation, or invasion of the rights of its members, is preferred in writing by ten per cent of the membership, may be expelled by the Executive Council, after full investigation of the charges preferred. Such investigation shall be public, and the accused shall be entitled to be represented by counsel.

Sec. 4. In case of the expulsion of a member the Corporation shall return to him in lawful money of the United States, the amount contributed by him to the Corporation.

Sec. 5. Certificates of membership shall be transferable only on the books of the Corporation, to persons acceptable as members.

ARTICLE IV—SUPREME AUTHORITY.

Sec. 1. Supreme authority shall be vested equally in the membership, to be exercised through the initiative and referendum as hereinafter provided.

Sec. 2. Each member not in arrears to the Corporation shall be entitled to one vote and one only, at all elections involving changes in this constitution; but on elections of officers and questions concerning local administration of affairs, only those shall be entitled to vote who are in person on the Corporation grounds on the day of election and who are not in arrears.

ARTICLE V—OFFICERS.

Sec. 1. The officers of the Corporation shall be: a president, a vice president, a secretary, a treasurer, who shall be superintendent of Finance and Insurance, three trustees, and a superintendent of each of the following departments, Lands and Highways, Public Service, Industries, and Public Health.

Sec. 2. The superintendents of the departments shall constitute the Executive Council of the Corporation.

Sec. 3. The president, vice president and secretary shall serve for terms of one year. The trustees shall serve for terms of three

provided for; and shall have general charge of the financial affairs of the Corporation, including the collection of revenues and department of insurance. He shall give good and sufficient bond for the faithful accounting of all monies coming into his hands.

Sec. 8. The trustees shall have general oversight of all affairs of the Corporation, shall have charge of all elections, canvass the votes cast and declare the result thereof, shall act as committee to audit all accounts and review all reports of officers and employees, and shall annually and at other times in their discretion, submit reports advising the members of the condition and needs of the Corporation's business in all departments. They shall have access to the books and accounts of all officers and employees at all times. They shall receive compensation only for time actively employed, and shall hold no other office, either by election or by appointment.

Sec. 9. The Superintendents of departments provided for in Sec. 2 of this article shall have special supervision of the affairs of the Corporation in their respective departments and may employ such assistance as they deem necessary. They shall present to the Executive Council annually, and at such other times as requested by it, reports of the condition of the Corporation's business in their departments, and suggest such changes therein as will in their judgment best promote the interests of the Corporation.

Sec. 10. The Executive Council shall have general charge of the administration of the affairs of the Corporation, and to that end may make such rules and regulations not inconsistent with its laws as they may deem necessary; may select and employ such agents and assistant not otherwise provided for as they may deem necessary to conduct the Corporation's business; shall fix the compensation of all officers and employees of the Corporation, which compensation shall not however, exceed the earnings of like ability and energy in productive industry within its limits; shall make an annual appraisal of the rental value of all land held for lease by the corporation; and shall perform all other duties necessary to the carrying out of the principles and purposes herein set forth.

ARTICLE VI—INITIATIVE AND REFERENDUM.

Sec. 1. Upon petition of ten per cent of the qualified membership any act of the Executive Council, legislative or administrative, or any measure proposed by the petitioners, shall be submitted to a vote of that membership at the time set in said petition; provided that where amendments to this constitution are proposed, thirty days' notice must be given, and on other matters at least twenty-four hours' notice.

Sec. 2. No measure of general legislation passed by the Executive Council shall be in force until thirty days have elapsed after its passage without the filing of a petition for its submission to the membership; provided, that nothing in this section shall be construed to prevent the immediate taking effect of any order of the Executive Council necessary to the execution of measures already in force.

Sec. 3. Upon petition of twenty per cent of the membership entitled to vote upon election of officers, the question of the dismissal of any officer, however elected, or appointed, must be submitted to a popular vote.

ARTICLE VII—ELECTIONS.

Sec. 1. The regular annual election shall be held on the first Thursday of February of each year.

Sec. 2. Special elections may be held at any time, at the discretion of the Executive Council, or on petition of ten per cent of the membership, provided, that the notice provided in Article VI be given.

Sec. 3. At all elections printed official ballots shall be prepared, under direction of the board of trustees, on which shall appear in full any measure to be voted upon and the names of all candidates who may be placed in nomination in the manner hereinafter provided.

Sec. 4. Nominations for office may be

made by petition of five per cent of the membership filed with the secretary ten days before the election.

Sec. 5. The name of any officer whose term of office expires at any election shall appear on the official ballot as a candidate for re-election unless he shall become disqualified to fill the position, or his declination in writing be filed with the secretary ten days before said election.

Sec. 6. All voting shall be by secret ballot.

Sec. 7. The affirmative votes of three-fourths of the members shall be necessary to amend or repeal any part of this constitution.

Sec. 8. In the election of officers or on the passage of any measure not conflicting with this constitution, the decision of a majority of those voting shall be final.

Sec. 9. Should no candidate for an office receive a majority of the votes cast at any election, the trustees shall order a second election to be held two weeks thereafter for such officer, but only the names of the three candidates receiving the highest number of votes shall appear on the official ballot at said second election. If at the second election no candidate receives a majority, a third election shall be held two weeks thereafter; but only the two names receiving the highest number of votes at said election shall appear on the official ballot.

years—one being elected each year. The superintendents of departments shall serve for terms of two years—the first named three being elected on the odd numbered years and the last named two on even numbered years.

Sec. 4. The president shall be the chief executive officer of the Corporation, shall preside over the meetings of the Executive Council and have the deciding vote in case of a tie. He shall countersign all warrants drawn upon the funds of the Corporation under authority of the Executive Council, and perform such other duties as may here-in or hereafter be provided.

Sec. 5. The vice president shall, in case of the death, absence or inability of the president, perform his duties.

Sec. 6. The secretary shall have charge of the records of the Corporation, act as clerk of the Executive Council, draw and attest all warrants upon the treasurer authorized by the Executive Council, have charge of the correspondence relating to membership, and prepare annually, and at other times when requested by the board of trustees, full statements of the condition of the Corporation in its various departments.

SEC. 7. The treasurer shall be the custodian of the funds of the Corporation, shall prepare and issue, under the direction of the Executive Council, the Corporation's non-interest-bearing obligations hereinafter

ARTICLE VIII—LAND.

Sec. 1. There shall be no individual ownership of land within the jurisdiction of the Corporation, but the Corporation shall hold as trustee for its entire membership, the title to all lands upon which its community shall be maintained.

Sec. 2. Its lands shall be equitably divided and leased to members at an annually appraised rental which shall equalize the varying advantages of location and natural qualities of different tracts and convert into the treasury of the Corporation for the common benefit of its members, all values attaching to such lands, not arising from the efforts and expenditures of the lessees.

Sec. 3. Land leases shall convey full and absolute right to the use and control of lands so leased and to the ownership and disposition of all improvements made or products produced thereon so long as the lessee shall pay the annually appraised rentals provided in the foregoing section, and may be terminated by the lessee after six months notice in writing to the Corporation and the payment of all rent due thereon.

Sec. 4. Leaseholds shall be assignable, but only to members of the Corporation. Such assignments must be filed for record in the office of the Secretary, and the person to whom the same is assigned thereby becomes the tenant of the Corporation.

Sec. 5. The Corporation shall have a prior lien on all property held by any lessee upon lands of the Corporation, for all arrearages of rent.

Sec. 6. If any lessee shall exact or attempt to exact from another a greater value for the use of land, exclusive of improvements, than the rent paid by him to the Corporation, the Executive Council shall immediately, upon proof of such fact, increase the rental charge against such land to the amount so charged or sought to be charged.

Sec. 7. Nothing shall be construed to invalidate the Corporation's right of eminent domain. In all leases of land the Corporation shall reserve the right to resume the possession of the same for public purposes, on payment of all damage sustained by the lessee thereby, to be determined by three appraisers, one to be chosen by the board of trustees, one by the lessee and the third by these two.

ARTICLE IX—FINANCIAL.

Sec. 1. To provide its members with a safe, adequate and independent medium for effecting exchanges of property and services, the Corporation may issue its non-interest-bearing obligations which shall be receivable by it at their face value in full payment of all its demands.

Sec. 2. These obligations may be issued for all expenses of the public service, but no more shall be issued for such public services during any year than the estimated

revenue available during said year for such purpose.

ARTICLE X—PUBLIC UTILITIES.

No private franchise for the supplying of its members with such public necessities as water, light, heat, power, transportation facilities, irrigating systems, etc., shall ever be granted by the Corporation, but it shall as soon as practicable, erect and maintain the necessary plants, and perform such services, converting all revenues therefrom into the general treasury of the Corporation.

ARTICLE XI—INSURANCE.

Recognizing insurance as a proper department of public business, the Corporation will provide for the insurance of its members and their property when desired at approximate cost of service.

ARTICLE XII—PARKS, LIBRARIES, ETC.

Ample provision shall be made in platting the lands of the corporation for land for parks and all other public purposes, and as rapidly as may be, lands thus intended shall be improved and beautified, and schools, libraries, public halls, natatoriums, etc., established and maintained at the expense of the Corporation for the free use and enjoyment of the members and their families.

ARTICLE XIII—NO TAXATION.

No taxes or charges of any kind other than heretofore provided for shall be levied by the corporation upon the property or persons of its members.

ARTICLE XIV—PAYMENT OF TAXES.

All taxes levied by the state, county or township on the property of the Corporation or any of its members, held within its jurisdiction, moneys and credits excepted, shall be paid out of the general fund of the Corporation.

ARTICLE XV—MAY DEAL WITH NON-MEMBERS.

Lands not desired for use by members may be leased to non-members, and any services which the Corporation may undertake to perform for its members may be performed also for non-members, at the discretion of the Executive Council, on such terms as it may provide.

ARTICLE XVI—INDIVIDUAL FREEDOM.

The natural rights of its members to absolute freedom in production, exchange, associations, beliefs, and worship, shall never be abrogated or impaired by the Corporation, and the only limit to the exercise of the will of individuals shall be the equal rights of all others.

ARTICLE XVII—NO INDEBTEDNESS.

No bonds or mortgages, or interest-bearing indebtedness of any kind shall ever be given or assumed by the Corporation.

Colony Council Proceedings

Jan. 18, 1932

Regular meeting with Mrs. Dyson, Mr. Patterson, Mr. Smith present, Connolly and Rockwell absent on account of illness; President Brown presiding. Minutes of regular meeting of January 4 and special meeting of January 11 read and approved.

Following bills allowed:

J. A. Patterson, lights and other expenses whf. maint. 5.00
Harry Parker, services 3.00
Marion Smith, serv. dept. lands and highways 3.30
R. L. Rockwell, tractor on country roads 6.50
Drawing of orders for wharf pay rolls, 1-9, and 1-16, approved, total 7.80

Moved and carried that President and Secretary issue an order for half of town taxes, as soon as treasury permits.

Surrender by Axil Johnson, of west 8 ft. of lot 11, and east 50 ft. of lot 12, blk. 4, div. 3, approved.

Request of Dyson and Company to withdraw surrender of west half of lot 2, blk. 7, div. 2, (six months not having expired,) and take instead east half of same lot, with privilege to increase same within a few days, on notice and amended application, granted.

Request of Dr. F. B. Moore to have payments made by him on curb and gutter in front of lot, blk. 9, div. 2, accepted in lieu of rent for six months from date of acceptance of his surrender of same, on motion accepted.

Treasurer authorized to settle with Colonial Inn, for rent and taxes on the basis of last year settlement only.

All action by unanimous vote.

Adjourned.

E. B. Gaston, Secretary

Annual Members Meeting Fairhope Single Tax Corp.

January 20, 1932

Annual pre-election meeting of members, called by Executive Council, held in Treasurer's office.

Following present: F. L. Brown, M. A. Bowen, Thos. P. Craig, Alice H. Christopher, Emma F. Connolly, E. Y. Cohen, Eloise L. Cross, L. J. N. Comings, Marm. Dyson, Marg. Dyson, R. Dyson, W. H. Edwards, E. B. Gaston, C. M. Gaston, J. E. Gaston, C. A. Gaston, Axil Johnson, A. H. Mershon, Almeda Mershon, A. J. Melville, R. F. Powell, Paul Nichols, Laura A. Powell, Jesse Stimpson, Marion Smith, Alice Smith, Mrs. D. K. Tone, M. V. Watros, E. C. Wolcott, Lenore Wolcott.

Treasurer's report read as follows:

Report by Secretary, read.

REPORT OF TREASURER FOR 1931

	Recd.	Paid
Land Rent	30,560.93	
Penalties	1,204.52	
Wharf	1,472.97	
Certificates	1,189.36	
Leases	45.00	
Grave Spaces	16.00	
Wood and timber	149.80	
Payment on imp.		
Blass place	50.00	
Rent Blass place	40.83	
Membership fee	100.00	
Transfer from		
wharf account	323.86	
Town of Fairhope		
for dirt	209.00	
Dividend on bond	9.58	
Norville house rent	39.50	
Chamber of Commerce		
donation for clearing beach	10.00	
Rent tract 39 - 40,		
Div. 4	5.00	
Yerion house rent ,	11.40	
Imp. Satsuma Park		
and Section 11	41.00	
Thos. P. Craig, donation		
for land fund	300.00	
Sundries	31.22	
Taxes for lessees	21,074.23	
Highways	336.85	
Wharf	1,807.80	
Work on flumes	83.56	
Treasurer's sundries	33.89	
Library	900.00	
Salaries	1,500.00	
Rent council room	180.84	
Reg. Courier adv.	150.00	
Clearing lots	14.50	
Moving and repairing		
Yerion and Rathje houses	410.51	
Water Rathje house	4.50	
Grass on parkway		
Fairhope Avenue	10.41	
Premium treas. bond	20.00	
Printing for former trustees	19.35	
Repair Larson house	5.38	
Repair Blass place	8.95	
Mowing lots and parks	54.90	
Secretary sundries	40.99	
Lumber for steps		
White Ave. wharf	21.85	
Bank of Fairhope	500.00	
Abstract work	3.00	
Secretary and H. H.		
Parker, land matters	4.50	
Legal services	50.00	
Work at cemetery	3.00	
Job work and adv.		
Courier	95.74	
Services of trustees at elections	16.50	
Adv. imp. for sale	11.10	
Auditing treas. books for 1930	15.00	
Redemption and taxes		
Mabee land	23.24	
Town, street improvement assessments	2,882.50	
Installing speaking tube	9.30	

Advertising for sale	1.40
Repairing type writer	8.50
Insurance Rathje house	13.04
Ed. J. Green for 10 acres	
Section 12	50.00
Repair bath house etc at beach	14.91
Recording deeds and filing	5.05
Surveying Magnolia Beach	40.80
Purchasing at tax sale	77.02
Surveying park land	24.30
Maps and filing corrected plats	12.68
State and County Corp. taxes	4,599.29
Sundries	10.80

\$35,809.97 \$35,150.18

Cash Dec. 31 1930 161.62

Cash Dec. 31, 1931 821.41

\$35,971.59 \$35,971.59

Respectfully submitted,

R. E. L. Connolly, Treas.

January 6, 1932

This is to certify that I have examined the accounts of the Treasurer of the Fairhope Single Tax Corporation, for the year 1931 and find them correct and with proper vouchers.

N. D. Burnham, Auditor.

Moved and carried that reports be received and placed on file.

Secretary presented following resolution regarding wharf operation and moved its adoption; motion seconded, discussed, and carried.

WHEREAS, the wharf has been operated at a loss for the last two years,

and it is very necessary that the Corporation should be relieved of this expense and the liability of suits for damages sustained on the wharf and it is proposed by the Fairhope Transportation and Excursion Company, whose operation is contingent on a wharf to land its boat at, to take over the expense and liability on account of the use of the wharf and operate it in connection with its boat service at its expense,

RESOLVED, that the officers of the Corporation be authorized to enter into such an agreement with the F. T. & E. Co., without consideration, other than continuance of boat service to and from the wharf and assumption of expense and liability on account of the wharf, provided that the attorney of the Corporation, decides that such would be effective to relieve the Single Tax Corporation of responsibility for damages; and further that the control of the wharf by the F. T. & E. Co., shall extend only to its use for handling passengers and freight and that charges shall not be greater than now charged; and provided further that if the Town of Fairhope should accept a proffer of the Corporation for the wharf this agreement should

cease and determine whenever the Town was ready to take possession.

Mrs. Comings addressed the meeting with regard to Library, reading a statement and commenting on same.

Dr. Gaston discussed Library matter and thought the Corporation had not made the use of Library that it should have, should keep it fully supplied with Single Tax and Colony literature for the benefit of inquirers.

Moved and carried that Library report be received and filed.

Secretary read a statement discussing the question whether or not the Corporation had tried to do more than was practicable in applying the Single Tax principle under existing laws, which was its problem.

It was moved and carried that another effort be made to pass the so-called "gateway amendment," to make it less difficult to amend the constitution, and the president appointed the trustees a committee to take the initiative in securing the submission of such an amendment.

All matters presented discussed by various members.

Moved and carried to adjourn.

E. B. Gaston, Secretary

Colony Council Proceedings

Feb. 1, 1932

Council met in regular session with Mrs. Dyson, Mr. Patterson, Marion Smith present, President Brown presiding.

Minutes read and approved of regular meeting of January 18, 1932.

Following bills allowed:

J. A. Patterson, whf. sund.	1.85
E. B. Gaston, Sec. sund.	7.70
Bunyan Horton, plowing lots	
in blk. 22, div. 2	1.25
Fairhope Courier, job prtg.	4.40
Marion Smith, serv. dept.	
lands and highways	6.70
Pay-rolls of wharf work Jan.	
23, and 30th allowed	8.40

Treasurer's report for January read as follows:

TREASURER'S REPORT

	Recd.	Paid
Rents	3,867.35	
Penalty	66.87	
Wharf	70.21	
Certificates	786.63	
Rent Yerion house	10.65	
Rent Norville house	3.00	
Leases	3.00	
Timber	2.00	
Mitchell contract	8.25	
Taxes for lessees		4,073.94
Highways		31.53
Wharf		106.41
Salaries		125.00
Library		75.00
Rent Council Room		14.00
Cleaning lots		10.65

F. L. Brown, expense.

to Bay Minette 7.00

One half Town taxes 1931 917.53

Cash Dec. 31 \$4,817.96 \$5,361.06
Cash Jan. 31 821.41 278.31

\$5,639.37 \$5,639.37

Respectfully submitted,

R. E. L. Connolly, Treas.,
by N. D. Burnham

Moved and carried that president and secretary be authorized on their judgment to have lots in town plowed for protection against damage by fire.

Dr. C. A. Gaston reported for trustees form of "gateway amendment" approved by them as follows:

"Amend section 7 of Article VII, by adding to the same the following:

"Provided that notice of every such election shall be sent by registered mail with return card, to each non-resident member at his last given address and if the postoffice reports inability to deliver mail to any such member or no ballot shall be received from him at said election, he shall not be counted as a member in determining the result thereof."

Same on motion approved, trustees to work out details of submission of same.

Supt. Lands and highways recommended charge of \$15 for crop season, 1932, for acreage on former Galbraith holding; if barn wanted \$5 additional and for berries \$2, which was approved.

Secretary reported on hearing by Public Service Commission Jan. 22nd, on wharf discontinuance petition, and agreement of officers to suggestion of Chamber of Commerce that date of discontinuance if agreed to by Commission, be as of April 1, 1932.

Communication from Fairhope Chamber of Commerce requesting a tender of the wharf property to the Town of Fairhope, was read; also a suggested form of conveyance drawn by Secretary, if it was desired to convey, but no action taken.

Transfer from Estate of George F. Riel to Ferris P. Forster, of east 84½ ft. lot 4 and west 18¼ ft. of lot 5, blk. 4, Div. 1, was approved.

Surrender A. B. Martins Sons, by W. B. Martin, of west half lot 8 and lots 9 and 10, blk. 1, Div. 2, accepted, payment made on curb and gutter to be accepted in lieu of six months rent.

Supt. lands and highways reported, land taken from Mrs. Steele holding for park purposes, as 2.7-59 acres.

All action by unanimous vote.
Adjourned.

Colony Council Proceedings

Special meeting, Feb. 10, 1932.

All members present but Mr. Connolly.

Following bills allowed:

Gus Gates, cleaning up various lots	5.45
Anton Aranza, work on country roads	1.70
Marion Smith, serv. dept. lands and highways	2.75
R. T. Prince, work on vacant lots	2.35
F. L. Brown, services dept. lands and highways	2.50

Petition presented signed by 53 members, asking for the calling of a special election on May 5, 1932 and the submission thereof of an amendment to the constitution as follows:

Amend Sec. 7, Art. VII, by adding to the same the following:

"Provided that notice of every such election shall be sent by registered mail with return card, to each non-resident member at his last given place of address and if the post office reports inability to deliver mail to any such member and no ballot shall be received from him for said election, he shall not be counted in determining the result thereof."

Moved and carried that election be called as petitioned for, and trustees prepare and send to members such statements as they deem proper regarding same.

Communication from Fairhope Chamber of Commerce read, requesting Council to tender its wharf with adjacent land, to the Town of Fairhope for ownership and operation by the municipality.

Moved and carried that a tender of wharf property be made to town, inclusive of land, warehouses and bath-houses, but leaving settlement of matter of Woman's Council refreshment building connected with the wharf to agreement between Town and Woman's Council and it be suggested to Town Council that it appoint a committee to confer with Corporation Executive Council as to exact terms of conveyance.

The surrender by Biron C. Anderson for the purpose of an alley, of a strip 20 feet in width across west 70 ft. of, lot 1, blk. 7, div. 1, the south line of which shall be 125 ft. north of Fairhope Avenue (rent to cease with acceptance, being more in the interest of Corporation rather than lessee) was accepted, and it was moved and carried to extend such alley to the east across lots 1 and 2, blk. 7, div. 1.

Moved and carried that fence of Mrs. Randolph left on land surrendered be rebuilt on east line of her present holding at least expense.

Feb 10 - 1932

A form of letter to delinquent lessees suggested by trustees, was approved, as many as needed to be printed in proper form.

All action by unanimous vote.
Adjourned.

Colony Council Proceedings

Special meeting, Feb. 11, 1932

All members present but Mr. Connolly.

Motion made and carried as follows:

That a ten foot alley from Fairhope Ave., to the rear of the postoffice and adjacent lots be provided by taking the ground necessary for the purpose, the east line of the same to be the west side of foundation of postoffice building as now laid, to be accurately determined as to lot lines by Engineer Parker and properties benefited to be charged rental accordingly under the Somers System.

Vote unanimous.
Adjourned.

February 15, 1932

Council met in regular session, with all members present, but Mr. Connolly, President Brown presiding.

Minutes read and approved of regular meeting of Feb. 1, and special meetings of Feb. 10 and 11.

Following bills allowed:

J. A. Paterson, whf. light, Jan.	2.85
E. C. Wolcott, cleaning and hauling brick for Rathje house	3.00
Marion Smith, country road work	3.45
R. L. Rockwell, tractor on country road work	18.75
H. H. Parker, measuring for location alley in block 7, div. 1.	1.00
Supt. lands and highways, approved on further information items in bill of road work of Chas. Lowell, not allowed 12-23-31 and same was allowed	7.50
Drawing of orders for pay-rolls wharf rep. work 2-6 and 2-13 approved, total	10.20
Report of acting trustees D. K. Bancroft, C. A. Darrow, M. V. Watros on election of Feb. 4, read, showing results as follows: for president, F. L. Brown 25; vice pres. E. C. Wolcott 26; secretary, E. B. Gaston, 24; Supt. Industries, R. L. Rockwell 27; supt. pub. health, Margaret Dyson 27; trustee, M. A. Bowen 24. All elected.	

Harry Parker reported measurement from west side of lot 2, blk. 7, div. 1 to foundation of postoffice building under construction as 1 ft. 11 in. east of center of lot, leaving 50 ft. and 4 in. in said lot to east of same.

Surrender by Dyson and Company of the west 1 ft. 11 in. of east half of lot 2, blk. 7, div. 1, accepted.

Application of Eloise L. Cross, for west 52 ft. lot 11, blk. 9, div. 1, accepted.

Application of Anna Randolph, for west 3 1/2 ft. of east 83 1/2 ft. of lot 5, blk. 8, div. 1, accepted.

Application of Bert Twitchell for nw. 1/4 of ne. 1/4 of NW. 1/4 of sec. 27, accepted, subject to agreement to pay for fence, stumpage, and clearing \$51, it being understood that he is to build at once on same and protect bldg. from liens against same.

Moved and carried that Ralph Keller be given lease for season for gardening purposes of lots 11 and 12, blk. 32, (forfeited for non-payment of rent) for \$5.

Request of Wm. Stanley for season lease of approx. 1 1/2 acres, cleared and fenced in w. 1/2 ne. 1/4 SW. 1/4 Sec. 15, referred to Supt. lands and highways.

Messrs J. E. Gaston and Elof Tuveson, of committee from Town Council on wharf matter appeared before Council.

Moved and carried that president, secretary and M. Dyson be a committee to confer with town committee and as soon as terms are agreed upon committees to report to their respective bodies.

All action by unanimous vote.
Adjourned.

MARCH 17, 1932

Town Attorney Will Join in Parks Suit

As reported in Council proceedings on another page, the Town Council at its meeting last Friday night, instructed the Town's attorney, Mr. E. G. Rickarby to look after the interest of the Town and individual officers cited, in the case brought by Messrs. Schalkenbach, Cohen and Call, in an effort to annul the action by which the parks were conveyed by the Single Tax Corporation to the Town. Mr. Rickarby was present and readily accepted the commission. His remarks evidenced strong opinion that the effort would fail.

Town Council Proceedings

The regular meeting of the Council of Town of Fairhope was held Friday, March 11, 1932. Mayor Northrop and Councilmen DuBrock, Gaston, Gregg, Ruge and Tuveson were present.

Motion was made by Councilman DuBrock and seconded by Councilman Tuveson that, the Town Attorney be instructed to appear in the case filed by A. E. Schalkenbach, E. Yancey Cohen, and W. R. F. Call against the Fairhope Single Tax Corporation and the Town of Fairhope, and look after the Town's interest in said litigations as far as same does not require any aggressive litigation. Motion carried.

PAPERS FILED IN SUIT TO ANNUL DEED OF PARKS TO TOWN

Papers have been served on the Fairhope Single Tax Corporation and the Town of Fairhope, the Mayor and each of the town councilmen being served in a suit brought by A. E. Schalkenbach, E. Yancey Cohen and W. R. F. Call, in Equity before Judge Francis Hare, judge of the Circuit Court, of Baldwin County, involving the transfer of certain land by the Colony Corporation to the Town, as park lands.

The complaint alleges that it was not within the Constitutional power of the officers of the corporation to make such conveyance and asks that it be declared null and void, and that the "Town of Fairhope, the Town Council of Fairhope, and M. F. Northrop, as Mayor, and Norvin DuBrock, J. E. Gaston, R. P. Gregg, Howard Ruge, and Elof M. Tuveson, as members of the Town Council of Fairhope," be ordered and directed to surrender

for cancellation the deed above mentioned, purporting to convey said parks and lands to the Town of Fairhope.

The question at issue involves a difference in interpretation by member groups and their attorneys, of provisions of the constitution as to administration and the Single Tax principle is in nowise involved.

The officers and majority of resident members participating in or approving the action taken acted on the advice of the Corporation's attorney throughout its existence and are confident they were properly advised.

From the standpoint of having legal title to and right of use of the parks the suit is of great importance to residents and property owners or the Town not colony lessees, and their interest should be and no doubt will be protected by the Town.

Colony Council Proceedings

March 7, 1932

Regular meeting, All members present but Mr. Connolly. Minutes read and approved of last meeting, Feb. 15. Treasurer's report for February presented as follows:

TREASURER'S REPORT FOR FEB.

	Recd.	Paid
Rent	3,227.26	
Penalty	219.98	
Wharf	168.54	
Certificates	149.24	
Yerion House rent	7.80	
Pecan's Satsuma Park		
per Marion Smith	7.68	
Mitchell contract	5.82	
Timber	2.00	
Leases	2.00	
Taxes		2,622.54
Highway		19.40
Wharf		171.20
Salaries		125.00
Library		75.00
Secretary's Sund. and postage		9.64
Rent Council room		12.00
Reg. Courier Ad.		12.50
Cleaning lots		7.80
Job printing		4.40
Surveying		4.00
Miscellaneous		1.50

\$3,790.32 \$3,064.98

Cash Jan. 31 278.31

Cash Feb. 29 1,003.65

\$4,068.63 \$4,068.63

Respectfully submitted,

R. E. L. Connolly, Treas.

by N. D. Burnham

Following bills allowed:

C. A. Darrow, serv. trustee at election, Feb. 4,	1.50
N. D. Burnham, serv. auditing treas. books, computing rents, making income tax report etc.	37.50
E. C. Wolcott, mat. and serv. on fence on Corp.-Randolph line	3.12
Wm. Horton, cleaning lots	6.00
E. B. Gaston, postage and sec. sundries	11.68
Fairhope Courier, job work and advertisement	6.72
R. L. Rockwell, tractor, dragging roads in country	11.56
Marion Smith, serv. dept. lands and highways	4.05
Tax Coll. Yerion and Boroski taxes	15.90

Transfer Willis J. Wells to wife, Kate P. Wells, of lot one, blk. 19, div. 2, approved.

Surrender Sybilla R. C. Astrella, of lot 2, blk. 21, div. 4, accepted.

Application Ellious Plessala for se. ¼ of se. ¼ of SW ¼ of Sec. 11, accepted.

Application Wm. Horton for east half of west half of se. ¼ of SE ¼ of Sec. two, accepted.

Surrender by George C. Selden of lots 21 and 23 Satsuma Park, (part of east half SE. ¼ of Sec. 10) accepted.

Application of Jesse Stimpson for season lease of 3.4 acres, of former Galbraith tract, on same terms as last year, accepted, Corp. to furnish posts for repair fence, he to do work.

Sec. reported contract signed with Bert Twitchell according to action of last meeting.

Also reported notice received of payment in full by Wm. Ruffles, to M. Dyson, for property contract for purchasing which was approved July 7, 1931, and lease issued as by same provided.

Recommendation of President and Secretary regarding extension of time for rent payment of John I. Gabei, (inclusive of his surrender of se. ¼ of nw. ¼ of NE. ¼ of Sec. 14) approved.

Proposition of Hugh Lowell for season lease of lot 3, blk. 31, div. 2, was accepted.

Proposition of Marion Smith to purchase improvements on certain lots in Satsuma Park, surrendered or forfeited, and take lease of same accepted, being lots 1, 3, 5, 14, 16, 21, 23, 25, 32, 34, 36.

Matter of claim of Mrs. K. B. Steele for land included in conveyance to

town for park, referred to committee to be appointed by President, he to be one.

Secretary read terms of conveyance of wharf to the Town as agreed upon by joint committee of Town and Colony and it was moved and carried that attorney be asked to draw deed accordingly so that same may be definitely before the Council with view to making a formal tender to the Town.

Moved and carried that Supt. Lands and Highways, be authorized to dispose of fence on land surrendered by Habek, in Sec. 2.

All action by unanimous vote.

Adjourned.

March 18, 1932

Special meeting to consider matter of street improvement project; matter of parks in connection therewith; tender of wharf to town, etc.

All members of council present, but Mr. Connolly; also trustees M. A. Bowen and C. A. Gaston, and members of Corp., A. O. Berglin, M. Dyson and R. F. Powell; also Mayor Northrop and J. E. Gaston, as committee from the Town Council.

After extended discussion the adoption of the following resolutions was moved and seconded:

"Whereas, the Mayor and Council of the Town of Fairhope, after months ago testing the sentiment of the property owners to be affected and finding a majority in favor, and having advertised for bids for its program of street improvement and accepted the lowest bid (subject to working order of its engineer,) did nevertheless, on account of changed financial conditions, make another test of the sentiment of those to be financially affected, by a canvasser instructed not to argue but simply to request expression by yes or no to the question whether they wanted the work proceeded with and would be ready to pay the amount expected of them within thirty days of the completion of the work, and a substantial majority again replied "yes" therefore,

"RESOLVED, That the Executive Council, in view of the great need for the proposed improvement and the consideration shown the Single Tax Corporation and its lessees and others of the Town, will not oppose proceeding with the work under contract and,

"RESOLVED, further, That as the Town, notwithstanding the suit begun by certain members of the Single Tax Corporation to annul the action by which the park lands were deeded to the town on Sept. 29, 1931., proposes to go ahead and assume the cost of the street improvement in front of lands conveyed as parks, this corporation will recognize its obligation to refund sums so advanced and assume further payments on such account if the conveyance of the park lands is held by the court to be null and void. Vote thereon unanimous, except for nay vote of Mr. Patterson.

"The matter of conveyance of the wharf property to the Town for administration as a public utility was considered, form of deed of conveyance prepared by corporation attorney James H. Webb being read.

It was moved and seconded that the officers be directed to execute deed as presented and make formal tender of same to the Town of Fairhope, which motion was carried unanimously.

Moved and carried that the officers be authorized to waive claim as landlord to crop lien against any lessees, securing loans from the Secretary of Agriculture for crop production, under Act of Congress, adopted Jan. 22, 1932.

Moved and carried that president be authorized and directed to employ James H. Webb, of Mobile, as chief counsel for corporation in the suit filed by Messrs Schalkenbach, Cohen and Call, affecting validity of conveyance of park lands.

All action by unanimous vote, except as appears.
Adjourned.

Colony Council Proceedings

March 21, 1932

Regular meeting. All members of Council present, but Mr. Connolly. President Brown presiding.

Minutes last meeting, March 7, and special meeting of March 18 read and approved.

On reading of minutes Mr. Patterson said he desired the record to show that his reason for voting "No" March 18, on the motion relative to the proposed program of street improvement, was that he feared the Corporation might be embarrassed financially by the cost of same.

Bill of W. P. Horton for work on various lots was allowed 3.75

Bill of J. A. Patterson, sund. wharf exp. allowed 3.69

Drawing of orders for pay-rolls of work on wharf maintainance, weeks ending February 20 and 27, March 5, 12, and 17, total 31.30 was approved.

A communication presented from Mrs. Call criticising failure to report in minutes of last meeting request of Woman's Council regarding Woman's Council building, or the courtesy of a reply.

Moved and carried that minutes show receipt of communication of March 2nd, requesting turning over to Woman's Council of Corp., interest in Woman's Council building and that Council does not deem it advisable to agree to request.

Application from Sim Andrews for gas engine at Ring Farm read; but not allowed.

Transfer Mary C. and Henry J. F. Rathje to Liu P. Marshall, of lot cor. Bancroft and Equality streets, 132 ft., on Bancroft by 73 ft. on Equality st., approved.

Contract between M. F. Holden and Mrs. M. E. Schell for sale by former and purchase by latter of improvements on and leasehold interest in lot 9, blk. 8, div. 2, and authorizing transfer of lot to Mrs. Schell to be made on proof of compliance with terms of contract, was approved.

Adjourned.

Colony Council Proceedings

April 4, 1932

Colony Council met in regular session with all members present but Mr. Connolly.

Minutes read and approved of meeting of March 21st.

Following bills allowed:

J. A. Patterson sunds. whf. exp. 3.83
Marion Smith, Serv. lands and highway department 4.80

Drawing of pay-rolls for wharf rep. work wages 3-26 and 4-2 approved 10.20

Treasurer's report for March presented as follows:

TREASURER'S REPORT

	Recd.	Paid
Rents	\$5,508.02	
Penalty	299.28	
Wharf	54.35	
Certificates	272.51	
Town of Fairhope for dirt	99.40	
Stumpage	1.00	
Grave Space	55.00	
Norville House rent	6.00	
Yerion house rent	3.00	
Taxes		4,463.93
Balance Town taxes		901.47
Highways		40.31
Wharf		112.29
Salaries		125.00
Library		25.00
Yerion House town taxes		10.85
Larson house town taxes		5.21
Rent treas. office		12.00
Secretary's sundries		11.68
Job printing		5.00
Adv Ring Farm sale		1.72
Salary trustee at election		1.50
Auditing Treas. books and figuring rent		37.50
Bldg. fence and cleaning bricks Rathje House		6.12

Cash Feb. 29 1,003.65

Cash March 31 1,544.63

R. E. L. Connolly, Treas.
by N. D. Burnham

Surrender by T. H. Bowen of east 20 ft., of tract "A" on Beach accepted, subject to usual rule.

Proposed surrender by L. Hampshire for Est. F. Hemley of lot 8 and for self of no. 132 ft., of lots 9 and 10, blk. 14, Div. 2., referred to a committee to be appointed by the president.

Application of Marion Smith for lots in "Satsuma Park" E ½ of NE. ¼ of Sec. 10, revised as passed on March 7, 1932 to include lot 17 in lieu of 21 and 35 in lieu of 25 accepted as revised.

Application Clayton R. Stanley for 1½ acres in ne. ¼ of SW. ¼ of Sec. 15, as described by metes and bounds in his application for same, accepted.

Application Alice H. Christopher for 8.87 acres in sw. cor. of nw ¼ of SW. ¼ of Sec. 16, for a "bird sanctuary in memory of her husband, Jos. Christopher," was accepted, under usual rules.

Application for membership of Delia K. Bancroft, with delivery of certificate of her late husband, George M. Bancroft, she being sole heir under his will, was accepted.

Secretary reported agreement of committees for Town and Colony council and of Woman's Council to a change in form of conveyance of wharf property to town to provide that the Woman's Council might continue in possession of the Woman's Council building with its connection with the wharf, without charge until its interest in the building was acquired by the Town.

It was moved and carried that same be approved.

Proposed agreement of committee on adjustment of delinquent rents, appointed Dec. 1, 1931, with Gordon Lowell, involving also an exchange of leasehold by Lowells and Mrs. Ethelle Olmstead, was read and on motion approved.

A communication from Aksel G. S. Josephson was read, proposing to give the larger part of his personal library to the Fairhope Public Library on condition the library be conveyed to the Town of Fairhope.

It was moved and carried that Council appreciates and thanks Mr. Josephson for his generous offer but does not deem it advisable to take the action suggested at the present time.

Moved and carried that penalty charged Mrs. A. B. Call on account of delay in rent payment, because of delay in making certificates available to Colonial Inn be remitted.

Communication from Charles R. Eckert, certifying to loss of certificate in the Fairhope Industrial Association No. 55, for return of which he was entitled to have a certificate of the Fairhope Single Tax Corporation, was accepted in lieu of return of such certificate, and delivery to him of certificate of the present Corporation, No. 62, drawn Dec. 30 1905 authorized.

All action by unanimous vote.
Adjourned.

Fairhope, Ala.,

March 2, 1932.

Executive Council,
Fairhope Single Tax Corporation.

Gentlemen:

Upon the conclusion of the World War the Womens Council of Defense merged into a civic club with the object of local civic work and with the help of the Single Tax Corporation built the little building now known as the Womens Council Building.

During the past twelve years we have devoted our profits from its operation to public work, support of the Library, Cemetery etc. All of which enterprises belonged to the Corporation. We have kept the building insured and have paid most of the expense of repair. We have spent several hundred dollars more from our earnings for the maintenance of these Corporation enterprises than the amount which the Corporation has invested in the building and have donated much time and labor to the care of the Cemetery.

We therefore ask the Corporation, in consideration of the work and expense we have given to these Colony properties and our willingness to continue the care of the Cemetery as long as we have the funds to do so, to give their half of the Womens Council Building to the Womens Council in recognition of its work and allow them to continue its operation, making any arrangements with the town that might become necessary.

Sincerely,

Margaret Dysen
Dale R. Balfour
Wm. B. Ball

Colony Council Meeting

Special meeting of Executive Council.

All members present but Marion Smith. President Brown presiding. Reading of minutes waived.

It was moved and carried that, when furnished by Jesse Smith, tax collector, of a promised list of lessees of corporation delinquent on state and county taxes, Secretary prepare a form letter and send such lessee by first-class mail a notice of his delinquency, urging payment of such taxes before the date of sale of improvements for the same.

All action by unanimous vote.

Adjourned.

The following resolution adopted:

Whereas, at the last two annual meetings expression has been made by the members favorable to the turning over of the wharf property to the town, if the same would be accepted by it, and the same has been under consideration by the Ex. Council and the Town Council, and agreement has been made upon the form of a conveyance and the same was formally presented to the town council at its last meeting, Friday night, April 8; but it is desired by the executive council to be sure that its action is approved by a majority of members entitled to vote upon the same, be it

Resolved that a special election be called for April 20, 1932, between the hours of one and six P. M., in the treasurer's office, for voting upon the following question:

"Shall the action of the Executive Council in making a conveyance of the wharf property to the Town of Fairhope be approved?"

Adopted.

Colony Council Proceedings

Special Meeting April 9, 1932.

(Omitted by error from minutes as published in Courier of April 14.)

Transfer by estate of Dewey Wheeler and all persons at interest, to Adair Worth McCue and Miss Otie Roes of east half of lot 6 and west half of lot 7, blk. 1, div. 3, approved.

Special Meeting April 16, 1932.

All members present but Marion Smith.

Purpose to consider request of Bank of Fairhope, to approve assignment of leases as collateral security for loans to the Bank or assignment of same to Federal Refinancing Corporation, if it seemed advisable to do so.

Moved and carried as follows:

That supplemental to rule adopted April 18, 1927, relative to assent of the Corporation to mortgaging improvements and leasehold interest in land of this Corporation, designed to be used for long time mortgages, like those of building and loan associations, which rule required each such mortgage to be submitted to the Council for approval; the secretary be authorized to give approval by Corporation of assignments of improved leaseholds as collateral security for short time loans by Bank of Fairhope, and any reassignment or extension of same, attaching to Corporation's copy of assigned leases, copy of notice of such assignments by the Bank, and Corporation will approve no transfer of any such assigned leasehold until approval of same is given by such bank, or its assignee; and will guarantee in case of foreclosure issuance to the Bank or its assignee of a new lease to such land, upon the filing of the customary application therefor; provided that nothing herein shall be construed as waiving the prior lien of the Corporation upon improvements on leaseholds for collection of rent.

Moved and carried that offer of C. J. Larsen to rent for balance of year the lot on which former Stuersel shoe shop stood, be accepted, provided rent shall begin the first of May.

Votes unanimous.

Adjourned.

Don't forget Friday the 13th is the date for the card party the Business and Professional Women are giving for the benefit of the School of Organic Education at the Fairhope Hotel

Mr. G. W. Morgan returned home Monday evening after a ten day absence, during which he motored to Westfield, N. Y., with Mr. and Mrs. George Skinner, and returned via La Grange, Ill., where he visited his mother. He reported snow ankle deep in Ohio, and was glad to return to Fairhope climate.

Mr. and Mrs. Frank Nottelmann had the pleasure of a visit last Saturday from their old Illinois friends, Mr. and Mrs. John Zimmer, who stopped to see them on their way back from a trip into Florida, as far south as Miami, to their home at Monmouth, Ill., where Mr. Zimmer is cashier of the National Bank of that place.

Members of the Wednesday Bridge Club enjoyed a very pleasant afternoon as the guests of Mrs. R. Roy Moyers' who invited Mrs. E. C. Slye to substitute, Mrs. Guernsey Clarke and Mrs. Thos. Yeend were the prize winners for the afternoon play, a tempting salad course was enjoyed at the tea hour.

Mrs. Elof Tuveson entertained the "No Trump 12 Club" at her home on Friday afternoon and invited Mrs. R. Faulkenberry, Mrs. Anna May Winberg and Mrs. Jim Bailey to substitute. Mrs. Faulkenberry was awarded the prize for high score and Mrs. T. J. Klumpp got the consolation. At the conclusion of the games lemon pie and coffee were served.

Fairhope friends of Mrs. Mary E. Brown will be interested in the celebration of her 88th birthday, which occurred on April 4th at her old home in Cedar Rapids, Iowa, where she has been for several months visiting relatives. Eight guests shared the pleasure of the occasion with her at the six o'clock dinner party. An evening of songs and stories climaxed the happy event.

Miss Eleanor Frances Keeney, student at Montevallo, accompanied by Mrs. McCoy, Dean of Woman's College, Montevallo, motored to Huntsville, Alabama, Saturday where she played violin numbers before the Alabama Federation of Music Clubs at their

March 31, 1932.

Executive Council,
Fairhope Single Tax Corporation

Gentlemen:

Upon the suggestion of our Secretary the Womens Council made a formal request of your body, asking that the building known as the Womens Council building should become entirely the property of the Womens Council in consideration of the fact that said council has expended much more upon corporation enterprises than the amount advanced to it by the Corporation and is willing to continue the work. I see no mention of the request in the minutes of last meeting and feel that a formal request should at least be noted in the minutes. We also feel to the courtesy of a reply is due the Womens Council, the members of which have worked for many years to care for and conserve Corporation property.

Sincerely,

Annie Bloal

Colony Council Proceedings

April 18, 1932

Council met in regular session, with Mrs. Dyson and Messrs Connolly and Smith present, President Brown presiding.

Minutes read and approved of regular meeting of April 4th and special meetings of April 9 and 16.

Following bills allowed:

John Gabel, for road work, (to be paid M. Smith by order Gabel)	2.00
Marion Smith, serv. dept. lands and highways	2.00
Bunyan Horton, plowing sund. lots in town, (to be applied on rent)	7.81
F. L. Brown, serv. rep. roof etc. Ring Farm	3.75
Jettie R. Horton, work on roof Ring Farm, (advanced by Sec.)	.75
E. B. Gaston, sund items Sec. exp.	4.05
R. E. L. Connolly, postage, etc., for Treas. Oct. 6-31 to 4-6-32	8.64

On account of his health, the treasurer requested the appointment of another on the committee on rent collections, suggesting M. Dyson who was appointed by the president.

Communication from Axil G. S. Josephson read stating that he had executed a deed of trust, creating the Lucia Josephson Collection in the Fairhope Public Library, leaving untouched the question of transferring the Library to the Town of Fairhope, but adding:

"I hope I may have given new impetus to the idea of such transfer and that it might be accomplished on conditions that secure not only the permanency of the Library, but its adequate support by the Town authorities and the continuance of the liberal administration that has been a unique characteristic of the Library under the ownership of the Single Tax Corporation."

Transfer J. H. McKay to M. J. Jansen of ne. ¼ of se. ¼ of SE. ¼ of Sec. 2, was approved subject to usual rule.

On motion resolutions on the loss by death of four members recently, Mrs. A. E. Schalkenbach, George M. Bancroft, C. L. Coleman and Mrs. Hetty B. Wilmans, were approved and the secretary instructed to furnish a copy to each of the immediate families of deceased.

All action by unanimous vote.

Adjourned.

April 19, 1932

Special meeting, with following present: Mrs. Dyson, Mr. Connolly, Mr. Patterson, Mr. Smith, president presiding.

Purpose to consider further the matter of assignments of improved leaseholds by Bank of Fairhope to Re-

FAIRHOPE SINGLE TAX CORPORATION

ADMINISTERING

Fairhope Single Tax Colony

ESTABLISHED 1895

FAIRHOPE, ALABAMA

March 23, 1932.

Mrs. Anne B. Call,
City.

Dear Mrs. Call:-

You are hereby advised that at the regular Council meeting March 21st, your communication of same date, relative to communication of March 2nd signed by yourself, Mrs. Dyson and Mrs. Bancroft, regarding Woman's Council Building, was laid before the Council, with result as follows:

"Moved and carried that minutes show receipt of communication of March 2nd, requesting turning over to Woman's Council of Corporation's interest in Woman's Council building, and that Council does not deem it advisable to agree to request."

Sincerely yours,

E. B. Gaston

Secretary.

construction Finance Corporation.

After careful consideration, the following resolution was unanimously adopted, in lieu of that adopted April 16, 1932.

RESOLUTION

WHEREAS, heretofore many leases made by and between the Fairhope Single Tax Corporation and various lessees have been transferred by the lessees therein to the Bank of Fairhope, Fairhope, Alabama, with the approval and consent of this corporation, all of which transfers have been noted upon the books of this corporation, and, WHEREAS, it is the desire of said Bank of Fairhope to sell, assign and transfer unto Reconstruction Finance Corporation, its successors and assigns, as collateral security for a loan of money to be made by the said Reconstruction Finance Corporation to said bank, such leases so assigned to said bank, and

WHEREAS, the Reconstruction Finance Corporation has required as a condition precedent to the making of said loan, that this corporation approve and consent to the transfer of said leases, now therefore,

BE IT RESOLVED, that this corporation does hereby consent to and approve of the transfer by the said Bank of Fairhope, to the said Reconstruction Finance Corporation, its successors and assigns, of each and every lease of this corporation, which has been heretofore so transferred to the Bank of Fairhope, and this corporation does hereby declare that the said Reconstruction Finance Corporation, its successors and assigns, is acceptable to this corporation as such transferee; that if and when said Reconstruction Finance Corporation, its successors and assigns shall call upon this corporation to issue a lease or leases in lieu of the lease so transferred to it by the said Bank of Fairhope, this corporation shall issue such lease or leases at once, and as a matter of course, upon the filing by the said Reconstruction Finance Corporation of the customary application similar to the customary forms now in use by this corporation for that purpose, which application forms this corporation will furnish at once on demand, and the President and Secretary of this corporation, or their successors in office, are hereby authorized and directed to furnish such forms and to make such new leases if and when called for by the said Reconstruction Finance Corporation, its successors

and assigns; to be delivered on surrender of the outstanding leases to the land described therein; and that the Secretary of the corporation is authorized and directed to endorse upon each and every transfer of such leases made by the Bank of Fairhope to the Reconstruction Finance Corporation, the written consent and approval of this corporation to such transfer or assignment; and that no other transfer of said assigned leases shall be approved by this corporation during the time that such assignment to the Reconstruction Finance Corporation is in force, except transfers made by the said Reconstruction Finance Corporation, its successors or assigns.

Adjourned.

COPY

THIS AGREEMENT made and entered into between the Fairhope Single Tax Corporation and the Woman's Council both of Fairhope, Ala.

WITNESSETH:

That whereas, The Woman's Council has bee for some time conducting a refreshment business during the summer months, in the warehouse at the shore end of Fairhope Wharf, not for private profit, but the net proceeds of which business have been devoted to various public purposes designated by said Woman's Council, such as the Fairhope Public Library, The Cemetery, and the Red Cross, and

Whereas, the said warehouse is no longer available for such purposes and it is desired to erect another building especially for such purpose along side the wharf, between the said warehouse and the bath-houses, now

Therefor, it is agreed that the Woman's Council shall have permission to erect such building at point agreed upon by the Council and officers of the Single Tax Corporation, the Fairhope Single Tax Corporation to pay at once toward such building the sum of \$150.00; the Woman's Council to assume the balance of the estimated cost of (total) \$700; and the Fairhope Single Tax Corporation to pay \$100 annually toward payment of same, until half of said \$700 is paid.

The Woman's Council to have free use of the building so long as it continues to use it for public ends and Single Tax Corporation continues ownership of the site and should site be transferred to the Town, the interest of Woman's Council in the building to be recognized to the amount invested, or present worth of same.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands, the 1st day of May, 1921.

Fairhope Single Tax Corporation,
By A.H. Mershon, President.

Woman's Council of Fairhope,
By Margaret Dyson

Attest
E.B. Gaston, Sec.

Extracts from conveyance dated as of March 11, 1932 and passing title to wharf and lands adjacent.

"And all structures connected therewith, including warehouses, bathhouses, the interest of the party of the first part in the small building on the north side of the wharf built in ~~some~~ ~~mutual~~ co-operation with the Woman's Council, and all equipment used in connection with the operation of the wharf."

"And provided further, that in such uses there shall be no special privileges to individuals or organizations, nor profit to the same, but the latter shall not exclude profit from the use of concessions which may be granted in the public interest, temporarily on a competitive basis,"

"Also, it is intended that said municipality may grant concessions for a reasonable time, considering the outlay that might be required by such concessionaires, but if for a longer period than _____ years, a referendum may be had on same, as above provided."

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

"Provided, further, that should party of the second part cease to administer the land and other property conveyed in harmony with the terms of this conveyance, and this fact being established, the part of the first part, its successor or assigns, may annul this instrument by filing with the council or other governing body of such municipality, its election to do so, and then the title to the same shall immediately revert in the party of the first part, its successor or assigns."

COPY

Fairhope, March 28, 1932.

Dear Mr. Cohen:

I had a talk with Mr. Gaston this morning and suggested that the matter of turning over the Library to the town be made a subject to a vote of all members of the Corporation. His answer was that then it could not be done, because of the lack of interest or what I should say a lack of ordinary business intelligence in many of the non-resident members. They either do not vote, or they invalidate their votes in some way or other, by putting their names on the ballots, or by failing to put their names on the envelopes, or in some other way. Several times proposals to amend the constitution just to do away with this absurd condition have failed because, although the measures have had the required three quarters of the members for them, so many of the non-resident voters have invalidated their votes, that the required majority could not be obtained.

Your contention that all members should have opportunity to vote is all right in theory, but it does not seem to work in the case of the Fairhope Single Tax Corporation. If you could get the court to rule that a majority of those voting should be sufficient, then the matter could be handled. At present I cannot see how the Corporation can attend to any real important business, owing to the carelessness of the non-resident members. Now what can be done?

Sincerely yours,

A.G.S. Josephson.

Colony Council Proceedings

The Colony Council met in special session Saturday morning, April 30, 1932, with Mrs. Dyson, Mr. Connelly and Mr. Patterson present.

Attention directed to the advertisement by Jesse Smith of sale of improvements on leaseholds for delinquent rent, if not paid by May 1st, and that included in delinquents were certain properties, which had been acquired by Corporation since 1931 taxes were assessed, either by purchase at tax sale for 1930 taxes, or bought in on sale for rents, including

Henry Crawford farm improvements
R. E. Hunting
H. H. Parker.

It was moved and carried that taxes on these properties be paid. Action unanimous.

Adjourned.

Colony Council Proceedings

May 2, 1932

Regular meeting with all members present.

Minutes read and approved of regular meeting of April 18 and special meetings of April 19 and April 30.

Report of trustees on special referendum election of April 20, 1932, on question: "Shall the action of the Executive Council, in making a conveyance of the wharf property to the Town of Fairhope be approved?" presented, showing 34 votes for approval, 1 against.

Bills allowed as follows:

J. A. Patterson, sund. items	
wharf maint.	4.75
M. V. Watros serv. trustee at	
2 elections 2-4 and 4-20	3.00
D. K. Bancroft, serv. trustee at	
2 elections, 2-4 and 4-20	3.00
F. L. Brown, serv. trustee, at	
election 4-20	1.50
Mrs. Almeda Mershon, serv.	
at election 9-25-31	1.50
Mrs. E. D. Troyer, serv. trustee at	
election 9-25-31	1.50
R. L. Rockwell, dragging roads	
in country	10.00
Fairhope Courier, job printing	5.50
Drawing of orders for pay-rolls for	
wharf maint. April 9, 16, 23 and	
30, approved, total	20.40

On bill of Lowell and McIntosh, for insurance premium on property moved to Magnolia Avenue, it was moved and carried to reduce valuation to \$600, if covering property vacant, and pay.

Secretary reported larger part of lessees delinquent on state and county taxes on improvements on Corp., land, had paid before May first; others would no doubt before sale, to be advertised this week.

It was moved and carried that president, vice pres. and secretary be a committee to investigate over-assessments for 1932, and notify lessees in time to file objections so as to secure hearing before board of equalization.

Report of Mr. Rickarby, town attorney, to Mayor Northrop, relative to proposed wharf conveyance read and it was moved and carried that it be referred to our attorney.

Moved and carried that Treasurer be authorized to pay \$1200 on 7th payment for street improvement series No. 4.

Moved and carried that President, Secretary and Supt. Pub. Services, be directed to see what disposition of wharf can be made to reduce expense of operation of same.

All action unanimous.

Adjourned.

Amendment to Colony Constitution Carried

The amendment to the constitution of the Single Tax Corporation voted upon on Thursday, May 5th, was carried by a substantial margin.

This was called a "gateway amendment," making it easier to amend the constitution.

For years the feeling had been general among the members that the constitution was too difficult of amendment. For it required the "affirmative votes of three-fourths" of enrolled members and was without any provision for elimination of members whom there was reason for believing were dead but without proof thereof; or others who did not take interest enough to keep in touch with the Corporation.

At the annual election in Feb. 1924, two amendments were submitted; No. 1, to add in section 7 of Art. VII after the word "member" the word "voting," so as to require only three-fourths of those voting to amend.

No. 2 to add as section six, of Art. three the following:

"The secretary shall conduct, by mail, on the first Tuesday in January of each year, a roll-call of non-resident members and any member who shall fail to respond for three (3) consecutive years, shall be dropped from the membership of the Corporation but may be reinstated without the payment of another membership fee, on approval by the Executive Council of a new application for membership."

The report of the Trustees, as to the vote on these amendments was as follows:

Entitled to vote 129
Necessary to carry 97

For No. 1, 50; against 5.

For No. 2, 34; against 18.

Both amendments lost.

On February 4, 1926, the following proposed amendment was submitted:

"Add as section 6 of Art. III, the following:

"The secretary shall each year make a revision of the list of non-resident members, writing on or before the 15th day of January by registered mail to the last given address of each non-resident member who has not been heard from officially since the beginning of the previous year, requesting a verification of his address; and any members from whom no reply is received before Dec. 31st, of such year shall be dropped from the list; provided that any member who has been so dropped shall be reinstated upon his application therefor, reported by the Secretary to the Executive Council."

This was voted upon on Feb. 4, 1926 and the result reported by trustees as follows:

Eligible to vote 132
Votes cast 103
Necessary to carry 99
For 91
Against 12
Thrown out 7

This was a compromise amendment agreed to by all apparently, who felt the constitution should be made easier to amend.

The trustees reported on the election of last Thursday as follows:

Number eligible to vote 124
Number of votes cast 118
Necessary to carry 92
Number voting yes 110
Number voting no 8
Amendment carried by 17 votes.

This is the first amendment to the constitution since the reincorporation of the Fairhope Industrial Association, as the Fairhope Single Tax Corporation, in 1904, as we recall.

Shall Sec. 7, Art. VII of the Constitution be amended by adding to the same the following:

"Provided that notice of every such election shall be sent by registered mail to each non-resident member at his last given address and if the post-office reports inability to deliver mail to any such member and no ballot shall be received from him for said election, he shall not be counted in determining the result thereof."

GROUP ENGAGED IN BACK TO LAND MOVE TO AID IDLE

Colony In Mississippi, Practicing Attorney's Plan, Gains In Membership

WALL HILL, Miss., June 3.—On a 35-acre plot of land near here, a little group is putting into practice the "back to the land" theory of unemployment relief and also acting as an experiment in the single tax theory.

The plan was originated by Abe Waldauer, Memphis, attorney, who gained the support of Colonel Kenon Taylor, donor of the land.

The colony started with seven persons of two families, and several other families have joined them.

Pay Economic Rent

For the use of the land, Waldauer explained, the colonists will pay the economic rent, about six per cent of the value of the land. Out of this all taxes will be paid.

"I'm not putting these people on the dole; I'm giving them the right to apply their labor to land," Waldauer explained. "We plan to incorporate the colony, and the corporation will hold the title to the land.

"We are going to raise about five or six acres of cotton as our cash crop. There will be a two-acre truck plot. Enough produce will be packed to supply the colony."

An expansion of the plan is contemplated for the future, but no land is available now. Waldauer has applications of five more families who want to return to the farm.

MAY 19, 1932

Colony Council Proceedings

Minutes May 14, 1932

Special Meeting.

Present, Mrs. Dyson, Mr. Patterson, Mr. Rockwell. Mr. Connolly advised and approving.

Moved and carried that president and secretary be directed to attend tax sale of improvements on Corporation land, by Tax Collector, for delinquent taxes, to be held Monday, 16th, and to use their judgment in bidding up to amount of our rent claim on properties and draw order on treasurer accordingly

Action unanimous.

Colony Council Proceedings

May 16, 1932

Council met in regular session with all members but Mr. Connolly present, president presiding.

Minutes read and approved of regular meeting of May 2nd and special meeting of May 14.

Treasurer's report for April present-

TREASURER'S REPORT

	Recd.	Paid
Rents	2,237.91	
Penalty	76.75	
Wharf	66.33	
Certificates	127.02	
Leases	8.00	
Sale of wire	3.79	
Stumpage	.15	
Rent from former		
Yerion house	2.50	
Taxes		1,525.11
Highways		8.85
Wharf		120.03
Library maintenance		25.00
Regular Courier Adv. Feb.		
Dec. - Mch.		37.50
Salaries		125.00
Office rent		12.00
Cleaning lots		6.00
Treasurer's sundries 10-6-31		
to 4-6-32		8.64
Secretary's sundries		4.80
Taxes on Crawford - Park-		
er - Hunting properties		88.96
Sundries		18.78
	\$2,522.45	\$1,980.67
Cash March 31	1,544.63	
Cash April 30		2,086.41
	\$4,067.08	\$4,067.08

Respectfully submitted,

R. E. L. Connolly, Treas.

Following bills allowed:

Fairhope Coal and Supply Co., material for rep. roof at Ring Farm	2.35
J. A. Patterson, sund. items wharf expense	2.83
Marion Smith, serv. etc. dept. lands and highways	4.60
R. L. Rockwell, dragging roads in country	10.00

Drawing of orders for pay-rolls wharf rep. work, weeks ending

May 7 and 14 approved, 10.80

President and secretary reported in writing on tax sale of improvements for delinquent rent, that most of taxes had been paid before sale, leaving only following to be disposed of:

Estate Henry Crawford, property in blk. 1, div. 1.

C. C. Keller, imp. on lots 12 and 13, blk. 3, div. 3.

Harry McClantoc, imp. on 1 acre in nw ¼ of SE ¼ sec. 17.

John E. Strain, imp. on so. half of so. ½ SE ¼ Sec. 15.

D. A. Frye, imp. on lot ne. corner Magnolia Ave. and Bancroft St, disposed of as follows:

Bid in for rent claim, for Corp. following:

Henry Crawford Est. amount	\$45.12
Harry McClantoc, amount	3.64
D. A. Frye, amount	12.71

C. C. Keller, bid in by Bank of Fairhope.

John A. Strain, bid in by W. H. Burmeister.

Secretary reported Conference with Mr. Webb, regarding recommendations of E. G. Rickarby, Town attorney, regarding wharf conveyance.

Also reported exchange of \$800 policy on former Rathje property, removed to Magnolia Ave., and taking \$600 policy, with vacancy permit for not more than 10 months, prem. \$4.80.

Resolution of sympathy with C. A. Darrow, on loss of his wife, unanimously adopted.

Marion Smith authorized to act according to his judgment in regard to removing pine trees on former Cain lots.

Contract of sale by Mrs. R. C. White to Orson W. Ray and wife, of east 96

ft., of blk. 1, div. 1, approved, lease to be issued without further action of Council on proof of completion of payment, according to contract.

All action by unanimous vote.

Adjourned.

Colony Council Proceedings SPECIAL MEETING

May 23, 1932

Present, Mrs. Dyson, Mr. Connolly, Mr. Rockwell, President Brown presiding.

Moved and carried that proposition of Huffman and Hixon for oil treatment on Mobile, avenue between gully bridge and Fels Ave., cooperating with Town and leaseholders, entailing an expense of \$11.51 for land held unleased in the block, be accepted and payment made accordingly.

Adjourned.

Action unanimous.

JUNE 9, 1932

Colony Council Proceedings

June 7, 1932

Council met in regular session with all members present, except Marion Smith.

Minutes read and approved of regular meeting of May 16, and special meeting of May 23d.

Following bills allowed:

J. A. Patterson, sund whf. exp	3.97
Allen Salter, rep. fence at Ring Farm	.75
Gus Gates, rep. fence at Ring Farm	.75
R. E. L. Connolly, sund. exp.	
Treas office	2.36
Fairhope Coal & Supply Co., supplies	1.71
R. L. Rockwell, dragging roads with tractor	7.50
Nick J. Ludwig, rep. road grader	1.80
Marion Smith, serv. dept. lands and highways	6.60
Dyson and Co., building piers under former Rathje house	17.00

Drawing of orders for wharf pay-rolls 5-21, 5-28 and 6-4 approved 13.50
Treasurer's report for May presented as follows:

	Recd.	paid
Rent	\$2,273.95	
Penalties	179.68	
Wharf	61.44	
Certificates	30.71	
Interest coupon	3.00	
Leases	3.00	
Rent Verion house	4.00	
Taxes	\$ 1,562.32	
Highways	24.00	
Wharf	208.00	
Trustees at elections	7.50	
Work on lots in town	9.06	
Library maintainance	25.00	
Salaries	125.00	
Rent Council room	12.00	
Job printing	5.50	
Regular Courier Adv.	12.50	
Street improvements	1,500.00	
Work at Ring farm	6.10	
Ins. former Rathje house	4.80	
Taxes former Norville	34.99	
Taxes former Crawford	45.12	
Taxes former McClantoc	3.64	
Taxes former Shores	12.71	
Taxes Mabee land	9.63	

	2,552.78	3,607.87
On hand April 30	2,552.78	3,607.87
On hand May 31	1,031.32	

\$4,639.19 \$4,639.19

R. E. L. Connolly, Treas.

Mr. Burmeister appeared before the Council in regard to a proposed exchange for "Ring Farm" and a motion prevailed for appointment of a committee to consider same and report; President appointed supt. lands and highways, Vice Pres. Wolcott and M. Dyson.

Moved and carried that president and secretary be authorized to take necessary steps, to collect amount due Corporation from payments for Strain and Keller properties, sold by Tax collector for delinquent taxes.

Transfer approved from Amelia E. R. Caldwell to R. L. Rockwell, of west half of east half, less 10 ft., of nw ¼ of sw ¼ of SW ¼ of Sec. 15 (2½ acres).

Secretary reported notice from Co. Health Officer to build sanitary privies at cost of about \$25 each, for small houses in Block 7, div. 1, occupied by Mrs. Banks and Mr. Salter and families. It was moved and carried that in these cases, or others on which similar requirement should be made, where rents did not justify the expenditure, that parties occupying premises be given notice to vacate and Board of Health be notified; also inquiry be made if it would be possible to get such people in County Home.

Treasurer gave notice of forfeiture for delinquent rent, of following leaseholds:

Mr. and Mrs. Jos. Schuller for lot 12, blk. 32, div. 2; Clarence and Molly Keller, lot 11, blk. 32, Div. 2; Joe. Schneider Jr. sw ¼ of sw ¼ of SW ¼ of Sec. 14.

Moved and carried Secretary draw an order for \$500 to Town of Fairhope, for payment on street imp. Ass't No. 4.

Treasurer authorized to settle claim of Martin Bloxham for overcharge in rent on account of error in measurement, according to figures of rent calculators.

All action unanimous.
Adjourned.

Colony Council Proceedings

June 20, 1932

Council met in regular session with all members present, President Brown presiding.

Minutes read and approved of regular meeting of June 7, 1932.

Following bills allowed:
Fairhope Coal & Supply Co.,
nails for whf. rep. 1.00
Sam Birch, clearing lots, to
apply on rent of house occupied
by him 7.83
R. T. Prince, for screen on house
occupied by him, to apply on
rent of same 1.00
Jas. H. Webb, legal services. 50.00
E. B. Gaston, cash items exp.
Sec. 4-19 to 6-20 7.75
Sim Andrews, two days work with
team on roads 8.00
F. Thompson, road work 50.

In matter of Salter and Mrs. Banks families in houses with toilets condemned by health officer, secretary reported ordering them out of houses, but were still there; and was directed to take necessary legal steps to dispossess them.

Suggestion reported of Cashier bank of Fairhope, that improvements of McCue farms property be accepted in lieu of rent due. It was moved and carried that same is not acceptable, but if rent is paid and property surrendered, collection of six months rent after notice of surrender will be waived.

Marion Smith of committee on Burmeister proposition for exchange of properties, reported inability committee and him to agree on same.

Committee on application of Henry C Littlefield for membership, reported recommending acceptance of same and it was on motion accepted.

Committee on reducing wharf expending disposal of same, reported proposition of Mr. Patterson to shorten hours of duty at wharf and take care of surface repairs at reduction of \$5 a week in compensation, and same was accepted until other disposition was made. 1400

Secretary reported sale for delinquent rent of Erick Brown improvements on lot 10, blk. 30, div. 2; purchaser being Emil Knips, holder of a mortgage on the improvements.

Treasurer reported forfeiture of contract for purchase of improvements and lease, by Mrs. Ellen Heald, of e ½ of ne. ¼ of NW. ¼ of Sec. 11, by failure to meet payments.

Secretary instructed to draw an order in favor of Town for \$400 to apply on street imp. asst. series No. 4.

All action unanimous.
Adjourned.

Town Council Proceedings

The Council of the Town of Fairhope met in regular session, Friday, June 24, 1932.

Mayor Northrop and Councilmen DuBrock, Gaston, Gregg, Ruge and Tuveson were present.

Minutes of the previous meeting were approved as read.

Motion by Councilman Tuveson seconded by Councilman Gaston that bill of Hixon and Huffman for \$63.62 for oiling Mobile Avenue from Stack's Gulley Bridge to Fels Avenue be allowed, carried.

A communication from the Fairhope Single Tax Corp. asking that they be relieved of the expense of lighting the wharf was read.

Councilman Gaston made a motion seconded by Councilman Gregg that the town comply with this request and that the town light the wharf during the months of July, August and September and that Mr. Bailey be instructed to put wharf lights onto the town service wires. Motion carried.

Meeting adjourned.

Gladys Lowell, Clerk.

Colony Council Proceedings

July 6, 1932

Council met in regular session, postponed from first Monday, on account of National holiday July 4th.

All members present.

Minutes read and approved of meeting of June 20.

Following bills allowed.

Ruffles and Son, plumbing work at "Barnacle" 7.58

J. A. Patterson, cash paid for gas for wharf 1.10

Sam Burch, clearing various lots 3.75

A. Youngquist, clearing various lots 2.75

Treasurer's report for June presented as follows:

TREASURER'S REPORT

	Resd.	Paid
Rents	1,051.32	
Penalty	33.16	
Wharf	64.18	
Rent from former Lyons house	2.25	
Rent from former Norville house	3.75	
Rent from former Yerion house	4.50	
Rent from former Roof house	7.83	
Rent from former Stuersel property	10.00	
Rent from former Crawford property	15.00	
Adv. sale Erick Brown place	.95	
Leases	2.00	
Miscellaneous	35.87	
Taxes		523.20
Highway		23.56
Wharf		109.92
Salaries		125.00
Rent Council office		12.00
Library maintenance		25.00
Trustees at Election, services		1.50
Payment on Street Improvements		900.00
Treasurer's Sundries		2.36
Secretary's Sundries		7.75
Attorney fee		50.00
Reg. Courier Adv.		12.50
Work on former Ring farm, house		1.50
Work on former Rathje house		1.00
Clearing lots		17.00
Oiling Mobile Avenue		7.83
Stamp tax		11.51
		.10

\$1,230.81 \$1,831.73

Cash May 31 1,031.32

Cash June 30 430.40

\$2,262.13 \$2,262.13

Respectfully submitted,

R. E. L. Connolly, Treasurer.

In regard to renewal of insurance on Fairhope Library, it was moved and carried that amount be reduced to \$2500 and pay one year premium, same being placed with Lowell & McIntosh.

It being stated that an offer had been made by Theosophical Society, on property to Library secured through Mrs. La Pierre, it was moved and carried that a committee be appointed to look over same and report.

Mrs. Banks reported having moved out of former Hunting house; Salter, in Lyons House, unable to find a place.

It was moved and carried that if Salter will do work, so far as possible, and cash outlay to put in sanitary privy does not exceed \$10, same be put on this place, with view to possible removal to some other property in the future.

Secretary reported that while result of election of May 5, had been fully reported in Courier of May 12, the minutes failed to show, report of election by Trustees, conducting the same.

Moved and carried that minutes of May 16, 1932, be amended to show the report of trustees on special election of May 5, 1932, on proposition to amend constitution.

Transfer Ellious Plessala to O. Hooper, of se ¼ of se ¼ of SW ¼ of Sec. 11, approved.

Transfer C. H. Brock to Dixie Mitchell, of lot 2 and north half lot E, blk. 22, div. 4, was approved.

Surrender by Walter, Herbert and Oswald Forster of lot 3, and west 39 ½ ft., of lot 4, blk. 7, div. 1, was accepted on payment of rent to June 30, and surrender of all improvements.

Surrender Gavina T. Hill, of lots 4, 5 and 6, blk. 15, div. 2, and J. E. Hill of lot 8, blk. 2, div. 3, accepted.

Moved and carried that order be drawn to Town for payment of balance of Street Improvement Assessment No. 4, \$343.81.

Moved and carried that C. H. Mitchell be allowed to move into Ring Farm residence until further notice.

All action by unanimous vote.

Adjourned.

E. B. Gaston, Secretary

Colony Council Proceedings

July 18, 1932

Regular meeting with all members present, President Brown, presiding.

Minutes read and approved of meeting of July 6.

Following bills allowed:

E. B. Gaston, sec. postage and tel 2.75

R. E. L. Connolly, Treas. postage and sundries 2.60

Marion Smith, serv. and car use, L. & H. 2.10

New efforts reported to get golf course matter in shape to assure continuance of same as an asset to the community.

It was moved and carried matter be again referred to committee appointed March 17, 1931, Brown, Dyson and Wolcott.

The following motion adopted with regard to proposed tender to municipality of wharf property.

That the revised draft of conveyance by Corporation to Municipality, drawn by Town Attorney and approved by Corporation attorney, be approved and submitted to Town Council and if approved by it, (whether subject to vote of citizens or not) the Secretary be directed to submit same to a referendum vote of qualified members to be held on Saturday, July 30, 1932 from 1 to 6.

Transfer Edith Alice Peckham to W. H. Burmeister, of east half of NW ¼ of SE ¼ of Sec. 16, approved.

Treasurer reported forfeiture for delinquent rent of lease of T. J. Larkin to lots 32, 34, 36, 38 and 40, Satsuma Park.

Treasurer reported receipt from Jos. Schneider of all rent due on SW ¼ of SW ¼ of SW ¼ of Sec. 14 (reported forfeited) and reinstatement of him as lessee of same.

Sale of piling at \$1 each to be paid for as checked by Marion Smith before removal, approved.

All action unanimous.

Adjourned.

E. B. Gaston, Sec.

Colony Council Proceedings

August 1, 1932

Regular meeting of Council with all members present and President Brown presiding.

Minutes read and approved of last meeting.

Following bills allowed:

Marion Smith, serv. on country roads 3.00

R. L. Rockwell, serv. country roads 15.00

R. T. Prince, work on various lots 2.44

Fairhope Courier, adv. and job work 6.54

E. B. Gaston, postage to date 1.75

Pay-roll for serv. trustees at elections of May 5 and July 30, allowed, total 9.00

Report of trustees on referendum election of July 30, received as follows:

32 votes cast, all in favor, carried.

Secretary reported result of joint meeting of Corporation committee, committees from Chamber of Commerce and former Golf, Gun and Country Club, on golf course matter, favorable to Corporation conveying land to town on condition of payment of its claim for taxes unpaid by Golf, Gun and Country Club, and satisfaction of claims of Peters and others, if any.

After much discussion a motion prevailed that we offer the Town to con-

tract with them for the use of the ground for a golf course for a period of ten years rent free on condition that the same be free from town taxes and if any taxes are collected by county and state same be paid by town, any buildings to revert to the Corporation at close of the term unless an extension of time was agreed upon.

A communication from Superintendent Tharp was read asking if the Corporation would not be willing to give to the Public School, the ground adjacent to the school, now being used for recreation purposes.

Moved and carried that Corporation does not feel disposed to make further donation of land at this time.

Moved and carried that Corporation advise the Town that if it decides to oil Fairhope Ave., it will pay for the oiling in front of lots held by it not under lease, in blocks 7, 8 and 10, and recommends that town do the work with its own forces, so as to have accurate record of the cost of same.

Application of F. A. and Edith O. Carlson for lots 4 and 5, blk., 15, div. 4, was accepted.

Application Marion Smith for lots 38 and 40, Satsuma Park, accepted.

Transfer Mrs. Louise M. Kuter to son Carl E. Kuter of land held by her in nw 1/4 of se. 1/4 of SW. 1/4 of Sec. 17, (on Morphy Avenue in Town of Fairhope) was approved.

Transfer A. R. Mills to Dr. A. F. Rockwell of west 24 acres and 4 acres in nw. corner of sw. 1/4 of NW. 1/4 of Section 15, approved.

Approval given to contract of sale by T. H. Bowen to Charles Hipsh, of Casino site, 80 x 115 ft., to be effective and lease to issue on evidence of completion of payment according to contract.

Moved and carried that a reprint edition of 2,000 copies of "Quarter Centennial History" be authorized, at a cost of \$38.40.

All action by unanimous vote.
Adjourned.

E. B. Gaston, Secretary

Statement of Dr. Gaston To Fairhope Voters

Having been placed in nomination by my fellow citizens at the mass meeting of Aug. 2nd, I feel called upon to make the following statement of principles and policies that will tend to influence my conduct of the office should I be elected.

I favor the municipal ownership and operation of parks, golf course and wharf, as well as of the light and water utilities.

I also favor the taking over of the public library and its operation by the municipality, if tendered to it, as soon as adequate arrangements can be made to finance it.

I approve of the policy of the present council to submit to the people matters of importance and then to act in accordance with their expressed wish. If elected I shall favor the continuance of this policy.

I am opposed to the use of public utility earnings to reduce taxes on property but favor a reduction in rates on electricity and water as soon as the financial status of our plants will warrant it. I believe that the patrons of the plants should receive all the benefits of low cost production providing, however, sufficient funds to pay off the plant indebtedness and a satisfactory fund for replacement and expansion.

I favor the council attempting to establish a budget system that will keep expenditures equal to income.

Respectfully,

C. A. Gaston.

Colony Council Proceedings

August 15, 1932

Regular meeting, Mrs. Dyson, Mr. Connolly, Mr. Patterson present, Rockwell and Smith absent, President Brown presiding.

Following bills allowed:

E. B. Gaston, Sec. sunds.	4.05
Wm. Ruffles & Son, work on toilets, and sewer at beach	3.45
J. A. Patterson, wharf sunds	5.20

Treasurer's report for July presented as follows:

TREASURER'S REPORT FOR JULY

	Recd	Paid
Rents	\$1,882.91	
Penalty	176.63	
Wharf	89.91	
Lease	1.00	
Coupon	3.00	
Rent former Roof house	3.75	
Rent former Crawford house	15.00	
Rent former McClintock house	1.25	
Rent former Stuersel building	5.00	
Rent from Yerion house	1.50	
Taxes		574.03
Highways		2.10
Wharf		88.60
Salaries		125.00
Rent Council room		12.00
Reg. Courier adv.		12.50
Light Treas. office 9-1-31 to 1-31-32		7.50
Library maintenance		25.00
Final payment on 1931 St. Improvement	343.81	
Treasurer's sundries	2.06	
Secretary's sundries	2.75	
Plumbing on Barnacle	7.53	
Work on Roof house	3.75	
Insurance premium on Library		37.00
Sundries		15.00
Tax on checks		.13

	\$2,179.95	\$1,253.86
Cash June 30	430.40	
Cash July 31		1,351.49

\$2,610.35 \$2,610.35

Respectfully submitted,

R. E. L. Connolly, Treas.

Additional matter prepared by Secretary to accompany reprint of "Quarter Centennial History" approved, to bring cost up to \$50.

Application of Dyson & Co., for 20 ft. in lot 2, blk. 7, immediately west of alley provided for by action of Council Feb. 11, 1932, was accepted.

Surrender by W. H. Burmeister, of so. 1/2 of se. 1/4 of SE. 1/4 of Section 15, accepted.

Surrender by Bank of Fairhope, of lots 3, 4, and 5, blk. 16, div. 2, except north 185 ft. accepted.

Surrender by W. F. Laraway of so. 1/2 of sw. 1/4 of se. 1/4 of SW. 1/4 of Section 17, accepted.

Treasurer reported forfeiture by J. T. Worcester of tracts 19, 20 and 21. Section 35, for non-payment rent.

Mr. E. P. Troy, of San Francisco, concluding a three weeks visit, made a very interesting talk, in which he expressed his great pleasure in visiting Fairhope and his high appreciation of the Colony effort, which he considered a remarkable success, something of which all Singletaxers might well be proud.

All action taken unanimous.

Colony Council Proceedings

August 30, 1932

SPECIAL MEETING

All members present but Mrs. Dyson, President Brown presiding.

Reading of minutes waived.

Following bills allowed.

Marion Smith, rebuilding fence on Ring Farm	19.30
---	-------

Pay-roll of road work in country, total	3.94
---	------

Secretary reported inquiry for least cash price on Ring Farm improvements and was instructed as to reply to same.

Application of R. E. Stapleton, for west 42 ft. 2 in. of lot 2, blk. 71. Div. 1, extending no. 125 ft., to alley; (which is inclusive by agreement of Dyson and Co., of 20 ft., for which their application was accepted at last meeting,) was accepted.

All action unanimous.

Adjourned.

September 5, 1932

Regular meeting. Present all members but Mrs. Dyson. In absence of president and vice president, R. L. Rockwell elected president pro tem.

Minutes read and approved of regular meeting of August 15 and special meeting of August 30.

Treasurer's report for August presented as follows:

	Recd.	Paid
Rent	1,251.74	
Penalty	104.75	
Wharf	45.97	
Certificates	14.86	
180 loads of dirt	24.80	
Lease	1.00	
Rent, former Crawford house	15.00	
Taxes		905.03
Highways		18.00
Wharf		52.70

Salaries	125.00
Rent Council room	12.00
Library Maint.	25.00
Services of Trustees at elections	6.00
Reg. Courier Adv.	12.50
Adv. Fobes place for sale	1.04
Job printing	5.50
Secty sundries	1.75
Revenue stamps	.20

	\$1,458.12	\$1,164.72
Cash July 31	1,351.49	
Cash August 31		1,644.89

\$2,809.61 \$2,809.61

Respectfully submitted,

R. E. L. Connolly, Treas.

Supt. lands and highways reported considerable down timber, from storm, which would take damage rapidly. It was moved and carried that lessees be allowed to cut same free of charge for their own use, but if selling cut into wood to apply proceeds on rent accounts owing.

Secretary reported on assessment of Corporation property and read correspondence with authorities.

All action unanimous.

Adjourned

Colony Council Proceedings

Sept. 21, 1932

Regular meeting, (postponed from 19th. account hard rain storm). All members present but Mrs. Dyson; President Brown presiding.

Minutes read and approved of meeting of Sept. 5.

Following bills allowed:

By M. Smith, pay-roll of work on Ring Farm fence	13.29
Marion Smith, work on Ring Farm and roads	7.40
R. L. Rockwell, work on country roads	4.55
E. B. Gaston, secretary sundries	6.15
J. A. Patterson, wharf sundries	2.15
Northrop and Wharton, prem on Treas. bond	12.50

Secretary reported citizens of town voting in favor of acceptance by Town of wharf, 198 to 65, and Council ratifying same at meeting same night.

Communication from Mr. Shields regarding rent read to be considered at rent appraisement time.

A statement signed by 42 resident members was read as follows:

"The undersigned, members of the Corporation feel that a mistake has been made by the Executive Council in withdrawing the tentative proposition to convey to the Town of Fairhope, the land in the Golf Course, on condition of payment of the taxes accrued and paid by the Corporation; and the continued maintenance of the same as a Municipal Golf Course.

We feel that not only does the Golf Course afford popular sport and recreation to persons permanently resident here, but that it is of very great importance to the community in the way of attracting a desirable class of winter and summer visitors, whose presence and the business derived from them would be of great importance (as it has been) to the economic life of the community.

Rather than institute a referendum at the present time, we hereby join in, urging upon the council re-consideration of the matter and favorable action along the line heretofore considered.

Secretary read a memorandum of action previously taken, including extracts from minutes of March 1, 1931, and August 1, 1933.

Moved by Marion Smith to rescind clause in motion adopted August 1, providing for reversion of buildings to Corporation at end of proposed ten year lease, without compensation, which was seconded and adopted.

The following motion was made by R. L. Rockwell: was seconded and adopted:

That the Council feels that the greater part of the Golf Course will eventually be needed for residence property and a larger golf course be needed and therefore we feel it not wise to deed away such land, but we feel that the municipality is the logical agency to operate a golf course and believe that this can best be accomplished by giving the use of the ground free for a term of ten years or until needed for residence purposes. We therefore

appoint, the president, secretary and Mr. Rockwell as a committee to present this proposition to the town. The motion was seconded and carried.

Moved and carried to provide roll of roofing for repairing the roof of McClantoc property.

Following transfers approved:

B. J. Bishop to J. S. Parker tract on

so. side Morphy Ave., beginning 250.7 ft., east of street on center line of Sec. 17, with a width 265.7 ft. on Morphy Ave. and 635 ft. deep, (less acre on south end previously surrendered) Mr. Parker's surrender of east half of this tract also accepted.

Mathias Jansen, (by will) to widow, Mrs. Elizabeth Jansen of nw. ¼ of sw. ¼ of SW. ¼ of Sec. 14, (less street on west.)

Trustees of Theosophical Society to Willie Ann Denny of lot in new part of blk. 8 Div. 1.

Mr. and Mrs. M. Dyson to Eugenie Possien south quarter of lot six and of east half of lot 5, blk. 10 Div. 1, (Except north 8 ft. thereof, in which a joint and equal interest with Mrs. Gavina T. Hill, as an alley way was transferred.)

Mr. and Mrs. M. Dyson to Gavina T. Hill, joint interest with Mrs. Possien, in north 8 ft., as an alley way, of south quarter of lot 6 and of east half lot 5, blk. 10, div. 1.

Fairhope Coal and Supply Co., to J. A. Patterson, east 48 ft., and so. 20 ft., of west 18 ft., of lot 3, west 12 ft., of lot 4, lot 5 and no 42 ft., of lot 6, blk. 6, div. 4.

Surrender by Eugenie Possien of all of tract in Sec. 20, except west 375 ft. of same accepted.

Application of W. A. Habeck, of east half of ne ¼ of ne. ¼ of NE. ¼ of Section 22, referred to Supt. lands and highways.

Supt. lands and highways authorized to dispose of material in shed blown down on Ring Farm.

Treasurer reported sale of Hunting building to J. A. Patterson for \$25.

All action by unanimous vote.

Adjourned.

Colony Council Proceedings

Special Meeting

September 28, 1932

Special meeting of Council, following joint meeting of Colony Committee with committee from Town Council, relative to transfer of Golf grounds, held previous evening.

Attorney E. G. Rickarby read deed of conveyance, according to agreement of joint committee, the salient features of which are as follows:

Consideration: one dollar and "further desiring to make available to citizens and visitors for use as golf links and athletic grounds,"; A right of reversion to the grantor after failure to use the ground for purposes mentioned for two years, established by proceeding in equity court; Right of grantor after ten years and not more than 20, to repurchase from grantee for amount of original consideration, for uses in harmony with the constitution of the grantor, in which case owner of build-

ings on the ground, either Town or person to whom it might convey, should have first choice of ground for same, either that on which building stood or other land to which it might be moved, according to plat, and lease said land according to terms of lease then in force

Moved by R. L. Rockwell, seconded by Marion Smith, that form of conveyance be approved and officers authorized to execute deed and deliver to Town at once on collateral agreement to guarantee to Corp'n the payment of sum claimed as due under Golf, Gun and Country Club contract for taxes paid on the land; if not in money in 6 per cent warrant of town, applicable on taxes; carried.

Bill of Marion Smith for attention to sund. matters in his department allowed \$4.55

Moved and carried to advertise in 2 issues of Courier for bids on the former Norville houses opposite Comings Hall and the Coleman-Fry house on Magnolia Avenue, preferably to be removed.

All action unanimous.

Adjourned.

Colony Council Proceedings

October 3, 1932

Regular meeting. All members present, but Mrs. Dyson.

Minutes read and approved of meetings of Sept. 21st and 28th.

Treasurer's Report for September presented as follows:

REPORT OF TREASURER FOR MONTH OF SEPTEMBER, 1932

	Recd.	Paid
Rents	839.97	
Penalty	68.96	
Wharf	194.61	
Certificates	12.23	
Leases	5.00	
Rent of former Stuersel bldg.	10.00	
Rent former Norville building	3.00	
Rent of vacant lot for gardening	5.00	
Roofing from Ring Farm	3.75	
Taxes		186.11
Highways		8.49
Wharf		96.20
Salaries		125.00
Rent Council room		12.00
Reg. Courier adv.		12.50
Library maintenance		25.00
Sect'y sundries		4.05
Work on Ring farm		39.99
Plumbing at wharf		3.45
Revenue tax on checks		.18

Cash August 31	\$1,142.52	\$512.97
Cash September 30	1,644.89	2,274.44

\$2,787.41 \$2,787.41

Respectfully submitted,

R. E. L. Connolly, Treas.

Following bills allowed

Fairhope Courier, 2,000 copies	
History	50.00
Wm. Ruffles & Son, rep.	
Barnacle, etc.,	3.91
E. B. Gaston, secretary sundries	3.40
F. L. Brown, car and self,	
Golf ground survey	3.30
R. L. Rockwell, dragging roads in country	8.75
J. A. Patterson, wharf sund.	1.05

A. Salter, mowing various lots 10.00
 Fairhope Coal & Supply Co.,
 supplies Ring farm etc 24.24
 H. H. Parker, surveying for
 Wharf and Golf ground con-

veyances, 7.00
 Secretary reported delivery of deed to Golf Course land, according to survey of President and Mr. Parker, comprising 26.02 acres and acceptance of same by Town Council at a special meeting Sept. 30th.

Marion Smith reported on application of Habeck for land in ne ¼ of NE ¼ of Sec. 22, and it was agreed that he might have S ½ of se ¼ of ne ¼ of NE ¼.

Surrender by J. A. Patterson of east 54 ft., of lot 5 and of no. 42 ft. of lot 6, blk. 6, div. 4, accepted.

President and Secretary instructed to draw suitable resolution for presentation to Henry George Congress at Memphis, Tenn., by our delegation to same.

All action by unanimous vote.
 Adjourned.

Colony Council Proceedings

October 18, 1932

Regular meeting, (day late on account of death in Secretary's family.)

All members present. 2100

Minutes of last meeting October 1, read and approved.

Following bills allowed:

Treasurer's sunds. 1.47
 Carl L. Bloxham, prem. on insurance on "Hilltop" property 17.40
 R. T. Prince, work, various lots 4.40

Secretary reported offer of Mr. Hogquist for house occupied by Gus Gates, adv. for sale, for removal, of \$60, highest offer and it was moved and carried to accept same. Offer of E. B. Miller, reported of \$35 for next house east. It was moved and carried to accept this offer.

Mr. Hogquist making his offer contingent on acceptance of application which he was to make for lots 1 and 2, blk. 14, div. 3, it was moved and carried that Secretary be authorized to give usual notice of his application, and make him lease one week after posting same, without counter application or objection being filed, reporting to next meeting of Council.

The death of three members since last meeting of Council, R. E. L. Connolly, R. F. Powell and Henry C. Littlefield, was reported and following resolution adopted:

That deep regret be expressed by the Council over the loss of these comrades in the great cause to which our Corporation is devoted, one, Mr. Connolly, being a member of our body, and sympathy be extended by our President and Secretary to the bereaved members of their families.

Application presented of Mrs. Emma F. Connolly (Mrs. R. E. L.) for membership in the Corporation, on the certificate of her late husband, of whom she was sole heir; same was referred to a committee, consisting of Mrs. Dyson, Mr. Gaston and Mr. Rockwell. The committee reported at once, recommending acceptance and the application was accepted.

J. A. Patterson tendered his resignation as superintendent of public services, effective on election of his successor, which was accepted on motion.

It was moved and carried that a special election be called for filling vacancies in offices of treasurer and superintendent of public services for Friday, Nov. 4, 1932.

Moved and carried that matter of naming a temporary treasurer to serve until the election to fill the vacancy be left to the president and secretary.

Application of Mary Thompson for one and one-half acres in rear of her holding on west side of se ¼ of SW ¼ of sec. 15, was accepted as of date of same.

Secretary reported delivery of a deed from Abe D. Waldauer and wife, at conclusion of address of secretary at the Henry George Congress in Memphis, on Oct. 12th, to lot 21, block 3, in Central Park Addition to Fairhope, a re-division of Ettel subdivision, and it was moved and carried that same be accepted with thanks.

Messrs. Gaston and Rockwell, reported verbally on the very successful Henry George Congress at Memphis, which they attended.

Secretary also read remarkable editorial in Liberty of Oct. 29th, of which advance copy had been sent him by the editor, entitled "Remove all Taxes From Capital and Labor" coming out squarely for Single Tax, over which much gratification was expressed.

All action taken was by unanimous vote.

Adjourned.

The Colony Council failed of a quorum for its regular meeting Monday night.

Colony Council Proceedings

November 14, 1932

Meeting of Council with Councilmen Gaston, Rockwell and Smith present. President Brown presiding.

Minutes read and approved of meeting of October 18, 1932.

Acting trustees of special election of November 4, 1932, to fill vacancies in offices of treasurer and superintendent of public services, reported results as follows: James E. Gaston elected supt. of public services, with 43 votes; no election for treasurer, no one receiving a majority; acting trustees Mrs. Olive Gaston, Mrs. D. K. Bancroft, M. V. Watros.

Treasurer's report for October presented as follows:

TREASURER'S REPORT FOR OCT.

	Recd.	paid
Rent	1,241.72	
Penalty	31.11	
Wharf	41.67	
Certificates	77.13	
Rent Hilltop house	10.00	
Grave spaces	10.00	
Leases	3.00	
Taxes		327.57
Highways		4.55
Wharf		33.20
Salaries		125.00
Rent Council room		12.00
Library		25.00

F. L. Brown time on		
Golf Course survey	3.30	
Secretary sundries	9.55	
Rep. plumbing Barnacle	3.91	
Prem. on Treas. bond	12.50	
Printing Quarterly Centennial History	50.00	
Reg. Courier adv.	12.50	
Fairhope Coal & Supply Co., supplies Ring Farm	10.95	
Fairhope Coal & Supply Co., Sanitary Privy		
Lyons place	9.00	
Fairhope Coal & Supply Co., supplies Stuersel bldg.	4.00	
Fairhope Coal & Supply Co., McClintock place	1.25	
U. S. Check Tax	.03	

Cash Sept. 30	\$1,414.69	\$1,143.40
Cash Oct. 31	2,274.44	2,545.73

\$3,689.13 \$3,689.13

Respectfully submitted,
 Mrs. R. E. L. Connolly, Treas.,
 By N. D. Burnham.

Following bills allowed:

R. L. Rockwell, work on Ring Farm fence 2.25
 Carl L. Bloxham, prem. on ins. policy on Blass-Winberg property 8.15
 E. B. Gaston, Secretary postage and sundries 7.96
 Sam Burch, work on vacant lots to be allowed on house rent 5.00

Application of Mrs. Laura F. Powell, for membership, (with surrender of certificate of her late husband, R. F. Powell) referred to committee consisting of E. B. Gaston and J. E. Gaston and M. Smith; Committee reported at once recommending acceptance and application was on motion accepted.

Request of Mrs. Emilia Loos, regarding removal of trees in Freedom St., was referred to supt. lands and highways.

Contract arranged by Pres. and Sec. with E. B. Miller, relative to purchase of house in blk. 12, div. 4, for removal to his leasehold in Sec. 15, etc., approved; also his application for 10 acres in northeast corner of se ¼ of SW. ¼ of Sec. 15.

Agreement President and secretary with L. Hampshire, involving settlement of rent account by cash payment and surrender of leasehold and improvements on lot 8, blk. 14, div. 2, in name of Frank Hemley deceased and north 32 ft. of lots 9 and 10, same block in name of Hampshire, approved.

Secretary reported written surrender by David C. Stapleton and Gladys E. Stapleton, of all claim to lot 1 and east half lot 2, blk. 11 Div. 2, under agreement with Frank Grumbles, approved on August 5, 1930, leaving said Grumbles with undivided interest in same.

Transfer from Estate Hettie B. Wilmans, by First National Bank Trustee to Jeannette W. Dennis, of dwelling and all improvements, with leasehold to lot 2, blk. 3, div. 3 was approved.

Transfer C. C. Keller by sale by Tax Collector to Bank of Fairhope, for back taxes, and assignment of title by Bank to Antonia Benik, of lots 12 and 13, blk. 3, div. 3. was reported and approved.

Request of Eugenie Possien for rescinding of her surrender of 14 acre tract, in Sec. 20, approved by Council, Sept. 21, 1932, was approved.

Secretary reported description by Marion Smith, of land of Mrs. F. P. Thompson, as per action of Council, dates of 4-1-30 and 10-18-32 as follows: tract beginning 21 ft., so. of nw cor. of se. ¼ of SW. ¼ of Sec. 15, thence east 264 ft., so. 330 ft. west 264 ft. no. 330 ft., two acres.

It was moved and carried that 21 ft., be allowed for road from no. side of se. ¼ of SW. ¼ of Sec. 15.

Request of Mr. Campbell for garden lease of lots 11 and 12, blk. 32, Div. 2, approved, (if not wanted for another season by Ralph Keller.)

All action by unanimous vote.

Colony Council Proceedings

Nov. 21, 1932.

Council met in regular session with Mrs. Dyson, Messrs. Gaston and Smith present. There were also present by special invitation Messrs. Nichols and Wolcott, candidates for treasurer (one sure to be elected) and Trustee Jesse Stimpson.

The minutes were read and approved of last meeting, Nov. 14.

Report of trustees on result of election for treasurer, Nov. 18, read, showing again no election, there being 68 votes cast; necessary for election, 35; Paul Nichols, 24; J. A. Patterson, 21; E. C. Wolcott, 23. Report received and placed on file.

Following bills allowed:

Trustees conducting election of Nov. 4, D. K. Bancroft, Olive Gaston, M. V. Watros, each \$1.50.

Trustees conducting election of Nov. 18, D. K. Bancroft, C. M. Gaston, M. V. Watros, each \$1.50.

Marion Smith, services dept. lands and highways, 10-3 to 10-28, \$9.10.

Wm. B. Stanley, road work in country, \$2.

Supt. lands and highways reported on trees in Freedom St., whose removal was asked by Mrs. Loos, that he thought there was no reason to object to removal, probably could be secured for lumber or wood.

Transfer by Tomopo Orchard Company to Bank of Fairhope, of nw¼ of sw¼, west half ne¼ of SW ¼; and s 3-4 of sw¼ of NW¼ of Section 14, 90 acres less streets, was approved.

Transfer b Eugenie Possien to Viola Richardson of tract in southwest fractional quarter of sec. 20, containing 13.3 acres more or less, was approved.

The following resolution was presented, discussed freely, its adoption moved by Mrs. Dyson, seconded, and on being put carried unanimously:

WHEREAS, the constitution makes no provision for paying, or accepting on rent, receipts for town taxes of lessees, nor do any outstanding leases provide for the same, and the practice for some time existing of accepting such tax receipts on rent is founded only upon an extra-constitu-

tional order of the Executive Council and

WHEREAS, a danger has developed from a tendency of some lessees to over assess their properties, or to fail to make such resistance as they might to over-assessments by the Board of Review, and,

WHEREAS, there has developed a fear of some that the financial security of the corporation is or may be menaced by assuming payment or giving credit on rent, without limit, for taxes paid by lessees; but it is in furtherance of the principles of the corporation and in the interest of a majority of the lessees that their town taxes as well as state and county taxes should be taken from the rental value of the land, rather than rest upon them on the basis of their individual thrift and industry, to the extent that they can be safely assumed, therefore

RESOLVED, that the executive council order of Dec. 11, 1908, relative to Town taxes, be rescinded and that hereafter receipts for town taxes of lessees will only be received on rent from any lessee to the extent of the difference between his receipts for state and county taxes applied on rent and the total rent due from him; each separate parcel of land and the taxes upon the personal property and improvements thereon, to be considered together in the application of this rule.

A suggested amendment of Article XIV of the constitution was put before the Council, as follows:

"Substitute for Article XIV as it now appears the following:

"Section one. All taxes assessed against the Corporation shall be paid from the Corporation treasury.

"Section 2. Receipts for taxes paid by any lessee to state, county, town, or school district upon his improvements and personal property held upon any leasehold shall be applicable upon the rent of such leasehold for the year for which such taxes were paid; provided that the corporation shall not be bound to accept such tax receipts to a greater amount for any year that the rent for that year on the ground on which such improvements and personal property are held."

After general discussion it was moved by Marion Smith, seconded and being put to vote carried unanimously, that the same be approved by the council and the secretary instructed to send a copy to every member, inviting an expression of his sentiment toward the same.

All action by unanimous vote.

Adjourned.

Colony Council Proceedings

December 5, 1932

Council met in regular session, with all members present including newly elected treasurer, E. C. Wolcott.

Minutes read and approved of last meeting, Nov. 21, 1932

Report of acting trustees on special election of December 2, to fill vacancy in office of treasurer, received showing a total of 70 votes, 29 for Paul Nichols, 41 for E. C. Wolcott, Wolcott declared elected.

Following bills allowed:

Services as acting trustees at election 12-2, Mrs. L. J. N. Comings, Mrs. D K Bancroft, Mrs Olive Gaston each 1.50

A. Youngquist furnishing and planting winter grass on lots on Fairhope Ave., in poss'n of Corp 6.55
Fairhope Courier, Ptg. constitutions and other job work 38.60
Town of Fairhope, light, Treas. office, 6 months 9.27

Surrender by Axil Johnson of east 58 ft., of lot 11, blk. 4, div. 3, accepted.

In regard to notice of re-leasing by A. E. Schalkenbach to Albert P. Schalkenbach, of lot 12, blk. 2, Div. 3, with copy of contract, it was moved and carried that same be acknowledged and filed as requested

Transfer former H. M. Ferrin and Viola Ferrin leasehold in block 14, div. 4, by Holmes Cantine Adm. to Harvey H. Myers approved, more particularly described as follows: a tract in southwest corner of blk. 14, div. 4, 154 ft. no. and south, by 118 ft. 8 inches east and west, and as enclosed in fences standing.

Supt. Lands and Highways, Marion Smith recommended a contract of lease for coming year with A. R. Miller for west half ne. ¼ of NW. ¼ and nw. ¼ of nw. ¼ of NE. ¼ all in sec. 2, 30 acres less streets, at \$1.50 an acre and same was on motion approved

Moved and carried to meet hereafter at 7 o'clock until further notice.

Adjourned on motion to meet Friday, December 9.

Colony Council Proceedings

December 9, 1932

Council met pursuant to adjournment December 5, 1932, with all members present and President presiding, to consider rents for 1933. There were also present and participating in discussion Trustees C. A. Gaston and Jesse Stimpson, and M. Dyson.

After considerable general discussion of the situation a motion was made and carried that the Treasurer be directed to ascertain as nearly as possible the financial situation on the basis of rents at present charged against lands leased, and taxes which the corporation will be called upon to take care of paying for lessees and itself; also that president and treasurer be authorized to secure such assistance as may be necessary for the purpose, including an audit of the treasurer's books.

All action unanimous.

Adjourned.

Colony Council Proceedings

December 19, 1932

Council met in regular session, with all members present, President Brown presiding.

Minutes of last regular meeting, December 5 and special meeting of Dec. 9 read and approved.

Treasurer's report for November read, approved and placed on file as follows:

TREASURER'S REPORT FOR NOVEMBER, 1932

	Recd.	Paid
Rent	1,387.18	
Penalty	9.72	
Certificate	52.63	
House Rent	40.00	
Leases	2.00	
Timber	2.00	
Taxes		\$23.38
Mighways		26.85
Certificates		5.30
Insurance Premium		17.40
Salaries		125.00
Library Maintenance		25.00
Election service		3.00
Treasurer's sundries		1.47
Secretary sundries		7.96
Office Rent		12.00
Work on lots		13.75
Road Work		2.25

	\$1,493.53	\$1,063.36
Cash Oct 31	2,545.73	
Cash Nov. 30		2,975.90

\$4,039.26 \$4,039.26

Mrs. R. E. L. Connolly, Treas.

Following bills allowed:

H. H. Parker, examination title of lot donated by Abe D. Wal-dauer	2.00
Marion Smith, serv. dept. lands and highways	2.00
G. W. Humphries, recording fees	.50

On motion Treasurer was authorized to dispose of anything in former Foster building.

Marion Smith reported an agree-ment made with A. R. Miller for lease for coming year of 30 acres, of former Hill-Boroski place in Sec. 2, temporarily occupied by a negro. Understood that Mr. Smith see Negro and take necessary steps to get him off of place and instal Miller.

Secretary reported the transfer by First National Bank as Executor est. Hettie B. Wilms, to Jeannette W. Dennis, of lot 2, blk. 3, div. 3, as an uncompleted transaction with balance back, to be shown on record.

Surrender by J. Eugene Lawrence of all of east 81½ ft. of lot 5, blk. 6, div. 1, except no. 60 ft. was accepted, sub-ject to proposed removal of building, making surrendered portion available for another lessee.

Moved and carried that President, Secretary and Treasurer make return of property of Corporation for taxation, and employ any assistance needed.

James Gaston tendered his resigna-tion as Supt. Pub. Services effective when his successor was chosen at reg-ular election and same was, on motion, accepted.

Adjourned.

Colony Council Proceedings

December 23, 1932

Special Meeting

All members present but Marion Smith. Purpose to adopt resolution desired by Postoffice Department for cooperation with Marmaduke Dyson, in leasing postoffice to government, (in line with action of April 28 and May 6, 1931.)

The following resolution in language suggested by postoffice inspector was moved, seconded and carried unani-mously.

'Resolved: that President F. L. Brown, be authorized to join with Mar-maduke Dyson, in the execution of a lease to the United States Government covering the one-story hollow tile and stucco building located on the north side of Fairhope Avenue, between Sec-tion and Church Streets, in Fairhope, Alabama, the inside dimensions of which are approximately 30 ft. wide, by 52 ft. long together with a ten-foot driveway along the west side of the building and a vacant lot in the rear extending back to a depth of 218 ft., for a term of ten years, from Septem-ber first, 1932, for an annual rental of \$620.00 including the complete equip-ment of fixtures, furniture and boxes, satisfactory heating and lighting fix-tures, toilet facilities, water, and a good fireproof safe with burglar resist-ing steel chest."

Adjourned.

E. B. Gaston, Secretary

2600
2632
105 m regard to amendment
27374
10948

WN, PRESIDENT

E. B. GASTON, SECRETARY

E. C. WOLCOTT

FAIRHOPE SINGLE TAX CORPORATION

ADMINISTERING

Fairhope Single Tax Colony

ESTABLISHED 1895

FAIRHOPE, ALABAMA

January 18, 1933

Fellow Members:—

At the meeting of the Executive Council last evening, the Secretary was instructed to call a meeting of members for next Monday, January 23rd, to counsel together regarding the situation now confronting our Corporation.

This meeting will be held at 7:30 P. M., in the Treasurers' office.

The annual election of officers comes this year on Thursday, February 2nd, at which time there will be chosen a president, secretary, treasurer, superintendents of lands and highways and public services, and one trustee.

The constitution provides that the names of incumbents appear upon the official ballot, without necessity for being renominated.

The only provision for other candidates names being placed upon the ballot, is by petition of 5% of members filed with the secretary, 10 days before the election. The following are the incumbents:

President, F. L. Brown; Vice Pres. E. C. Wolcott, (resigned); Secretary, E. B. Gaston; Treasurer, E. C. Wolcott; Superintendent lands and highways, Marion Smith; Superintendent Public Services, J. E. Gaston, (resigned); Trustee, Jesse Stimpson.

Fraternally yours,

E. B. Gaston, Secretary

"The Physiology Of The Body Politic"

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By L. D. BECKWITH

We learn from the study of scientific economics—
(Continued From Last Issue)

RENT IS SUFFICIENT

108. That the rent (meaning always, true rent, or ground rent), is sufficient for all the needs of the community because people always pay to live in the community what the advantages of life there are worth; so that what they pay for location privileges, as distinct from housing and kindred accommodations, will always equal the value of the publicly-financed service and betterments which induce them to reside there. (16-18, 30, 90, 101)

109. That the rent will more than finance the publicly-financed betterments and service because privately-financed betterments and service also raise land values and raise rent, for people willingly pay more to live where there are churches, theaters, stores, hospitals and where there are available the professional services of lawyers, physicians, surgeons, attorneys, dentists, etc. (30)

GETTING YOUR SHARE

110. That, while the land value is the creation of the public and the rent paid thereon belongs to the public, it is impossible to distribute it as a cash dividend, for the reason that it is impossible to know how many have claims upon it, or how much of it belongs to a given person and, further, no apportionment however correct it might be, would continue to be accurate long enough for the dividend to be paid, because claimants are dying all the time and new claimants are being born.

111. That the only way the rent fund can be distributed to its joint owners is by declaring a service dividend and so making the distribution in the form of school service, park and street and postal service, police and fire protection, and other services and in the privilege of enjoying government betterments. (See Nos. 35, 37, 101, 107.)

112. That it is not only possible to make this distribution in this way, but that this distribution would be automatically accurate and continuous upon a "cash and carry" basis.

113. That it is possible in this way to even get for each citizen his share in our common store of oil, gas, coal and minerals. (107)

114. That this distribution is automatically accurate and continuous, because the rent is the measure of the service rendered the occupant of a site; therefore, when one pays his rent,* he has paid for all that society has done for him—and, conversely, if the rent is collected in lieu of taxes, the occupant of a site receives from society in service the exact equivalent of his rent, regardless of the manner of its payment,—whether directly to a landlord, or indirectly as a part of his cost of living. (30, 33, 82, 90, 107)

(To Be Continued)

Colony Council Proceedings

January 3, 1933

Regular meeting with all members present, but R. L. Rockwell, president

Brown presiding.

Minutes read and approved of regular meeting of 12-19 and special meeting of 12-23.

Following bills allowed:

M. Smith, services dept. lands and highways \$2.65

Fairhope Courier, job printing 8.30

E. B. Gaston, postage and Secretary funds. 8.83

Supt. lands and highways reported that Miller deal for Hill-Boroski place had fallen through.

Communication from Mrs. K. B. Steele relative to allowance on account of land taken for park, was, on motion, referred to a committee to be appointed by president.

Treasurer Wolcott was authorized to make settlement with A. M. Troyer for rent on Steele lots in Satsuma Park.

Request of Mrs. McCollm, for privilege of surrender of lease to part of lot 1, blk. 3, div. 3, it was moved and carried that Supt. of lands and highways select one or two to act with him, view the lot and report.

Application of Mrs. Caroline H. Ward for north 32 ft. of lots 9 and 10, blk. 14, div. 2, accepted.

Offer for turpentine lease of land in Sec. 2, 7 so. referred to Supt. lands and highways.

All action unanimous.

Adjourned.

Colony Council Proceedings

January 17, 1933

Council met in regular session with all members present, President Brown presiding.

Minutes read and approved of meeting of January 3.

Treasurer's report for December, 1932.

TREASURER'S REPORT

	Recd.	Paid
Rent	\$3,337.09	
Penalty	107.55	
Certificates	30.90	
Timber	6.00	
Leases	2.00	
Taxes		\$2,753.18
Highways		1.80
Certificates		66.55
Insurance		8.15
Salaries		125.00
Library Maintenance		25.00
Election Service		12.00
Printing and constitutions		33.60
Treasurer's office rent		12.00
Regular Courier ad		25.00
Light for Council room		9.28
Abstract Work		2.00
Planting winter grass		6.55
Recording Fee		.50
	\$3,483.54	\$3,085.61

Cash Nov. 30 2,976.05

Cash Dec. 31 3,373.98

\$6,459.59 \$6,459.59
E. C. Wolcott, Treas.

Following bills allowed:

Marion Smith, serv.. dept. lands and highways 1.90

G. W. Humphries, filing fees 2.55

Waldauer deeds 10.00

J. H. Webb, attorney fees, Schalkenbach et al case 10.00

Turpentine lease, considered but no action taken.

Secretary instructed to call a meeting of local members for Monday, Jan. 23rd.

Moved and carried that president and secretary be authorized to contract with Gus Gates for purchase of improvements of house on Section Street in block 12, on terms outlined.

Moved and carried that offer of Mary Thompson for yearly lease of 3 acres adjoining her holding in Sec. 15 be approved.

In regard to request of Mrs. McCollm for privilege of surrendering a part of lot 1, blk. 3, div. 3, Supt. Lands and Highways reported judgment of committee that same was not acceptable under rule adopted Oct. 7, 1930.

All action by unanimous vote.

Adjourned.

Annual Pre-Election Meeting S. T. Colony

The annual pre-election meeting of members of the Fairhope Single Tax Corporation was held in the Corporation Treasurer's office in the Courier building, Monday evening, the 23rd with the following present: R. L. Atkinson, M. A. Bowen, F. L. Brown, D. K. Bancroft, E. L. Cross, A. B. Call, Helen Call, E. Y. Cohen, M. Dyson, W. H. Edwards, E. B. Gaston, J. E. Gaston, C. A. Gaston, A. J. Melville, A. H. Mershon, Almeda Mershon, Paul Nichols, J. A. Patterson, Harry H. Parker, R. L. Rockwell, Marion Smith, M. V. Watros.

President F. L. Brown presided.

The minutes of the annual meeting of 1932 were read and approved.

The Treasurer's report for 1932 was read as follows:

Treasurer's Annual Report for 1932

	Recd.	Paid
Rent	\$28,106.42	
Penalties	1,371.44	
Wharf	857.21	
Certificates	1,553.92	
Timber	13.15	
Dirt to Town	124.20	
Grave Spaces	65.00	
Leases	34.00	
House Rent	207.00	
Sundries	54.29	
Cash on hand Dec. 31, '31	821.41	
	\$33,208.64	
Taxes		\$20,840.34
Highway		209.44
Wharf		1,098.55
Salaries		1,500.00
Library		400.00
Council Room Rent		146.00
Clearing Lots		55.09
Reg. Courier Ad		150.00
Secretary's Sundries		59.93
Treasurer's Sundries		14.55
Job Printing		109.00
Trustees Election Exp.		31.50

Fellow Members of the Fairhope Single Tax Corporation:

About a year ago our Secretary brought to the attention of the Executive Council the question of deeding our park lands to the Town of Fairhope. His inspiration was doubtless an effort on the part of some malicious neighbors to have the taxable valuation of the lands of the corporation raised.

He felt, and those who agreed with him felt, that as we have bound ourselves by our leases to make no difference in benefits received from our policy between ourselves and our lessees, and because we have allowed all to enjoy our beach front, that it might be well to give the parks to the town and thus escape the taxes on them as well as the expense of street improvements, and that this action would be in line with our general belief in public ownership.

Those who opposed such action argued that the land tax is not great, that as the Colony now pays 7/10 of the municipal taxes, the difference would not compensate for the loss of control of the land. That the fact that we furnish the beautiful shore for a playground for all, is good propaganda. That when strangers come among us and hear of the Single Tax, the fact that parks, library, cemetery, etc. are kept for the people by the rental of our lands is a concrete benefit which can easily be seen and will make more impression than would the furnishing of these same benefits by the town even though accompanied with the explanation that they were the gift of the Colony, with perhaps the further explanation that they were the gift of the Colony because it could not afford to maintain them.

Our secretary presented his views as embodied in some resolutions which he had prepared, concluding with the following "BE IT RESOLVED, FURTHER, that the members may have another opportunity to express their wishes with regard to such action, a referendum be called on same, with date not later than Sept. 10th, and all members of the corporation, whether resident in Fairhope or not be notified of this action and be permitted to vote on same, in manner provided for votes of absent members." The matter was discussed extensively, but the council seemed loth to take the action suggested.

As the board of Trustees have charge of elections, and it appeared to Mr. A. E. Schalkenbach, who was our chairman at that time and who was in Chicago, that the language of the Constitution was such that the transfer could only be effected by a constitutional amendment, rather than a simple referendum, he consulted Mr. Hamilton and Mr. Black, both attorneys, who confirmed him in this belief.

Accordingly the Trustees reported this advice to the members present at the annual meeting held Jan. 26, 1931. The number of members present at this meeting being 25, or about one third of the resident members and a little less than one fifth of the total membership, the latter being 130. This small meeting with some dissenting votes went on record as favoring the transfer.

Since then, as it appeared that the Executive Council intended to make the transfer without submission to the membership, a number of those who are anxious that matters shall be done in a constitutional manner, among them being our Superintendent of Lands and Highways, Mr. Marion Smith, joined in a petition for the constitutional amendment which was voted on May 12th and lost, leaving the constitution unchanged. Among those signing the petition for the amendment just referred to were those who favored the transfer as well as those opposed.

During the pendency of this amendment a circular was issued by a number of resident members, our Secretary among them, whose contents indicated that the signers proposed to make the transfer of the parks without referring the matter to any of the members and that if a referendum were petitioned for only the local members would be given opportunity to vote, the assumption being that this is a matter of local administration.

The Trustees could not look at this transfer as a local matter and submitted to the council a report, which they asked to have

spread on the minutes and in which they stated their views, concluding with the following, "We wish to go on record before the Council and the entire membership as only willing to conduct the affairs of the Corporation in a constitutional manner, and as even more jealous of the integrity of our Constitution than we are concerned as the issue of the question before us. We are anxious to protect the non-resident members in their rights and we wish to ask why, if those anxious to accomplish the transfer believe our legal advice to be erroneous, they have not accepted our offer to obtain further advice."

This report was spread upon the minutes but publication was delayed until the next week, by which time practically all ballots were already in the hands of the Trustees.

Since that time, as it appeared that the intention was to make the transfer through the President and Secretary; with the consent of the Council, but with no referendum, other than to local members, the Trustees, that they might know whether a local referendum, if called, would be a legal one asked the Corporation's attorney, Mr. Jas. E. Webb for an opinion on the matter. Mr. Webb's opinion, with the exception of one paragraph, which refers to entirely extraneous matter follows.

"Your letter and the one from Mrs. Call received in the same mail, and being notified in Mrs. Call's letter and by phone, that the Single Tax Corporation wished advice along the same line, and that the secretary would see me today, I have delayed my answer until after Mr. Gaston's visit this forenoon.

Question 1. Should a constitution be an instrument to define the powers that shall be exercised by the corporation or its officers, or should it be an instrument to define the powers that shall not be exercised, leaving the officers free to do anything not expressly forbidden?

Governmental constitutions are for the most part a declaration of principles and limitation, instead of grant of power, the voice of the people being supreme, except as so limited, yet in a way there is a grant of power, for example, the Section of the United States Constitution vesting supreme control in Congress concerning matters of interstate commerce, which is a grant of power to the Federal Government, being at the same time a limitation on state sovereignty. So in corporations, by statute and their charter, certain powers are conferred and any acts not thereby authorized are ultra vires.

In the Constitution of the Fairhope Single Tax Corporation, the preamble and Article 2 are declarations of principles. Section 1 of Article 4 is also a declaration as to where supreme authority is and how it shall be exercised. Supreme authority naturally resides in the membership, unless restricted by the Constitution and By-laws. Article 5 provides for the officers and Sections 4, 5, 6, 7, 8, 9, and 10 of same contains grants of power.

Question 2. In view of Sec. 1, Art. VIII could the officers of this corporation give away the park lands of this corporation without the consent of the non-resident members? If so, upon what part of the constitution would you base your opinion?

On June 23, 1924 I gave the Corporation an opinion to the effect that it was authorized to make a donation to aid in the building of the public high school, and though this was in the way of money, on the same principle it could have donated a site. Previous to that time I have advised the Corporation that it could and it did donate a site for the Peoples Railroad, which revested in the Corporation by reason of conditions not being complied with. In March 1925 I prepared a conveyance to the Town of Fairhope, exactly similar to the one contemplated, and evidently advised at that time that this could be done, and ~~not~~ informed as to why it was not. In May 1927 I prepared a conveyance to the Town of Fairhope, of the wharf, at which time I suppose such a step was contemplated, and evidently then advised it was legal. I am of the opinion that it could donate, with proper reservations, parks to the municipality, and that the usual

officers could make a valid deed to the corporation. However, this would first have to be authorized by the Executive Council, subject to Section 1, Article 6, concerning Initiative and Referendum.

Section 1, Article 8 has reference to the ordinary buying and selling of land, and forbids a sale to an individual, of a part of the land which it has set apart for use in the functioning of the purposes for which it was formed, but this would not apply to what amounts to the delegation of authority to a governmental body to carry out the purposes of the Corporation where it could do so to a better advantage. A similar distinction between governmental and private corporations, and individuals is referred to in the recent decision of our Supreme Court upholding the State Bridge Act. Though this thought is an original one, it is well stated and illustrated in the circular issued by certain members of the Corporation to the others, on April 18, 1931. Since supreme authority resides in the membership, it could, by proper proceeding, dissolve the Corporation, wind up its affairs, and distribute the assets, but by conveyance to a municipality, with proper restrictions, certain lands for public purposes in furtherance of its aims, the possibility of such purposes coming to naught would be practically obviated.

Question 3. Would the language of Art. XII"-----establish and maintained at the expense of the corporation for the free use of the members and their families," make it necessary if it were desired to give away these park lands to do so through a constitutional amendment or would a referendum to the whole membership be sufficient? On what do you base your opinions?

A Constitutional amendment would not be necessary, nor a referendum to the whole membership, but, as before stated it would be necessary for the Executive Council to authorize this, on which a referendum could be had as provided in Section 1, of Article 6. The membership referred to in such Section are those on the ground actively participating in the affairs of the Corporation, as is clearly shown by the fact that twenty-four hour's notice is sufficient, except when it is proposed to amend the Constitution."

Your Trustees could not accept this opinion as conclusive. They could not agree that a gift of money was on a parity with a gift of real estate which had been bought by the membership fees of the members and the title of which the Constitution expressly said should be held in trust for the whole membership. Neither could they regard the proposition to exclude non-resident members as consistent with the spirit of democracy which pervades our Constitution.

Mr. A. E. Schalkenback, Mr. E. Y. Cohen, Mr. & Mrs. Wm. Call and others have made available to us two opinions from Mr. S. M. Johnston which follow.

"With reference to the inquiry submitted to me namely, could the officers of the corporation donate to the municipality of Fairhope, park lands of the corporation, without the consent of the non-resident members, I beg to submit the following opinion:

1. Article 2 of your Constitution provides: "its purpose shall be to establish and conduct a model community or colony, free from all forms of private monopoly, and to secure to its members there in, equality of opportunity, the full reward of individual efforts, and the benefits of cooperation in matters of general concern." Section 1 of Article 8 of the corporation provides: "There shall be no individual ownership of land within the jurisdiction of the Corporation, but the Corporation shall hold as trustee for its entire membership, the title to all lands upon which its community shall be maintained." Article 12 provides: "Ample provision shall be made in platting the lands of the corporation for lands for parks and all other public purposes, and as rapidly as may be, lands thus intended shall be improved and beautified, and schools, libraries, public halls, natatoriums, etc., established and maintained at the expense of the Corporation for the free use and enjoyment of the members and their families."

2. An analysis of the three sections of the Constitution

above mentioned, indicate conclusively to my mind that the corporation was established for the mutual benefit, enjoyment and pleasure of its members. In Article 2, whose subject is "Purpose", the phrase is used "and to secure to its members therein, equality of opportunity, the full reward of individual efforts, and the benefits of co-operation in matters of general concern." In Section 1 of Article 8, the corporation holds the lands as trustees for its members. Under the law, the legal title would be in the trustee, while the equitable title would be in the membership as a whole. The fact that the original membership adopting the Constitution, deemed it expedient to include Article 12 in the Constitution clearly indicates to my mind that parks for free use and enjoyment of the members and their families were deemed necessary to the attainment of those nobler enjoyments of the purposes of your organization for which it was originally established.

Running throughout the Constitution are two thoughts, the first being that titles to all lands are in the corporation for the use, benefit and enjoyment of the whole membership, and the second being that parks should be created and maintained for the free use and enjoyment of the members and their families. The idea that the public, as a whole, should ever be entitled to the free use and enjoyment of the lands, which of course includes the parks, on a parity with its membership is definitely excluded. So definitely is the idea manifested that the original membership saw fit to include it in the Constitution.

3. We see now that the beneficial and equitable title to lands and parks is in the membership as a whole, to be enjoyed and used by the membership as a whole and their families. The question then arises, how may your corporation donate, or rather dedicate, to the public, who were originally excluded from the use and enjoyment thereof, parks, the equitable title and enjoyment of which are in the whole membership.

4. Section 10 of Article 5 provides that the Executive Council shall have general charge of the administration of the affairs of the corporation, "and shall perform all other duties necessary to the carrying out of the principles and purposes herein set forth".

Creating parks and maintaining them for the free use and enjoyment of the members and their families, is the performance of a duty necessary to the carrying out of the principles and purposes of the corporation, of which the Executive Council would have general authority under Section 10 of Article 5. But the donation of parks to the City of Fairhope, and dedicating the same to the use of the public is in my opinion in open conflict with the very duty that the Executive Council is required to perform. If it be their duty to create and maintain parks for the enjoyment and use of the membership and their families, it cannot, in the nature of things, be either their duty or within their power to donate the parks to the City of Fairhope, or dedicate the same for public use.

5. Section 1 of Article 6 provides how any act of the Executive Council may be reviewed, and how the Constitution may be amended. The first clause of this section has reference to an act of the Executive Council, over which they had authority; it has to do altogether with the local administration of the affairs of the corporation. Section 1 of Article 4 provides that the supreme authority shall be vested equally in the membership, to be exercised through the initiative and referendum as hereinafter provided. Section 2 provides that "each member not in arrears to the corporation shall be entitled to one vote and one only, at all elections involving changes in this constitution; but on elections of officers and questions concerning local administration of affairs, only those shall be entitled to vote who are in person on the corporation grounds on the day of election and who are not in arrears."

The question presented, therefore, is whether or not the donation of parks to the City of Fairhope, or the dedication of same for public use, is a question concerning local administration of affairs. In my opinion it is not. The very fact that the Constitution provides, under Section 1 of Article 8, that the corporation shall hold, as

trustees for its entire membership, the title to all lands upon which its community shall be maintained, and the fact that Article 12 provides that the parks shall be created and maintained for the free use and enjoyment of the members and their families, clearly shows that these matters are constitutional matters, and not merely questions of local administration. I take it that all will agree that matters prescribed by the Constitution are not local in nature. The very fact that they are incorporated in the Constitution is conclusive evidence of the fact that they are fundamental and general, rather than local. To permit, then, the Executive Council, or if submitted to only those members who are in person on the corporation grounds on the day of the election, to donate the parks would be to violate the Constitution and frustrate its fundamental provisions. Again, we must not forget that supreme authority is vested in all the members. The power of the members on the grounds to do any act is the exception in the case, and in order for any act to be brought within this exception, it must be clearly shown that its purpose is merely local. No one could reasonably say that to take the title to parks and lands out of a corporation and place it in a municipality, for purposes foreign to the purposes of the corporation, without the right of all the membership to participate in the election would be either consistent with the Constitution and purposes of your corporation, or with the general law of property rights governing real estate. In other words, no man has the right to donate or give away property in which another man has an interest, except by following strictly the method in doing so to which they originally agreed.

I am therefore of the opinion that, in order to donate the parks to Fairhope, or dedicate them for public use, would require either an election in which all the membership participated, or an amendment to the Constitution.

I trust that my opinion is clear, but if there is any question you would like for me to amplify, I shall be glad to do so.

Pursuant to your request, I am sending copy of this letter to Mr. A. E. Schalkenbach, 13411 105th Avenue, Richmond Hill, Long Island, New York.

Supplementing my opinion to you of May 28th, 1931 with reference to the right of the Fairhope Single Tax Corporation to donate to the City of Fairhope the parks of the Corporation for public use without the necessity of a constitutional amendment, I wish to advise that in rendering this opinion I followed precisely your instructions to write an opinion without any preconceived idea about the matter, and without a preference as to how the matter should be determined. As I heretofore advised you, the duty to create and maintain parks is a constitutional duty which cannot be evaded. The power to create and maintain parks does not carry with it the power to donate those parks for public use.

In the second paragraph of my original opinion the following expression is used, namely:

"I am therefore of the opinion that in order to donate parks to Fairhope or dedicate them for public use it will require either an election in which all the members participate, or an amendment to the Constitution."

In view of the fact that you regard this paragraph as somewhat ambiguous I wish to clarify it by stating that, in my opinion, the parks could not be donated to Fairhope without an amendment to the Constitution, submitted to all the members in an election as required by the Constitution.

Even should the membership, by the initiative and referendum, seek to donate the parks to the City of Fairhope for public use, still Section-Twelve would not be thereby repealed, and the constitutional obligation and duty would still continue upon the executive council

to create and maintain parks for the use of its own members. As a result, therefore, of this constitutional obligation the executive council would not have escaped; by donating the parks to the City of Fairhope, the constitutional obligation and duty to create and maintain parks for its own members.

Mrs. Call has also made available to the Trustees an opinion of Mr. Wm. H. Holly of Chicago, from which the following is an excerpt." "It is my opinion under these provisions of the Constitution neither the trustees nor the Executive Council have authority to sell any part of the real estate of the Corporation, or do anything other than conduct its ordinary business, the supreme authority being vested in the members. The members who are on the ground at the time of election are the only ones entitled to vote on the election of officers and matters concerning local administration of affairs but the sale of real estate is something more than "local administration of affairs". The conclusion that this matter properly comes before the whole membership has been given to Mr. A. E. Schalkenbach in a written opinion by Mr. Hamilton of Chicago and verbally by Nugent and Nugent of New York City.

Your Trustees do not look upon the proposal to transfer the parks to the Town of Fairhope with approval. However, they do not wish to discuss the advisability of the transfer at this time but do desire to call your attention to the question of the constitutionality of the method proposed. They wish to go on record as feeling that our ideals can never be advanced by any action that is not in strict adherence to the contract which binds us together as a corporate whole, nor should we give any member any cause to feel that he has not been accorded the right to express his feeling in regard to the disposition of property which the Constitution distinctly says the Corporation shall hold in trust for its entire membership. They feel that the rights of the non-resident members should be zealously protected by the officers of this Corporation for the reason that they are at a disadvantage in comparison with the resident members, being unknown to each other, the data as to their names and addresses being of official record only in the books of the Secretary, and all officers being selected from among the resident membership. The Constitution says "Supreme authority shall be vested EQUALLY in the membership." Your Trustees are unable to consider this matter of the transfer of parks, provision for the creation and maintenance of which is made by the Constitution as a local matter.

This matter has now progressed to the point of a formal tender to the town of this property and a call for a local referendum to the resident members which referendum election the Trustees have declined to hold on the ground that it would be unconstitutional.

These facts are submitted to you for your information.

Sincerely yours,

Board of Trustees, Fairhope Single Tax Corp.

D. K. Bancroft

Anne B. Call

Alice M. Smith

Dr. H. S. Greeno's application for membership in the Single Tax Corporation was laid over until the next meeting to give the committee, S. S. Mann, Mr. J. Mogg and Mr. J. Bellangee time to investigate. Absent members are accepted with the endorsement of J. Bellangee. Those who live here must be endorsed by a committee of three appointed by the presiding officer. It is safe to say that Dr. Greeno will be accepted by the committee, and by the council. Every membership means that some one has paid \$100 into the treasury, and \$400 will be very acceptable just at this time. Every lease holder should be a member and it is hoped that both the Royalist and Patriot parties will run in their members with the necessary \$100. An initiative meeting was held on Friday night to consider what should be done with the steamer Fairhope. The trust agreement was read by the trustee, and a gentleman from Philadelphia in response to the request of the trustee made a long speech in favor of pipe boilers, but closed by explaining that the pipe boiler used by the Fairhope was not the same as the ones he had been speaking of. A motion was made and seconded that the boat be turned over to the stockholders, amendment by Capt. McDermaid that the boat be put in as good condition as when received before turning her over to the trustee. The president put the second amendment which carried, and as there was no objection did not put the other amendment or the motion, and they adjourned to be followed by a Chautauqua lecture by Mrs. Comings. A Chautauqua parliamentary lecture might do some good.

R. F. Powell returned to Philadelphia on Saturday after a few days here with his family. He turned over the land owned by him to the corporation in payment for two memberships, one for himself and one for his daughter, Miss Iva. This will return the \$100 deposited by him for his membership but adds some good building lots to the corporation and a substantial rent list, as it is nearly in the center of the town, and will at once be platted for lots and assessed.

The Royalist party carry their politics into church, Sunday school, Ladies clubs and Children's parties, and these tactics weaken their cause day by day.

Steps are being taken to organize a stock company to start a real newspaper in Fairhope, that will report the news in a non partisan manner. A noted reform editor is solicited to come and take charge of the paper.

The "Gertrude" under Capt. Foster is serving us well, and making money under his management.

There will be a supper at the hall Friday, March 31, from 5:30 to 7:30 for the benefit of the Congregational church. Served on American plan. All you want to eat for 25c.

In answer to the New Orleans States let us quote from Henry George. "I, too, would like to take the entire economic rent. But I wish the Cleveland club had added another resolution explaining how they propose that it shall be done, for it is here that the difficulty comes. * * But first as to Mr. Shearman: Whatever percentage of economic rent he may think will suffice for the necessary expenses of government he is as good a single tax man as those who wish to take it all, for he is for one single tax, or to speak more precisely, for levying all taxes on one single source of revenue—land values. If that does not constitute a single tax what does?"

"Taxation without representation" always has made trouble and always will.

The substitution of the New England town hall plan for local government in Fairhope would satisfy the Patriot party and will come sooner or latter.

The patriots are not so "ignorant" of single tax as the Royalists would have the people believe, and the single taxers all over the United States are standing with the Patriot party, with very few exceptions. The Royalists of Fairhope, like the Duke of Argyle, believe they can administer single tax for our benefit, better than to let us have a voice in the administration, but they are beginning to "see the cat" and soon we will be all Patriots and forget that there every was any other party among us.

This will come if we love single tax better than we do our self, and our own way—if we believe with Hall in Love.

Fairhope, Jan. 25, 1933.

Dear Mr. Schalkenbach:

I am quite out of patience. Judge Hare wants our case simply tried by brief as the dockets are so crowded and he wants to use the time on criminal cases which require jury or so Mr. Johnston says. Perhaps he and Mr. Webb are in cahoots about it some-way. How can we tell?

The annual meeting of the Colony took place Monday evening. The call said "To council together regarding the situation now confronting our Corporation." I wondered what that might be and determined to go. I also wanted to be there to call attention to the absolutely unconstitutional method employed in deeding the Golf Links to the town with the minutes of Sept. 21 declaring that the Council did not think best to deed the land and the minutes of Sept. 28 stating that the deed had been made. Not only had the deed passed but it was sent to Bay Minette and recorded before the minutes were published, thus shutting off any referendum. I cannot consider that the fact that the deed provided for recapture by the Colony or that a number of resident members had petitioned the Council to make the transfer as any excuse for doing the deed secretly and not allowing any time for referendum as provided by the Constitution. That is the Constitution provided that any act of the Executive Council may be subject to referendum. I found out at the meeting what I already suspected, knowing that bunch, that they had circulated the petition and had never mentioned it to any of us or to Mrs. Bancroft.

Mr. Call has been feeling pretty well and I feared that he might insist on going and would get nervous and sick again but as he has some business in New Orleans and we are going to drive down there Friday I persuaded him that he had better not go.

Monday afternoon I had to see Mrs. Dyson in regard to the insurance on the Women's Council building and I found Mr. Dyson at home. From the way he talked I thought they were going to consider the propriety of disbanding but nothing of the kind was said. Mr. Dyson told me a couple of times that the law suit would be the finishing touch to the Colony but I took no notice. Perhaps they could not council together regarding the situation now confronting our Corporation for after a little report from Mr. Gaston Frank said he didn't know whether there was any other business before us. However I suppose they did not want to council with Mr. Cohen, Mr. Melville, Mrs. Bancroft, Helen and I. When I showed signs of wanting to speak Frank tried to maneuver me out but I held out and read the minutes in regard to the Golf Links and got after them pretty sharply. I also told the meeting what Mr. Brown had said in regard to the park transfer that he "Did not know whether it was constitutional or not but if we want to do it we can get by with it." No denial was made as to facts of anything I said. Mike Bowen and Cernie tried to excuse them. Frank and Gaston did not peep. I was somewhat excited and was afraid I was too vehement but Mr. Cohen said that he never heard me

A.E.S.

Speak better and that Frank Brown and Gaston looked like whipped curs.

Mrs. Conings now owes \$140 and Reuben \$600 which would just about balance the rebate. I told them that when two persons owed enough to balance the rebate I thought it was certainly ^{not} necessary to throw principle over. I also told them I had looked vainly for our paid officials to offer to take less salary as officials everywhere including our city hall had done and felt that we had better economize some on our Secretary rather than all on our library.

Must tell you something funny. You know that Mrs. Gress and I have not been what you call chummy for some time. Mr. Gaston in his statement mentioned the member who had died during the year and failed to mention Capt Gress, also in mentioning those who had gone to Memphis he failed to mention Mrs. Johnson and Mrs. Tene. I thought I saw an offended look on Mrs. Gress' face during the meeting but I had been thinking of more important things and had not really noticed the names he read. I met her in the P.O. Lobby the next morning and she greeted me with the inquiry "Do you consider that Capt. Jack was a member? Of course I told her I did and then it came out and she was so piled that she said she agreed with me fully and had written all about the meeting to Mr. Warren. I bet he had a succinct account of it.

I wish I did know somewhere that we could do about what we are doing here. I cannot live here and forget the Colony and I am all riled up all the time and wasting valuable time with this Colony mess at the same time I do not believe we can hold together much longer and I feel like Mr. Melville in regard to the Colony property. I asked him one time why he did not resign from the Colony considering that he wanted to see it broken up and he said he was not going to get out and have Gaston get more out of it. We have worked here for the Single Tax and we do not want to get a cent out of it but if it is wrecked we don't want to see the wreckers profit while we get nothing.

I do not think the Democratic Congress will do much better than the Republican one. They may mean a little better but everything proposed will complicate rather than help I fear.

Regards from Mr. Call and Helen, we hope you are having a good trip.

Sincerely,

A.B.C.

Jan 25. 1933

William bank

As to whether or not the Corporation had tried to do more than was practicable in applying the Single Tax, under existing laws.

The question of a "gateway amendment" to the constitution to make it more easy of amendment.

The matter of the wharf was brought before the Public Service Commission, by an inquiry if its consent would be necessary to discontinue, which was answered in the affirmative. This was followed by a motion passed by the Executive Council to tender the wharf to the Town of Fairhope. A hearing on the matter of discontinuance was held by the Public Service Commission, whose permission was later given; and negotiations entered into with the Town for transfer of the wharf to it, were consummated by a tender to the Town, approved by all the members voting at a referendum election called by the Council and acceptance by the Town Council, after approval by the citizens of the Town by a very large majority at the September election.

The question of a gateway amendment was acted upon through filing of a petition filed by the requisite number of members, the calling of an election to vote upon the amendment proposed and its adoption by a vote of 110 for, to 8 against the amendment, the amendment appearing in a new edition of the constitution printed since its adoption.

The question of whether or not the corporation had undertaken to do more than was practicable in applying the Single Tax under existing laws, was taken up by the Colony Council, with result of adoption of a resolution as follows:

"That the Executive Council order of Dec. 11, 1908, relative to Town Taxes, be rescinded and that hereafter receipts for Town Taxes of lessees will only be received on rent from any lessee to the extent of the difference between his receipts for state and county taxes applied on rent and the total rent due from him; each separate parcel of land and the taxes upon the personal property and improvements thereon, to be considered together in the application of this rule."

The Council at the same time approved a proposition for amendment of the constitution, by substituting for Art. XIV the following:

Sec. 1, All taxes assessed against the corporation shall be paid from the Corporation treasury.

Sec. 2, Receipts for taxes paid by any lessee to state, county, town, or school district upon his improvements and personal property held upon any leasehold shall be applicable upon the rent of such leasehold for the year for which such taxes were paid; provided that the corporation shall not be bound to accept such tax receipts to a greater amount for any year than the rent for that year on the ground on which such improvements and personal property are held."

No petition has yet been filed for submission to the membership of the suggested amendment, but a copy has been sent each member requesting an expression of feeling toward same, and so far as heard a large majority seem favorable.

Another important step in pursuance of the policy approved by the members of relieving the Corporation of taxes upon property used for public purposes and the cost and responsibility of administering the same, was taken in conveying the land for years devoted to a golf course, to the Town, for the same use. A formal referendum was not held on this matter, but the Council having failed to take such action, a petition signed by 42 members was presented to the Council urging such action, concluding:

"Rather than institute a referendum at the present time we hereby join in urging upon the Council reconsideration of the matter and favorable action along the line heretofore considered."

Fairhope was well represented at the Single Tax Congress at Memphis, Tenn., Mrs. M. L. Johnson, Mrs. David Tone, E. B. Gaston, Emil Knips, R. L. Rockwell and M. V. Watros, members and L. O. Bishop, S. Tr., though not member, attending at their own expense while Mr. and Mrs. Waldauer, and Fiske Warren, members, were also in attendance. Fairhope had a larger attendance than any other city, outside Memphis, except Chicago.

On April 18th, the Council received a communication from Axil G. S. Josephson, about to leave Fairhope and return to Chicago, saying that he had created a deed of trust creating the Lucia Josephson Collection in the Fairhope Public Library, leaving untouched the question of transferring the library to the municipality.

The Corporation received a gift from Mr. and Mrs. Waldauer of a lot in Central Park addition to Fairhope, presented at the Single Tax Congress.

The beautiful new postoffice was an acquisition of the year.

1932 proved a fateful year in removals from our membership roll by deaths, there being in all seven certificate holding members lost and three members by virtue of marriage. Messrs. George M. Bancroft, C. L. Coleman, R. E. L. Connolly, C. A. Darrow, H. C. Littlefield, R. F. Powell, Mrs. Hettie B. Wilmans, Mrs. A. E. Schalkenbach, Mrs. C. A. Darrow, and Capt. J. R. Cross.

The death of Bro. Connolly created a vacancy in the office of treasurer, which he had filled very acceptably. Mrs. Connolly was appointed to act temporarily but it took a third election to make an effective choice by a majority.

The dominating factor of the year has been the continuance of the depression, which holds the entire country in its grip and which has worsened rather than improved. Being the result of conditions wholly beyond our control it was impossible that we should escape its evil effects. We have escaped the deleterious effects

felt elsewhere of the burden of payment for land purchased at inflated prices, both for the Colony and lessees, but the effects have touched us in unemployment, prices below cost for products of our section; lessening of summer and winter visitors from shrinkage of their sources of income elsewhere, while the lack of a real highway through our town to points beyond and high bridge tolls have been especial handicaps.

Great difficulty has been found in securing reductions in assessments of Corporation and lessees properties comparable to the obvious decrease in values.

Demoralization of our school affairs has caused us the loss of some families, some of whom have left the state on this account. Others have come in, who create new problems by their poverty.

There was a general discussion of Corporation affairs, not leading however to any motions.

Finally a motion was made to take up nominations of officers to be elected February 3rd, which was carried.

M. Dyson was placed in nomination for vice president by Capt. M. A. Bowen. A. O. Berglin was placed in nomination by E. B. Gaston for supt. public services.

There were no other nominations and the meeting adjourned, after which members in much more than sufficient number affixed their signatures to nominating petitions for those named.

Town Tax	1,819.00
Tax on Buildings	211.11
Sundries	82.64
Council Room Light	16.75
Attorney Fees	50.00
Insurance on Library	37.00
Auditor & Figuring Rent	37.50
Sundry Insurance	25.55
Work on Ring Farm	94.63
Prem. on Treas. Bond	12.50
Winter Grass	6.55
Street Imp. Asst.	2,743.81
Oil Mobile Ave.	11.51
Certificates	71.85
Cash on hand	
Dec. 31, '32	3,373.81

\$33,208.64

E. C. Wolcott, Treas.

Moved and carried that same be accepted and placed on file.

The secretary presented the following a review of important events of the year:

Fellow Members Fairhope Single Tax Corporation:

By way of a report from me, I have thought it would perhaps be interesting and profitable to review important events of the year, scattered throughout the years' records.

Important matters of Colony policy coming before the members at the meeting of a year ago included the following:

[Proposed discontinuance of wharf operation on account of loss and liability for damage.

Colony Council Proceedings

February 6, 1933

Regular meeting, all members present. President Brown presiding.

Minutes of meeting of January 17, read, corrected as published to show amount paid J. H. Webb as attorney's fee \$50 instead of \$10, and School Street instead of Section Street in item relative to negotiations with Gus Gates, and approved, as corrected.

Following bills allowed:

Marion Smith, serv. etc., dept. lands and highways 1.95
C. J. Free road work in country 6.00
E. B. Gaston, sec. postage to date 3.00
M. A. Bowen, Mrs. D. K. Bancroft
Mrs. C. A. Gaston, each \$1.50
serv. as trustees at election Feb. 2, 1933.

Trustees report on result of election of February 2, read as follows:

Total votes cast 29. For president, Frank L. Brown, 26; for vice president, Marmaduke Dyson, 26; for secretary, E. B. Gaston, 26; for treasurer, E. C. Wolcott, 25; for supt. lands and highways, Marion Smith 29; for supt. public services, A. O. Berglin, 26; for trustee, Jesse Stimpson, 26; those named being elected.

Supt. lands and highways recommended that turpentine lease not be given on timber in section 2, south; and motion to that effect adopted.

Communication presented by secretary relative to his compensation as such, also rent and advertising.

It was moved and carried that the regular advertising in Courier be discontinued, but council proceedings be published, at same rate per line paid by Town.

Offer of Secretary to assume light charge on council room and Treasurer's office in effect reducing rent \$1.55 a month was accepted.

Secretary reported sale of improvements January 16th, on lots 1 and 2, blk. 23, div. 2, held in name of Agnes E. Wood, deceased, for delinquent rent, to Edwin Oberg, highest bidder, and on motion her application for transfer of lease to said lots was approved.

Application of Robert Bishop for se. $\frac{1}{4}$ of nw. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ of Section 14, was accepted.

Transfer from Grant Minnich to Baldwin County Building and Loan Association, of lot 2, blk. 14, div. 1, was approved.

Transfer heirs of Marietta O. Smith, deceased, to Charles E. Allee and Inez Allee, wife, of east 42 ft., of lot 1, and west 20 ft. of north 55 $\frac{1}{2}$ ft. of lot 4; also joint interest with others in the remainder of west 20 ft. of lot 4, all in block 4, division one, approved.

Surrender by Mrs. Anna Randolph of 5 $\frac{1}{2}$ ft., of lot 6, blk. 8, div. 1, granted her, Feb. 15, 1932, leaving her holding 41 $\frac{1}{2}$ ft., was accepted.

All action by unanimous vote.

Adjourned.

Colony Council Proceedings

February 20, 1933

Regular meeting, with all members of council present, President Brown presiding.

Minutes of last meeting read and approved, but minutes of January 17th corrected to show passage of motion that rent for 1933 be the same as for 1932.

Treasurer's report for January presented as follows:

TREASURER'S REPORT FOR MONTH OF JANUARY

	Recd.	Paid
Rent	\$3,378.72	
Penalty	75.05	
Certificates	154.98	
House Rent	32.84	
Taxes		\$2,686.46
Highway		5.95
Refund		245.23
Library		25.00
Job printing		8.80
Courier Ad		12.50
Secretary's Sundries		8.83
Salaries		125.00
Council room rent		12.00
Legal Fees		50.00
Cash returned to Burgess		6.00
Clearing lots		6.84
Council room light		1.55
Recording fees		2.55

Cash Dec. 31 \$3,641.59 \$3,196.71

Cash Jan. 31 3,373.81 3,818.69

\$7,015.40 \$7,015.40

E. C. Wolcott, Treasurer.

Following bills allowed:

Marion Smith, work on bridge near Stanley's broken down by pulp wood haulers 3.68
E. G. Rickarby, legal services 7.50

Marion Smith reported that he was charged with 5 acres, east half of nw. $\frac{1}{4}$ of ne. $\frac{1}{4}$ of SW. $\frac{1}{4}$ of Section 15, which he had no recollection of applying for and had made no use of. It was moved and carried that charge against him for the land be abated and it be removed from land book record.

R. C. Keeney, was heard regarding desire of school authorities to secure for athletic field a tract 133 ft., wide in the center of blk. 13, div. 1 with no street frontage, transfer of which it was believed could be secured from Mrs. Powell. It was moved and carried that if Mrs. Powell's interest be secured school be assured the use of same rent free for two years and also of lot 14, same blk., (same to be entered in ordinance record).

In regard to request of baseball players for new ball grounds preferably on ne. $\frac{1}{4}$ of se. $\frac{1}{4}$ of SW. $\frac{1}{4}$ of Sec. 17. It was moved and carried that same be referred to President and Secretary.

Request of L. A. Funk, for assistance in getting roadway improved on south side of southwest quarter of Sec. 16, was referred to Supt. Lands and Highways.

Moved and carried that penalty of 1 per cent a month on delinquent rents be reduced to 8 per cent per annum.

Moved and carried that trustees be requested to act as advisory committee relative to rent collections, treasurer to be governed accordingly.

Moved and carried that contract with Lawrence Winberg for purchase of Blass Place, be cancelled for non-compliance with terms and president be directed to select some one to view property with him and decide what repairs should be made at once—if any.

Transfer by Ellen A. Anacker to Eugenia L. Sheldon of west 60 feet of east 190 feet of north 139 feet of blk. 12, div. 4 approved.

Transfer by Viola Richardson to Eugenie Possien of tract of approx. 14 acres in sec 20, and surrender by Mrs. Possien of all of same but west 4 acres approved.

All action by unanimous vote.
Adjourned.

Colony Council Proceedings

March 6, 1933

The Colony Council met in regular session, with Messrs. Rockwell, Smith and Wolcott present, and President Brown presiding.

Minutes of last meeting, February 16, were read and approved.

Treasurer's report for February presented as follows:

TREASURER'S REPORT FOR FEB.

	Recd.	paid
Rent	1,931.55	
Penalty	28.30	
Certificates	72.53	
Leases	2.00	
House rent	31.00	
Sale of house	15.00	
Taxes		1,465.13
Highway		7.95
Refund		103.30
Legal service		7.50
Salaries		125.00
Library maintenance		25.00
Office rent		12.00
Secretary's sundries		3.00
Regular Courier ad		12.50
Election Services		4.50
U. S. Revenue		.14

\$2,080.38 \$1,766.02

Cash Jan. 31 3,818.69

Cash Feb. 28 4,133.05

\$5,899.07 \$5,899.07

E. C. Wolcott, Treas.

Pres. Brown reported himself and Mr. Dyson as examining roof of Blass House and finding new roof needed, recommending galvanized iron over shingles, at cost of approximately \$62. No action taken.

Mr. Smith reported renting of Ring Farm, buildings and ground about, for \$5 a month, subject to vacation if a buyer was found, to Gus Gates. Same was approved on motion.

Mr. Smith authorized to let Bunyan Horton have Carter 15 acre leasehold for season at Colony rent \$1.50 an acre.

Adjourned.

All action by unanimous vote.

Fairhope, Ala., Feb. 28, 1933.

Editor Courier;

I desire to quote from an editorial appearing in the Courier sometime in May 1930, which referred to the ball park proposed to be located on the beach.

"The purpose of those in charge is to get a nice sward over the ground, covering also the foot of the slope from the lower ground upward, which will yield back the balls if perhaps batted against the slope. They believe, and the Courier shares their belief that time will demonstrate the decision to make use of the ground to have been wise; and that it will result in pleasure to many and injury to none, and in general add much to the attractions of our community."

It now appears that just as many of us at that time thought would occur the boys have decided that the location is not suitable for the sport and have asked for one adequate to their needs.

In the meantime the rights of the members of the Corporation were invaded by the fact that the grant was made at a special meeting of the Council and numerous trees were felled before the minutes were published, thus violating the constitutional right of members to a referendum on any act of the Council. Ground from another location was plowed up for use on the ball park before the permission of the council to do so was obtained, and the rights of the members of the Corporation under the Constitution and those of the lessees of Corporation lands under the lease were set at naught by the sign displayed on the grounds and the efforts of the base ball club to force those persons in the park to pay or leave the park which was both by the constitution and leases designated as a free park for the use and enjoyment of members of the Corporation and lessees of its lands.

In excess of forty trees having diameters of from 5 to 20 inches were destroyed, many of them red cedar, live oak, and other valuable slow growing trees. Of this number seven were over 15 inches in diameter, some of them twenty inches.

The requirements of a ball park may vary according to circumstances and a change in location be desirable but beautiful trees are always desirable in a park. No green sward ever appeared in this ball park. The Corporation had to erect barriers to keep automobiles from cutting up the bluff park and much of its beauty has been lost. In the future if it is thought best to provide to provide a ball park provide a suitable place to play but let us not destroy the beauty that has been in the making half a century. Ball clubs form and dissolve in a few years but the glory of a beautiful tree may last for centuries

Sincerely,

Anne B. Call.

March 27, 1933.

Dear Mr. Johnston:

We will return Mr. Webb's brief in a few days.

It seems to us that it is almost all extraneous matter. Mr. Webb says the bill does not state that the complainants were among the incorporators. Mr. Call and I were charter members of this present corporation, having joined the original corporation chartered under the laws of Iowa. My father was one of the founders of the colony and the first check paid for a membership was his.

Mr. Webb as our attorney for some thirty years might have been expected to know that all membership fees are placed in the land fund for purchase of land. That the land in question was among the first purchased and was immediately or at least at a very early time set aside for parks which was done long before the land donated to us was given by Mr. Fels. Mr. Cohen joined in 1920 or 1921 and Mr. Schalkenbach about 1925. Our membership fees could not have been used for "Schools, library, wharves, waterworks, electric lighting or other purposes" as Mr. Webb suggests as one of the first restrictions passed was that all membership fees were to be placed in the land fund for purchase of land and I feel that Mr. Webb must have been cognizant of that fact and if he submitted his brief to the Executive Council I know that all of them were.

As our present constitution is with only minor changes the same as that adopted by the Iowa Corporation I do not know how he knows that the clause forbidding individual ownership has reference only to that portion of the lands leased.

We of course think your brief is much more logical. We wish it had been possible for you to make it plain that we had no desire to wind up the colony and profit by the increase of land value and that all Single Taxers certainly do expect a great unearned increment and that it was the collection of this unearned increment and its expenditure on schools, parks etc. which was expected to make this the model community. Our object in bringing this suit was to make our officers abide by the constitution and collect the rents.

Sincerely,

Anne B. Call.

Colony Council Proceedings

March 15, 1933

Special Meeting. Present Berglin, Rockwell, Wolcott, President Brown presiding. Minutes previous meeting not read.

Secretary reported proposition of M. Dyson, to reroof with iron main part of Blass House, and repair sheathing and roof kitchen with composition, all for \$66 and give time on same.

It was moved and carried that proposition be accepted.

Transfer R. Query, by W. D. Ingersoll, with power of attorney, to Elva L. Brakeman, of tract 50 ft x 100 ft., in Block 3, Div. 1, beginning 184 ft. west of Bay View Avenue, was approved.

Secretary reported an error in numbers of lots of Mrs. Mamie A. Ruffles and Wm. Ruffles Jr., in block three, div. 3, Mrs. Ruffles having lot 14, instead of 15 and Wm. A. Ruffles lot 15 instead of 14.

It was moved and carried that record and leases be corrected accordingly.

All action by unanimous vote.
Adjourned.

Mrs. Call on Parks and Ball Grounds

Editor Courier:

I desire to quote from an editorial appearing in the Courier sometime in May 1930, which referred to the ball park proposed to be located on the beach.

"The purpose of those in charge is

to get a nice sward over the ground, covering also the foot of the slope from the lower ground upward, which will yield back the balls if perhaps battled against the slope. They believe, and the Courier shares their belief that time will demonstrate the decision to make use of the ground to have been wise; and that it will result in pleasure to many and injury to

none, and in general add much to the attractions of our community."

It now appears that, just as many of us at that time thought would occur the boys have decided that the location is not suitable for the sport and have asked for one adequate to their needs.

In the meantime the rights of the members of the Corporation were invaded by the fact that the grant was made at a special meeting of the Council and numerous trees were felled before the minutes were published, thus violating the constitutional right of members to a referendum on any act of the Council. Ground from another location was plowed up for use on the ball park before the permission of the

council to do so was obtained and the rights of the members of the Corporation under the Constitution and those of the lessees of Corporation lands under the lease were set at naught by the sign displayed on the grounds and the efforts of the base ball club to force those persons in the park to pay or leave the park which was both by the constitution and leases designed as a free park for the use and enjoyment of members of the Corporation and lessees of its lands.

In excess of forty trees having diameters of from 5 to 20 inches were destroyed, many of them red cedar, live oak, and other valuable slow growing trees. Of this number seven were over 15 inches in diameter, some of them twenty inches.

The requirements of a ball park may vary according to circumstances and a change in location be desirable but beautiful trees are always desirable in a park. No green sward ever appeared in this ball park. The Corporation had to erect barriers to keep automobiles from cutting up the bluff park and much of its beauty has been lost. In the future if it is thought best to provide a ball park provide a suitable place to play but let us not destroy the beauty that has been in the making half a century. Ball clubs form and dissolve in a few years but the glory of a beautiful tree may last for centuries.

Sincerely,

Anne B. Call

Colony Council Proceedings

Special meeting, March 27, 1933

Councilmen Berglin, Smith Rockwell, and Wolcott present, President Brown presiding. Trustees C. A. Gaston and Jesse Stimpson and Mr. Dyson, also present.

Messrs Gooden and Bradford appeared before the council in support of their application for ground for a new ball park.

After due consideration it was moved by Mr. Rockwell, seconded by Marion Smith, that council feels that the matter should be handled on a regular lease basis; that Baseball Association may select such portion of the 10 acre tract, south of Morphy Avenue east of Merston Street, in Section 17 as desired and if application is made in regular form, usual notice be given and lease be issued if no objection is filed within a week of posting notice.

Transfer by J. E. Lawrence to Motor, Pep Oil Co., of west 72½ ft. of so. 148 ft. of lot 5, blk. 6, div. 2, was approved.

Moved and carried that Blass place be rented to Chriss Winberg, for a year at \$10 a month, with use of such portion of land as is desired.

Town Councilmen Gaston and Stimpson, reported the desire of the town to get permission for drainage east from Summit Street in Division three, at a point near the end of Blakeney St. It was moved and carried that Corpo-

ration grant to Town land for an alley 16 feet in width across blok. 6, div. 3, opposite alley in blk. 4, or as near there as is desired, one side of alley to be a lot line.

All action unanimous.

Adjourned.

Colony Council Proceedings

April 3, 1933

Regular meeting. All members present. In absence of President Brown at beginning, Mr. Wolcott, by motion elected to preside, but Mr. Brown soon arrived and took charge.

There being several parties to appear before the Council in behalf of matters of interest to them, they were heard preceding routine business.

First was Mrs. Jos. Christopher, relative to a lease for lot 4, blk. 5, div. 1, a lot chiefly below grade, to use as a bird refuge, without any taxable improvements to be made upon same. It was moved by Marion Smith, seconded by Mr. Rockwell, that she be given a lease for purposes proposed for 10 years, at an annual rental of \$8.

Mr. Wahlmark, asked for permission to cut two pine trees on lot two, blk. 47, Magnolia Beach, back of building

The following resolutions, drafted area and menacing his structures and higher use of land; also regarding lease of two lots in rear of his premises, for cultivation. It was moved and carried that matters be referred to Supt. Lands and Highways with power to act.

Secretary read a petition with 21 signers including six members, asking reversal of action at last meeting, approving of a transfer from J. E. Lawrence to Motorpep Oil Company, of Mobile, of 72½ x 148 ft., cor. Section St., and Magnolia Avenue for a filling station. Several of the signers were heard in support of their protest and same discussed by members of council.

Motion made and seconded as follows: "That in the judgment of the Council the complaint of offense from proposed use of the ground is not well taken, that the location is a proper business location; that the principles of the corporation imply that sites be kept open for use and the petition is therefore disallowed."

On the question being put, the motion was carried. Messrs Berglin, Rock-

well and Smith voting aye, Mrs. Dyson voting no, Mr. Wolcott not voting.

These special matters being disposed of, the Council returned to the regular order of business.

Minutes were read and approved of meetings of March 15, March 20 and March 27.

Following bills allowed:

Fairhope Coal & Supply Co., glass for house sw. cor. blk. 12, div. 4,	1.40
E. B. Gaston, Sec. postage, etc.	1.65
Fairhope Courier, pub. minutes of meetings of March 20 and 27	3.44
Marion Smith, services department lands and highways	3.75
Fairhope Garage, lubricant, road work in country	1.00
Wm. Stanley, road work in country	1.25

Surrender by Mr. and Mrs. M. Dyson of No. 132 ft., of the west 35 ft. of east 42 ft., of lot 8, blk. 7, Div. 1, was accepted, under usual rules.

The advisability was suggested of opening original entrance to cemetery, it being understood that Town would make use of the dirt to be taken out, on Section Street and same could thus be done without expense to the Corporation. Referred to Supt. Lands and Highways, president and secretary.

All action by unanimous vote, except as stated.

Adjourned.

Colony Council Proceedings

April 17, 1933

Regular meeting, with all members Council present. In absence of President Marion Smith elected chairman, pro tem.

Minutes of last meeting read, corrected to show committee on reopening main entrance to cemetery to be president and cemetery committee and approved as corrected.

Treasurer's report for March presented as follows:

TREASURER'S REPORT — MARCH		Recd.	Paid
Rent		3,745.37	
Penalty		41.28	
Certificates		361.48	
House rent		11.00	
Leases		4.00	
Taxes			3,312.40
Refund			127.65
Clearing lots			2.75
Treasurer's sundries			9.75
Highway department			3.68
Salaries			125.00
Council room rent			12.00
Library			25.00
Publishing Council minutes			10.16
Job Printing			18.40
Secretary's sundries			2.45

Cash March 1,	\$4,163.13	\$3,649.24
Cash March 31	4,133.05	4,646.94

\$8,296.18 \$8,296.18

E. C. Wolcott, Treas.

Treasurer reported payment of State and County taxes.

Report of acting trustee on referendum election of 14th read showing disapproval by members of action of Council in approving transfer of land from J. E. Lawrence to Motor Pep Oil Co., for site of filling station, by vote of 25 to 19.

Bill of Marion Smith for grading Morphy road, allowed \$2.40

Transfers of land by Mrs. L. A. Powell, approved as follows: (all from holding in blk. 13, div. 1).

To corporation, for benefit of Baldwin County Board of Education, as follows:

Beginning 449 ft. south and 133 ft. east of se. Cor. of Fairhope Ave. and Church street; thence no. 7 ft., east 250 ft., to west line of K. P. lot, thence so. to no. line of Masonic Lodge lot, thence west 109 ft. to nw. cor. of Masonic lot, thence no. 9 ft., thence west 141 ft. to place of beginning.

To Matilda A. McArthur, as follows:

Land so. of her present holding, from present so. line 50 ft., more or less, to new so. line, in line with present south fences of Mrs. Shaw and Mrs. George.

To E. Raymond George:

Land in rear of holding of Mrs. M. E. George, in lot 6, extending east to center of platted alley, and south to no. line of land surrendered to be made available to Baldwin County Board of Education.

To Mrs. Anna Shaw:

Land in rear of her present hold-

ing in lots 4 and 5, as per fence standing, extending west to center of proposed alley, thence south to north line of land surrendered same date to be available to Baldwin County Board of Education.

Surrender by Dr. A. F. Rockwell approved as follows:

All of west 24 acres and 4 acres in ne. cor. of sw. $\frac{1}{4}$ of NW. $\frac{1}{4}$ of Sec. 15, except 15 acres previously transferred to Edwin H., Martha R., and Edith A. Conrow.

Communication from Chamber of Commerce read relative to use of ground between Pinequat Shop and Rathje's store for temporary park, until a tenant was found and offering to help if such was done in fitting the ground with seats, fountain, etc.

Moved by Mr. Berglin, seconded by Mr. Wolcott and carried that Council approves such use of the ground as suggested by C. of C.

Secretary reported Mrs. Winberg as taking Blass place and paying first month's rent.

Approval by committee of opening old entrance to cemetery and work in progress, reported.

All action by unanimous vote.
Adjourned.

Colony Council Proceedings

May 1, 1933

Regular meeting. All members present, but R. L. Rockwell, President Brown presiding.

Minutes read and approved of last meeting, April 17, 1933.

Following bills allowed:

Mrs. D. K. Bancroft, serv. as trustee at election of April 14	1.50
C. A. Gaston, same	1.50

Transfer C. E. Hampton to Edwin and Lottie Mae Butgereit of west half of ne. $\frac{1}{4}$ of nw. $\frac{1}{4}$ of SW. $\frac{1}{4}$ of sec. 16, approved.

COLONY COUNCIL SUSTAINED IN TRANSFER OF PARK LANDS TO TOWN OF FAIRHOPE

News has just been received of the decision of Judge Hare in the Circuit Court of Baldwin County, in the case of A. E. Schalkenbach, E. Yancey Cohen and W. R. F. Call, complainants vs the Fairhope Single Tax Corporation, et al, Respondents in which the right of the Single Tax Corporation to convey the park lands to the Town of Fairhope, was attacked.

The case was heard on demurrer, without witnesses or oral argument and the judgment was as follows:

This case coming to be heard is sub-

mitted for decree on demurrer to the bill of complaint as amended, and upon a consideration thereof the court is of the opinion that said demurrer is well taken.

It is therefore, ordered and adjudged that said demurrer be and the same hereby is sustained.

F. W. HARE, Judge.

Complainants were represented by Smith and Johnston of Mobile and Respondents by Webb and Shepard, Mobile, by E. G. Rickarby of Fairhope, on behalf of the Town of Fairhope.

The application was approved.

Description of land, improvements on which and transfer of lease had been made by Mrs. L. A. Powell to or for the benefit of the Baldwin County Board of Education, for athletic court, was reported by secretary as follows: From the southeast corner of intersection of Fairhope Ave. and Church St. run along east side of Church St., 449 ft., thence east 132 ft., to iron pin, for point of beginning; thence north 7 ft., to iron pin; thence east 250 ft., to west boundary of K. P. Lodge lot to iron pin; thence south along west boundary line of K. P. Lodge lot to north line of Masonic lot; thence along north line of Masonic Lodge lot to northwest cor., of Masonic Lodge lot; thence south 320 ft., along west boundary line of Masonic Lodge, Gabel and Minnich lots to iron pin; thence

west 136 ft., to southeast corner of lot 14, blk. 13, division 1, to iron pin; thence north 329 ft., along east boundary line of lots 14, 13, 12, 11 and 10, to point of beginning, all in block 13, Div. 1, as per map of Town of Fairhope, Alabama, filed for record Sept. 13, 1911.

Surrender by Mrs. Bertha Mershon of south 100 ft., of west 40 ft., of block 8, div. 1, was accepted.

All action by unanimous vote.

Adjourned.

E. B. Gaston, Sec.

SMITH & JOHNSTON

LAWYERS

622-626 FIRST NATIONAL BANK BUILDING

MOBILE, ALA.

HARRY H. SMITH
SAMUEL M. JOHNSTON

P. C. FOUNTAIN

May 4th,

1933.

Mrs. Anne B. Call,
Fairhope, Alabama.

Dear Mrs. Call:

I am today in receipt of a copy of an order made by Judge Hare on the 26th of April, sustaining demurrers to the bill of complaint in this cause. This means that the Court has ruled against us, and that we will have to appeal the same to the Supreme Court of Alabama. I am thoroughly convinced that Judge Hare is in error in this matter. I am enclosing you herewith a security for costs, which I would thank you to have at least three solvent persons to sign. I should not think that the costs of the Supreme Court would amount to over Sixty or Seventy Dollars. As we only have thirty days from the 26th day of April to take this appeal, I would thank you to attend to this matter at once.

Very truly yours,



SMJ:GG

enc.

SMITH & JOHNSTON
LAWYERS

622-627 FIRST NATIONAL BANK BUILDING
MOBILE, ALA.

HARRY H. SMITH
SAMUEL M. JOHNSTON
W. V. McDERMOTT

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enc.

A. E. SCHALKENBACH, E. YANCEY
COHEN, and W. R. F. CALL, :

Complainants, :

-vs-

THE FAIRHOPE SINGLE TAX COR-
PORATION, a corporation, THE
TOWN OF FAIRHOPE, a municipal
corporation, THE TOWN COUNCIL
OF FAIRHOPE, M. F. NORTHROP,
as Mayor of the Town of Fair-
hope, and NORVIN DU BROCK, J.
E. GASTON, R. P. GREGG, HOWARD
RUGE, and ELOF M. TUVESON, as
Members of the Town Council of
Fairhope, :

Respondents. :

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

We, the undersigned, acknowledge our-
selves as security for all the costs of an appeal taken
to the Supreme Court by the said A. E. Schalkenbach,
E. Yancey Cohen and W. R. F. Call from the judgment
in said cause.

(COPY)

A.E.SCHALKENBACH, E.YANCEY COHEN,
and F.R.F.CALL, Complainants,

vs.

THE FAIRHOPE SINGLE TAX CORPORATION,
a corporation, et al.,
Respondents.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

This cause coming on to be heard is submitted for decree on demurrer to the bill of complaint as amended, and upon a consideration thereof the court is of the opinion that said demurrer is well taken,

IT IS THEREFORE, ORDERED AND ADJUDGED AND DECREED by the Court that said demurrer be, and the same hereby is sustained.

This the 26th day of April, 1932.

F.W.HARE, JUDGE.

Filed April 29th, 1933.

May 4-1933

Colony Council Proceedings

May 15, 1933

Regular meeting; all members present. In absence of President Brown E. C. Wolcott elected chairman pro tem.

Minutes of last meeting, May 1, read and approved.

Treasurer's report for April presented as follows:

TREASURER'S REPORT

	Recd.	Paid
Rent	1,767.06	
Penalty	63.42	
Certificates	15.14	
House Rent	17.00	
Taxes		1,032.86
Highways		7.40
Refund		46.05
Sundries Repairs		1.40
State and County Taxes		4,653.20
Publishing Council Minutes		3.44
Postage for Secretary		1.65
Library Maintenance		25.00
Salaries		125.00
Council Room Rent		12.00
	\$1,862.62	\$5,908.00
Cash March 31	1,862.62	
Cash April 30		601.56
	\$6,509.56	\$6,509.56

Following bills allowed:

Fairhope Courier, pub. min.	
April 7.80, job prtng. etc 4.20	12.00
E. B. Gaston, sec. postage and sunds.	4.06
R. L. Rockwell, tractor dragging roads in country	13.00

In regard to bill of Webb and Shepard for legal services, Secretary instructed to ask bill to date in parks case.

Mrs. A. B. Call appeared before council and presented objection to having interest included in the charge for curb and gutter, when money was advanced by them without interest.

It was moved and carried that treasurer be authorized to adjust this matter with Mrs. Call.

Communication received from the Bank of Fairhope, showing purchase at tax sale, in May 1932, of improvements on lots 12 and 13, blk. 3, div. 3, held in name of C. C. Keller and asking permission to surrender the north half of the two lots. It was moved and carried that the surrender be accepted.

Transfer Howard F. Rockwell to Abbie B. and Mary Blackburn of east half of ne. 1/4 of nw. 1/4 of SW. 1/4 of Sec. 16, less street on north, approved.

Request reported of those interested in breakwater in front of Fairhope, for protection of small craft, for which certain parties were subscribing money, or labor and Town was approving and would provide R. F. C. labor, that Single Tax Corporation assist with stumpage of timber for piling.

On motion the supt. of lands and highways and secretary were authorized to furnish such piling, (estimated at 400) with minimum diam. at small end of 6 inches, if same are available on corporation land, of boxed timber on which turpentine leases had expired, at rate of 3 1/2 c each for piling 14 ft. long (estimated as being equivalent to 50 cents a cord for pulp wood.)

All action by unanimous vote.

Adjourned.

Colony Council Proceedings

June 5, 1933

Regular meeting, present Mrs. Dyson, Mr. Rockwell, Mr. Wolcott, President Brown presiding.

Minutes of last meeting, May 15, read and approved.

Following bills allowed:

Fairhope Courier adv. leasehold sales, (2) \$2; pub. minutes	
March meetings 6.04, total	8.04
Harry Parker, surveying	3.50
Orrie Lowell, helper, surveying	75c

Acceptance by Mr. Webb of \$100 in full for parks suit, (unless appealed to Supreme Court,) and payment made reported and on motion, approved.

Communication from W. R. F. Call, was read, stating that he and Mr. Cohen and Mr. Schalkenbach had decided not to appeal the parks suit, with reasons therefor and criticising actions of the administration in this and other matters.

Communication with suggestions, from Member R. L. Atkinson was also read.

The sale for delinquent rent, by bidding in for the Corporation, (no other bidders) of the Amelia B. White imp. and leasehold of lot 6, blk. 2, div. 3; and of B. W. Lindberg, on sw 1/4 of NW. 1/4 of Sec. 2, reported.

Surrender by Lucille Edgerton, administratrix of estate of Wm. Edgerton, of so. half of nw. 1/4 of SE. 1/4 of Sec. 11, was approved.

President and secretary were authorized to contract with Mrs. George Winberg, for purchase by herself and sons—or as designated by her—of the Blass improvements and lease of ground selected in connection on similar terms as same had been contracted with Lawrence Winberg, not carried out.

Marion Smith was reported as having been operated on at Mobile Infirmary during the day and Secretary was instructed to write him and express sympathy of Council.

All action by unanimous vote.

Adjourned.

Colony Council Proceedings

June 20, 1933

No quorum present, Monday night, 19th. Council met following night, with Mrs. Dyson, Mr. Berglin and Mr. Wolcott present, President Brown presiding.

Minutes last meeting read and approved.

Treasurer's report for May presented as follows:

TREASURER'S REPORT

	Recd.	Paid
Rent	\$2,454.09	
Penalty	22.52	
Certificates	17.06	
Leases	4.00	
Rent Blass place	10.00	
Payment on Winter place	7.00	
Taxes		\$1,250.22
Highways		16.75
Refund		363.84
Revenue Tax		.12
J. H. Webb Legal Fee		100.00
Secretary's sundries		8.26
Publishing Minutes, April		7.80
Town taxes		600.00
Salaries		125.00
Library		25.00
Election expenses		3.00
Council room rent		12.00

\$2,514.67 \$2,511.99

Cash April 30	601.56
Cash May 31	604.24

\$3,116.23 \$3,116.23

E. C. Wolcott, Treas.

Following bills allowed:

E. B. Gaston, secretary postage 5-16 to date	4.26
H. H. Parker, services getting information for tax protest, etc.	17.00
Allen Salter, mowing and cleaning vacant lots to apply on house rent	3.75
W. P. Horton same	4.50
Sam Burch, same	7.50
G. W. Humphries, Probate Judge, redemption from tax sale of Green land e 1/4 of sw. 1/4 of SW. 1/4 of sec. 2, 7s. 2 e.	6.67
Transfer by C. L. Bloxham, adm. estate Julia Shroen, of lot 11, blk. 3, div. 3, to Mrs. A. W. Cohen, approved.	

Transfer Trustees Knights of Pythias, No. 268 to Ben Fischer, of lot 1, blk. 13, div. 1, approved.

Surrender by Ben Fischer of south 30 feet of foregoing lot, accepted subject to usual rules.

Moved and carried that the officers be authorized to push the claim of the Corporation for reduction in taxation, before County Board of Equalization on the 22nd, and authorized to do all things necessary to same.

Moved and carried to pay \$5. toward expense of Organic School pupils, adv. School, Town and Colony, at Chicago and elsewhere.

Moved and carried that matter of insurance of former Rathje property be referred to treasurer with power to act.

All action by unanimous vote.

Adjourned.

Fairhope, Ala., May , 1933.

Executive Council,
F. B. Gaston, Secy.,
Fairhope Single Tax Corporation,
Fairhope, Ala.

Gentlemen:

I, in conjunction with Mr. Cohen and Mr. Schalkenbach, have decided not to appeal our case in regard to the transfer of the park lands and think it would, perhaps, be advisable to give reasons for this decision.

We still feel that the parks were constitutionally created and their support by the corporation made mandatory, that the method of transfer was unconstitutional and that the decision of the court would be reversed on appeal.

The declaration of incorporation filed by the colony reads as follows: "The purpose of said corporation is to demonstrate the beneficency, utility and practicability of the single tax theory, with the hope of its general adoption by the governments of the future, etc." We therefore feel that the parks were a part of our demonstration plant as outlined and required by the constitution, and that the public confession by the colony that it was unable to finance them, but must, for economy's sake, turn them over to be administered and financed by a form of taxation which it has declared to be objectionable and inferior to the colony plan, constitutes a confession of failure on the part of the colony. That the raising of public funds by taking rental values and the turning of such funds to be administered by the town (or other authorities) does not constitute a demonstration of the single tax as long as the amount of funds the town or other authority is allowed to spend is set by law and does not conform to the rise or fall of rental values. Therefore the colony has not made a satisfactory showing as to the utility and practicability of its plan such as would lead the governments of the future to adopt the single tax.

We had hoped that the filing of this suit would lead to a much more diligent reading of the constitution and a disposition upon the part of the council to be careful to act within its provisions. This, however, has not been the case. The golf course was deeded to the town, and the deed recorded, before the minutes of the special meeting authorizing the transfer had been published, thus nullifying that provision of Sec. I, Art. VI, which provides for a possible referendum on any act of the executive council. On April 3rd of this year, in reference to a request of Mrs. Christopher for a lease on a certain lot for purposes of a bird sanctuary, the minutes record that it was moved and seconded, and presumably passed, that she be given "a lease for purposes proposed for 10 years- at an annual rental of \$8.00" This nullifies that portion of Sec II, Art. VIII, which requires an "annually appraised rental" for our lands, and also that portion of our declaration of incorporation which declares it to be our purpose to conduct a "model community, free from all forms of special privilege." In the thirty odd years of my membership in this colony either "no measure of general legislation," within the meaning of Sec. 88