

under contract of purchase, to sur-
render south acre of B. J. Bishop lease-
hold, in sw. 1/4 of SE. 1/4 of 17, and
same was accepted.

Transfer H. B. Gebhart to Jane Ro-
ta, of lots 1 and 2, of Block C, Stimp-
son-Steele tract approved.

Application of J. W. Whited, for
east 1/2 of ne. 1/4 of ne. 1/4 of NW. 1/4
of Section 11, reported by secretary;
and it was moved and carried that
proposition suggested by secretary be
made him regarding clearing and tim-
ber.

Application of Wm. Stanley for sw.
1/4 of nw. 1/4 of SE. 1/4 of Sec. 10,
granted, subject to payment for tim-
ber as appraised by supt lands and
highways.

Moved and carried that account of
M. Dyson be given credit for \$22.50
paid in 1926 with app'n for land in blk.
5, div. 4, which was withdrawn at
once, with understanding that check
would be credited on other rent ac-
count, but had never been done.

All action unanimous.

Adjourned.

App'd 1/5/31
E.B. Gaston Sec.

Colony Council Proceedings

SPECIAL MEETING

Dec. 24, 1930

Present, Mrs. Dyson, Mr. Patterson,
Mr. Connolly, Mr. Smith. President
Brown presiding.

Reading of minutes waived.

Bills allowed as follows:

Marion Smith, road and
flume work 18.70
Lester Rogers, flume work 5.00
Edward T. Moseley, flume work 8.00
Approval of bill of Edward Mose-
ley for clearing road errone-
ously cancelled in bill of 12-16 8.00
All action unanimous.

Adjourned. app 1-5-31

E.B. Gaston Sec.

January 5, 1931

All members present but Mr. Rock-
well. President Brown presiding.

Minutes read and approved of regu-
lar meeting of Dec. 16th and special
meeting of Dec. 24, 1930.

Financial report of treasurer for
month of December, 1930.

	Recd	Paid
Rent	4,203.97	
Penalty	103.86	
Wharf	157.71	
Certificates	200.56	
Pulp wood	5.00	
Lease	1.00	
Rent Blass house	10.00	
Grave space	5.00	
Bills payable	500.00	
Taxes		3,496.51
Highways		37.83
Wharf		124.80
Work on flume Stacks gully		47.12
Library		75.00
Wood for office		2.00
Salaries		125.00
Office rent and light		15.50
Cleaning vacant lot		1.26
Work on Bath house and beach toilet		3.01
Secretary Sundries		1.10
Surveying		1.50
Blass house repairs		.75
Powell street flume		31.70
Regular Courier adv.		12.50
Sundries		18.40
1930 Town taxes		1,794.00
	\$5,187.10	\$5,787.98
Cash Nov. 30,	762.50	
Cash Dec. 31, 1930		161.62
	\$5,949.60	\$5,949.60

R. E. L. Connolly, Treas.

Following bills allowed:

Nick J. Ludwig rep. to pump
Blass place 1.75
Jesse Keller cleaning up old
Cain place 4.00
H. H. Parker, investigating title 3.00
J. A. Patterson, sund. items
wharf maint 19.12
Stimpson's Sons, lumber park
stairway and White ave,
wharf, 21.85; culverts and
flume 19.49 41.34
Marion Smith, serv. flume foot
Powell St. 18.65; rep. pump
at Blass place 7.20 25.85
Lester Chamness hauling,
scrapping, etc. 14.62
W. B. Stanley, work on flume
foot of Powell St. 7.00
Supt. lands and highways reported
value of \$12.00 on pecan trees on lot
39-41, 49-51 in Satsuma Park applied
for by T. H. Walker, Oct 7, 1930 and
pulp wood and appn. of T. H. Walker
for same accepted, subject to payment
for pecans and reserving right to re-
move pulp wood.

Transfer of Lena Mary Sims to Les-
ter Chamness of ne 1/4 of SW. 1/4 of
of Sec. 22, approved.

Supt. Lands and Highways report-
ed a couple of pine trees near foot of
Powell Street flume which might
endanger same, also called atten-
tion to a leaning tree in the cemetery
and it was moved and carried that
Supt. be authorized to have same cut
and timber sold.

Presentation of deed by Dyson, Bow-
en and Tuveson, to Biron C. Anderson
of Peoples Coop Store building and
leasehold, W 70 ft. of South 168 ft. of
lot 1, blk. 7 div. 1, and asked approv-
al of transfer of leasehold. Mr. Patter-
son moved that matter lie over until
next meeting, which was seconded and
carried.

All action unanimous.

Adjourned.

Colony Council Proceedings

January 20, 1931

Regular meeting of Council with all
members present but Mr. Rockwell. In
absence of President Brown, and Vice
President, Wolcott, Mrs. A. B. Call,
elected chairman pro tem.

Minutes were read and approved of
meeting of January 5th, 1931.

Mrs. Mary C. Rathje was present
and was heard with regard to delin-
quent rent.

The treasurer's report for 1930 was
presented with report of N. D. Burn-
ham, auditor, as follows:

Fairhope, Ala., Jan. 7, 1931

This is to certify that I have ex-
amined the accounts of the treasurer
of the Fairhope Single Tax Corpora-
tion for the year 1930 and find them
correct and with proper vouchers.

N. D. Burnham, auditor

Following bills allowed:

N. D. Burnham, auditing Treas.
Books 15.00
M. Smith, services and use of car
dept. lands and highways 5.55
J. A. Patterson, sundries wharf
maintenance 6.40
W. C. Mills, mowing parks and
lots, August to December 46.50
E. B. Gaston, pstg. \$1.50 map \$1 2.50
Drawing of orders for pay-rolls
of wharf work, Dec. 20, 27;
Jan. 3, 10, 17, approved total 27.90

Transfer A. J. Kempton, to Greeno
Lodge, A. F. and A. M. No. 598, Fair-
hope, Ala., of lot 15, block 9, div. 1,
was approved.

Request of R. F. Powell and Ola
Powell Malcolm for transfer to M. J.
Jansen, of ne 1/4 of east half of ne. 1/4
of SE. 1/4 of Sec. 22, presented. Moved
and carried that transfer be approved
as a transfer from A. Aranza to M. J.
Jansen on written statement by Aran-
za and payment of rent to January 1,
1931; approval of transfer by Aranza
to Mr. Powell and Mrs. Malcolm never

having been approved because of re-
fusal to sign application in form then
in use.

Application presented of Chas. Bish-
op for west 10.7 acres of nw. 1/4 of
NW. 1/4 of Sec. 15. Moved and carried
that same be accepted on payment of
\$10 for fence, and \$10 for timber with-
in ten days.

Application of Jesse Stimpson pres-
ented for lease for year for cultivation,
of 6 acres in Diehl tract, moved and
carried it be accepted at \$4 an acre
rental.

Moved and carried that a pre-elec-
tion meeting of members be called for
Monday, January 26, at 7:30 P. M., in
Treasurer's office.

Moved and carried that president
and supt. lands and highways be au-
thorized to allow the temporary use
of land for gardens by people needing
help in present emergency conditions.

Attention called to fact that surren-
der by T. J. Klumpp, of east 48 ft. of
lot 7, blk. 5, div. 4, which was approv-
ed by Council Sept. 2, 1930, failed to
get on minutes as published. It was
moved and carried that record be cor-

rected to show such transfer.

All action unanimous.

Adjourned.

Approved Feb 3, 1930
E.B. Gaston Sec.

Colony Annual Meeting

The annual pre-election meeting of
members of the Fairhope Single Tax
Corporation, was held in the treasur-
er's office in the Courier building,
Monday evening, Jan. 26, with a fair
attendance.

The minutes of the similar meeting
of 1930 were read and there being no
objection were approved.

The report of the treasurer for 1930
was presented as follows:

	Recd.	Paid
Rent	32,532.41	
Penalty	1,304.59	
Wharf	2,716.27	
Certificates	250.59	
Leases	43.00	
Dividends on Bond	18.54	
Grave spaces	65.00	
Rent Blass place	42.50	
Rent Bath house	10.94	
Bills Payable	500.00	
Curb and Gutter Section St.	73.08	
Adv. sale for rent due	3.37	
Timber & pulpwood	37.30	
Clearing and stumpage	26.60	
Memorial to A. G. Scott	10.00	
Sundries	4.72	
Taxes for lessees		21,694.34
Taxes, State & County for Corporation		4,601.94
Taxes, Town for Corp.		1,794.00
Highways		539.70
Wharf		4,020.55
St. Assess. No. 4		3,015.52
Final payment Mann land		530.00
Library Maintenance		900.00
Salaries		1,500.00
J. H. Webb, Atty. fees		500.00
Rent and light Council room		187.32
Courier job work		125.93
Work on curb and gutter and sidewalk Sec- tion Street		146.16
E. C. Wolcott sewer inspection		20.76
Reg. Courier adv.		150.00
Trustees at election		4.50
Sec'y sundries		23.97
Filing cabinets for Sec'y and Treas.		199.63
Auditing Treas. ac- counts for 1929		22.50
Adv. at Playhouse		72.50
Investing donation to cemetery fund		96.00
Cemetery committee		5.14
Insurance Blass place		8.10
Work and material on Blass place		41.13
Treas. sundries		26.09
Repairs to beach toilets		21.81
Mowing and clearing lots and work on beach		19.91
Advertisement folders		10.50
Fuel for Treas. office		7.00
Exp. on Tax assessment		59.60
Refund on timber		5.00
Material and labor on flume, Powell St.		58.08
Material and labor on flume, Stacks gully		47.12

Surveying	1.50	
Sundries	27.50	
	\$37,638.91	\$40,465.79
Cash Dec. 31, 1929	2,988.50	
Cash Dec. 31, 1930		161.62
	\$40,627.41	\$40,627.41

*Statement presented by
Secretary as follows.*

FELLOW MEMBERS:

The secretary comes into closer touch perhaps than other members with the problems which from time to time arise affecting our undertaking and I deem it not improper to offer some suggestions regarding the same; and, as we have so far had no anniversary celebration and no "history" something in this line may well be combined.

This is peculiarly a time when it is brought home to people everywhere how interwoven our interests are and that "an injury to one is the concern of all."

How could it be expected that this little spot of earth, this hardly a pin prick on the map, on which we are trying out a policy fundamentally in opposition to ideals and policies everywhere else in vogue could be unaffected by an industrial collapse which has all the world in its grip?

We who have laid hold with our hearts as well as our intellects of the Georgian gospel, see as the greatest cause of the world's present sad condition, the denial of the equal right of men to the use of the earth; with its heavy load of tribute in form of land rent and purchase price for land, deadening in its effects and tending to great inequality in possessions in normal conditions and with mounting menace when general inflation and unreasoning land speculation combine to produce a land boom, hailed by the thoughtless as great prosperity right up to the point when the bubble bursts leaving business demoralized and citizens shocked as by high explosive shells. We could not escape the effects even though we did our best to keep down land speculation within our little territory.

Some of the evil effects upon us were:

Speculation in our land manifested itself thro applications for choice lots not with intention to use but to reap a profit from others who might want to use them, holding them from such, by demands for bonuses for transfer of unimproved lots and more than the reasonable value of improvements for transfer of improved lots; over-assessments of improvements and increased assessments upon our lands, giving us the highest taxed territory of equal area in the county necessitating increases in rents and then decreasing ability of lessees to pay their rents by decreased business or loss of employment.

Only the past summer the representative of the State Tax Commission proposed nearly doubling our assessment, an increase of \$173,880, on \$191,740. By much effort and with considerable expense, we succeeded in getting this down to an increase of \$25,000, which being altogether in town increased our tax for 1930 by \$775, while our lawyer's fee was \$175. Some lessees we happen to know were active in securing this increase, whether any members were or not we do not know.

This incident brought home to your secretary the weak position of our corporation with regard to its land assessment because of the holding of so much bay frontage, by all deemed of highest value, but which we use only as park; conferring value upon our leased lands it is true, but not less so on land held in private ownership in the vicinity; even that in which speculation was active during the boom; because we cannot practically exclude from its enjoyment those who hold such lands, and have no means of collecting from them any share of the cost of holding it. This led the secretary to again bring before the Council the action of the members at the annual meeting of January 21, 1921, favoring the turning over of the parks to the town, so as to escape the payment of taxes upon the same, presenting the matter in a resolution as follows:

"Whereas, one of the purposes of the Single Tax Corporation is the providing of land and improving it for park purposes for the use and enjoyment of its lessees, and it has set apart for this purpose its immediate bay frontage, the most valuable portion of its land; but it has been found impracticable to limit the enjoyment of same to the lessees and owners of adjoining land and others, are receiving the same benefit from the parks as the lessees without contribution toward the same, thus causing injustice to the corporation and its lessees; and the park lands in private ownership are subject to taxation, town, county and state, which is constantly increasing and must continue to do so and there are in immediate contemplation by the town sewer and street improvements to be charged against the land affected by same, through special assessments; and

Whereas, the transfer of the park reservations to the town if accepted, would make the same non-taxable and make all within the municipal limits at least enjoying the parks share in the expense of same; and such transfer would do no violence to our constitutional provisions regarding parks, but, because of the exemption of the property from taxation and making all benefiting share in maintaining same would more effectively accomplish the purposes in mind by the framers of the constitution, and,

Whereas, the members of the Corporation in annual meeting assembled, on January 21st, 1921, did adopt a motion offered by M. A. Bowen, as follows: "That it is the sense of the meeting that the parks be turned over to the town, with reservations which will assure that they shall always be used for park purposes and without any private monopoly in connection therewith and further, that the council appoint a committee to plat parks along Marshall's and Stacks gullies and tender them to the town with other parks, and no contrary action has since been taken by members but no steps have been taken to carry out their expressed wish, now, Therefore,

Be It Resolved: that the direction of said members meeting be carried into effect, the conveyance to be made duly protecting the land described for park purposes or to revert to the Corporation. (With some other provisions as to naming the parks, etc., which are of secondary importance.)

I hoped to have this accomplished before the first of October that the park land might be eliminated from our assessment for 1931 but no action was taken.

I can see no reason why we should cling to ownership of this valuable land, except a defeatist feeling that the Colony is likely to fail in the near future and in such event the parks would be an important asset for division. I do not charge any member with this feeling. However it is particularly because I want to guard against failure that I bring up and urge reaffirmation of the action of 1921. We have difficulties enough necessarily in our way, that we should not cling to one so easily gotten rid of and with such financial saving as this.

I have the same view with regard to the wharf. I see no opportunity for its operation with any profit, or with confining of its use to our lessees, and beside taxes, heavy expense of maintenance, storm and fire hazard, we are in constant danger of suits for damages on it. A wharf will always be needed and a permanent structure should replace the one so nearly worn out, an undertaking which the town would be so much better able to handle than we and to distribute the cost over the whole property in the town area.

Relieved of the wharf and parks, our problem would be greatly simplified and would only be to collect the rental value of lots used or available for use and pay the taxes upon same and upon the improvements and other property of lessees, beneficial assessments and expense of administration; with a reasonable margin for carrying land not yet in use, but necessary to provide for continued growth.

Evidence which I think we have a right to feel proves the value of our policies in making land available for users and encouraging improvement is found in the comparative figures of population growth in the decade ending with 1930.

These show Fairhope to have made a more rapid rate of growth than any town of between 800 and 1500 population in the state, save one and that in the environs of Birmingham, where so large a share of the industrial development of the state has been centered, our percentage of gain being 81 plus; bringing to us the distinction of being the largest town in Baldwin County, topping the county seat by 4.

Our investigations at the time of the proposed great increase in our assessment also disclosed that the assessed valuation of the Town of Fairhope \$1,158,823 exceeded that of Bay Minette, (after eliminating railroad which we did not have but suffered from lack of, and light and water plants, municipally owned and not appearing on the tax rolls at Fairhope, but privately owned and taxed at Bay Minette) by \$243,688 or nearly 27 per cent. They further disclosed that the land of our Corporation in the town and the improvements of lessees thereon, were assessed higher than the entire "real estate" assessment of Bay Minette.

Were we not fully justified in claiming either that our policies were proven superior in promoting growth or that we were discriminated against in the matter of assessment?

Bearing upon the matter of rents I brought before the Council when considering rent appraisement for 1930 this line of reasoning:

"Our Single Tax Colony and its policy of applying the Single Tax by paying the taxes of lessees out of ground rent paid by them has both its theoretical and practical phases. The theory need not be further discussed at this time for it is embodied in the Corporation's constitution and charter and accepted as the basis of contracts between the Colony and its lessees. It may well be admitted that the determining of the rental value of land has not been found to be so easy a matter as some purely theoretical Singletaxers imagine. It is complicated by the fact that the Colony contracts to take off of lessees the taxes both on the land they hold and on the improvements and personal property held thereon; also by the fact that demand for land for speculative ends outside the Colony makes difficult a comparison with land in the Colony where land speculation is or should be done away with.

"There is a practical way however, of determining at least minimum rentals, for it seems all should be able to see that lessees should and must pay on the average, at least what the Colony pays out for them; for the Colony must get in the aggregate enough to meet its obligations as, if failing to do so it would have to discontinue."

And when the Council was considering the rental assessment for 1931, I offered the following in part:

"The necessity for protection against speculation in our land is not apparent at this time, when the collapse of the boom has, for the present, killed all demand for land save for use.

"The vital question is—as it was last year—meeting the obligations we have assumed for lessees and preserving the financial standing of the Corporation. . . . Our land is worth to our lessees on the average what the Colony pays for them which they would have to pay as owners." Reasoning which seems to me sound.

I followed with figures showing in representative blocks, well settled up, what we paid for the lessees in taxes upon their improvements and personal property; and on the basis of a comparative showing of taxes paid by the Colony upon the land, street improvements, library, bath houses, parks, etc., determining what percentage of the lessees' taxes might fairly be added for these other legitimate items of cost, and contrasting same with the rents actually collected in the same blocks.

The conclusion being brought out that generally speaking the residential sections were contributing fairly toward the cost to the Corporation of carrying them, but business sections were not.

It should be observed, that when paying on such a basis the lessees who make exceptionally good use of their holdings benefit as they would under the Single Tax as applied by law,—not at the expense of those not able to make so good use of their holdings, but because of the elimination of profit to the legal owner of the land—the Colony; and also because of being relieved of the necessity of investing in the land.

We lost one of our most valued members in 1930, Townsend P. Lyon, who passed away in the first month of the year. Another, not a member in his own right but through his wife, Mr. Joseph P. Norton, of Mobile, died in March, and within this month we have lost another long time and useful member, Nathaniel Mereshon, who died at the home of his daughter in Colorado, January 14th.

We completed payment for the Mann land during 1930 and the 160 acres is all under lease but 10 acres.

I am glad to report that another 30 acres not far from the 60 acres given us some time ago by a Mr. Harms of Canada is offered for a payment of \$100, which would give us right of redemption from tax sale, which only requires a few dollars more. Mr. Parker and I looked it up today. It is a very fine piece of land and has considerable unboxed timber upon it.

E. B. Gaston, Secretary

*Following Statement for Trustees
read by Trustee Mrs. A. B. Ball*

FELLOW MEMBERS OF THE FAIRHOPE SINGLE TAX CORPORATION:

Your Trustees, unlike trustees of other Corporate bodies, are not the custodians of or dispensers of any tangible property. Under the provisions of the Constitution, their duties are defined as those of investigators, supervisors or critics of the official conduct of the affairs of the Corporation. In keeping with the expressed language of the Constitution, we submit the various matters of a fundamental nature that have come under our observation together with the criticism that our best judgment seems to warrant thereon.

Before presentation thereof, we wish to reaffirm that a strict adherence to the Constitution of the Corporation, without fear or favor to our Lessees, should result in a community founded on justice as expressed in the teachings of Henry George.

In accordance with the duties referred to above, we must review the matter of appraising the rental values of leaseholds last year, 1930, with its disquieting effect. The method employed of appraising the annual rental value was entirely inconsistent with and in direct conflict with the method prescribed by the Constitution. If the Constitution can be so flagrantly violated, in order to relieve our officers of unpleasant or untimely duties, then indeed "What is a Constitution between friends." We respectfully recommend that hereafter no such violation of the Constitution shall be tolerated under any circumstances.

During the past year, the matter of granting a site for a Ball Park caused much adverse criticism, among our members and lessees. It is not our intention to criticize the wisdom or lack of wisdom in the selection of the Beach site; time will prove better than any comment can, whether the site was the best that could have been selected.

We do, however criticize the action of the Council in dealing with a matter of so fundamental a character as we hold the very nature of the use of the lands without leasehold, or revenue, would arouse criticism and objection from members who believe such matters should be decided by the Supreme authority as provided by Section One of Article IV of the Constitution. We believe the issue of granting the lands was not deliberated upon as would be consistent with proper parliamentary procedure, having been granted at a special meeting attended by only three members.

Trees were felled and possession taken of the lands before any publication or notice could reach the members, leaving no opportunity for a referendum on so fundamental an issue. We submit that giving the free use of lands, and permitting the destruction of fine trees, are questions that our membership are entitled to be heard upon, especially since no such powers are conferred upon the Council by the Constitution.

Another unwise proceeding in connection with the granting of the Ball Park was the matter of taking top soil from other lands, belonging to the Corporation, in order to cover the diamond of the Ball Park. While the loss of the soil was not a serious matter, the matter of the land having been plowed up and ready for removal before any action was taken by the Council, granting the use of the soil, was a piece of presumption that should not prevail in the management of a Corporate body, such as the Fairhope Single Tax Corporation should be.

We find that on October 7th, 1929, extract from minutes, "Treasurer reported on delinquent lessees who paid no attention to repeated notices, or failed to meet promises made." On July 23rd, 1930, at a special meeting, it was (extract from minutes) "moved and carried that Secretary and Treasurer prepare a letter or letters to delinquent lessees, demanding payment or satisfactory provision for same, by date they

may set and if satisfactory arrangement is not made by such date, to advertise their improvements in the next issue of the Courier following." A series of letters were arranged and have been in use by the Treasurer. We find, however, that some of the advertisements he has prepared and sent to the Courier have not been published. As no action has been taken by the Council rescinding its former action, and as we can find no power vested in any one or more individuals to nullify the action of the Council when lawfully convened, it is self evident that the Council has not been able to enforce its mandates.

Your Trustees are aware that there is a serious business depression and are not desirous of selling the improvements of any one, if satisfactory arrangements can be made for the payment of arrearages, but it is manifest that it is harder to pay \$24 than \$12, and harder yet to pay \$38, and becomes increasingly hard the longer the bill runs. In addition to this, improvements that are in jeopardy are not kept up and become increasingly poor security. We believe the law governing the collection of rents should be enforced uniformly; no one should be favored to the disadvantage of paying lessees, who are entitled to the benefits of the funds not collected. Therefore, the officers should be required to perform their duties without favor.

We find from figures submitted to us by the Treasurer that the total rent roll for 1930, is \$36,119.66, of which \$20,989.29 has been paid into the Treasury leaving \$15,130.37 due on 1930. According to the Treasurer's report for the year, we have paid out in taxes for our lessees \$21,694.34 or \$705.05 more than we have taken in on this past year's rents. That we have been able to collect this past year \$11,543.12 of our past due rents is a piece of good luck, as well as excellent work on the part of the Treasurer. This amount has apparently balanced our budget and left a balance on hand of \$161.62. This, however, will be more than wiped out when we return to Mr. Gaston the proceeds of the personal note given for Constitutional reasons, that the provision in regard to interest bearing obligations might be observed and the principal of which must be refunded. We cannot expect even member lessees to continue to pay increased rents while others fail to pay.

We call your attention to the following extract from the minutes of October, 21st, 1930. "President, Treasurer and Secretary authorized to make settlement with George Leavenworth of claim for delinquent rents." If it is within the powers of the Council to alter the rent roll, after it is confirmed to benefit a delinquent lessee, the exercise of such powers opens the door to a dangerous practice and should be denied to any of our officers.

We recommend as we have done before, that immediate action be taken in regard to Cemetery charges for grave spaces for outsiders and urge that it is an injustice to expect the Woman's Council to keep the cemetery in order without adequate funds.

We insist that the letter of the lease should be lived up to and that lessees be required to pay their rent before tax receipts are accepted and that any rebates be paid to them as provided in the lease in certificates. This course will be beneficial for the following reasons. If the lessee cannot avail himself of the benefit of his tax receipt until he has paid his rent, he will keep up his rent in order to obtain the benefit of the use of his certificates to balance coming rent; he will not be so inclined to overvalue his improvements and the receipt of certificates on rent will occur principally during the first half of the year when we do not have taxes to pay ourselves. The custom of crediting lessees with the amount of their tax receipts with little or no payment of rents simply results not in the substitution of revenues derived from taking the rental value of the land for the present method, but in the payment by the Corporation of the delinquent lessees taxes without the balancing payment of the rental of his land and is an injustice to both the Corporation and the balance of the lessees.

During the past year, a special meeting of the Council was held to consider deeding the Park lands to the Town. One of your Trustees presented this proposition to a noted attorney, together with the Constitution of the Corporation, receiving an opinion that the Constitution makes the setting aside and maintenance of Park lands mandatory; that before any such action could lawfully be carried out, the Constitution must be amended by a referendum vote of all the members. We think all of our members should be fully informed of this phase of the question.

Respectfully submitted,

BOARD OF TRUSTEES
Albert E. Schalkenbach
D. K. Bancroft
Anne B. Call

There was a general discussion by members of the various points raised in the Statements of the secretary and trustees.

A motion was made by R. F. Powell, seconded by A. H. Mershon, that the action of the annual meeting of Jan. 1921 with regard to parks be reaffirmed except that knoll park be not included at present, and carried by a

very large viva voce vote.

Another motion by Mr. Powell that the Executive Council take up with Town Council the matter of the possible turning over of the wharf to the Town, was seconded by Mr. Wolcott and was also carried, with but one dissenting vote.

The meeting then adjourned.

Colony Council Proceedings

February 3, 1931

Regular meeting with all members present, president Brown presiding.

Minutes of meeting of January 20th read and approved.

Following bills allowed:

Harry H. Parker, serv. dept.	
lands and highways	1.50
E. B. Gaston, postage, 1.75; serv.	
dept. lands and highways	1.50
and paid Harry Parker \$1.50	4.75
Fairhope Courier, job printing	3.50
Marion Smith, sund. services	
dept. lands and highways	4.80
J. A. Patterson, Whf. maint.	1.05
R. E. L. Connolly, sund. exp. treas.	3.50
R. L. Rockwell, tractor, dragging	
roads in country	21.00
Emil Knips, felling tree in	
cemetery	3.00

Moved and carried that Mrs. Alice Herring Christopher be given lease in her present name and under present description for land leased to her as Alice Herring, Jan. 23, 1905, now lot 3, blk. 5, div. 1.

Transfer Wm. Stenzel to T. H. Esco, of se. ¼ of sw. ¼ and w. ½ of sw. ¼ of se. ¼, 15 acres less streets, all in NE. ¼ of Sec. 22, approved.

Surrender by Wm. Stuersel of lot 3, blk. 8, div. 3, approved.

Surrender by Chas. Schultz of south half of lots 11 and 12 block 26, div. 2, accepted subject to allowance by supt. lands and highways for imp. on same.

Surrender by Helen Self Petersen of lot 3, blk. 6, div. 3, accepted.

Surrender by Grassfield and Pratt of east 66 ft. of lot 20, blk. 9, (in use as Roque Court,) accepted.

Attention being called to the fact that a request of Jewell S. Jewell, to surrender a portion of his leasehold and to take a portion of lot formerly transferred by him to C. D. Fuller, referred to Supt. lands and highways Oct. 7, 1930 and his approval was reported at following meeting, Oct. 21, 1930, but minutes do not show approval by Council, it was moved and carried that surrender and application of Mr. Jewell be accepted, effective as of date of Oct. 21st, and supt lands and highways examine and report upon allowance if any, to Mr. Jewell for improvements.

His surrender being of the n. 132 ft. of lots 2 and 3, and so. 100 ft. of lots 4 and 5, and application being for w. 26 ft of so. 105 ft. of no. 237 ft. of lot 3, all in blk. 17, div. 2.

Moved and carried that secretary's and trustees' reports read at annual meeting be printed and a copy sent to each member.

Moved and carried that Sam Taylor be allowed use for season of three acres in nw. ¼ of ne. ¼ of NW. ¼ of sec. 27, in consideration of having completed clearing and rep. fence, which is to be left on land.

Transfer of leasehold of Peoples Co-operative Store, bankrupt, to Biron C. Anderson, by instrument executed July 11, 1930, by Marmaduke Dyson and wife, Michael Bowen and wife, and Elof M. Tuveson and wife, to said Biron C. Anderson, with full guaranty of right of transference, was approved, same covering the west 70 ft. of south 186 ft. of lot 1, blk. 7, div. 1. Mr. Patterson voting "no."

Moved and carried that supt lands and highways be authorized to make such arrangements as seem desirable for sale of stumps and deadwood on unleased lands.

All action unanimous, except as noted.

Adjourned.

Appd. Feb. 17, 1931
E. B. Gaston Sec.

Colony Council Proceedings

Spel.

February 11, 1931

All members of Council present; but R. L. Rockwell, President Brown presiding.

One purpose of the meeting to consider waiver of claim on crops of tenants securing loans from Federal Government for crop planting.

Moved and carried that the president and secretary be authorized to sign necessary waivers of claims against crops grown by aid of government loans on land held by lessees.

Moved and carried that secretary be authorized to accept \$7.50 as monthly rent of Blass place.

On report of the Supt. lands and highways, that he found no improvements but clearing on lots surrendered by Chas. Schultz, and some smooth wire fence. It was moved and carried that if rent is paid to Jan. 1, clearing be accepted for a credit of \$5 on rent for first half 1931 on ground surrendered.

On report and recommendation of supt. lands and highways, it was moved and carried that improvements on land surrendered by Jewell S. Jewell, be accepted in satisfaction of rent to December 31, 1930.

Supt. lands and highways reported five dead pines in park, west of Mobile Avenue and that Baseball Club would take them down for use of the trunks to stop washes in park below. Moved and carried that Ball Club be allowed to cut the trees and make proposed use of same, if all brush was cleared up.

Attention called to nuisance from sewage discharge over bluff near foot of Fels Ave., and from Colonial Inn (said to be dishwater, etc., only.) It was moved and carried that secretary address a communication to the Town asking for an order for abatement of the nuisance near foot Fels Avenue and the disposal of their sewage on their own premises.

Also moved and carried that secretary take up with the Colonial Inn abatement of the nuisance from its discharge in Ball Park on the beach.

All action by unanimous vote.

Adjourned.

Appd. Feb. 17, 1931
E. B. Gaston Sec.

February 17, 1931

Regular meeting. All members present, Vice President Wolcott presiding in absence of president.

Minutes of regular meeting of February 3, and special meeting of Feb. 11 read and approved.

Mrs. Alice H. Christopher request-

ed permission to plant a large Cedrus Deodara tree, in the park, as a memorial to the late Joseph Christopher and it was moved and carried that permission to do so be given, with appreciation.

Mr. F. L. Sanford of the Gulf Coast Growers Inc., was heard with regard to the attitude of the Corporation toward contracts of lessees with it for the growing of asparagus. After discussion, it was moved and carried that a committee be appointed to confer with Gulf Coast Growers, Inc., and report. Chairman appointed Marion Smith and A. M. Troyer.

The report of Trustees on election of Feb. 5, 1931 was read, showing results as follows: total vote cast 47, one ballot defective; for president, F. L. Brown 38; vice president E. C. Wolcott, 41; secretary, E. B. Gaston, 33; treasurer, R. E. L. Connolly, 42; supt. lands and highways, Marion Smith, 45; supt. public services, J. A. Patterson, 42; trustee, M. Dyson, 22; Alice Smith, 24.

Treasurer's report for January presented as follows:

	Recd.	paid
Rent	3,305.11	
Penalty	78.22	
Wharf	200.42	
Certificates	201.36	
Taxes		2,368.58
Highways		5.55
Wharf		188.12
Work on flume		71.01
Expenses Treas. office, sun.		3.07
Library		75.00
Salaries		125.00
Rent Council room		14.00
Reg. Courier adv.		12.50
Clearing lots		4.00
Repairs Blass Place		8.95
Mowing lots and parks		46.50
Secretary's sundries		2.50
Lumber for steps and		
White Ave. wharf		21.35
Connolly and Gaston		
refund of loan		500.00
Abstract work		3.00
	\$3,785.61	\$3,449.63
Cash Dec. 31, 1930	161.62	
Cash Jan. 31, 1931		497.60
	\$3,947.23	\$3,947.23

R. E. L. Connolly, Treas.

Following bills allowed:

H. B. Payne, road work in country	11.56
M. Smith, serv. dept. lands and highways	9.75
Chas. S. Lowell, road work in country	6.00
Fairhope Coal & Supply Co., cement, etc., for flume	1.55
E. B. Gaston, post. and sund. expenses, secretary	6.16
Trustees, A. E. Schalkenbach, D. K. Bancroft, A. B. Call, trustee services at annual election each	1.50
Approval given to drawing of orders for pay-rolls wharf repair work, Jan. 31 \$6, Feb. 7. \$6 Feb. 14, \$3, total	15.00
Surrender by O. K. Cummings, of lots 6 and 7, blk. 10, Div. 2, approved.	
Transfer J. W. Norton to Wm. F. Lehner and Mary Lehner of lot 99x264 ft. on Magnolia Avenue, 99 ft. east of Section St., in blk. 4, div. 4, was approved.	
Transfer E. M. Grover to M. Dyson of south 12½ ft. of north 32½ ft. of east 91 ft. of lot 5, blk. 1, div. 1, approved.	
Surrender by Hetty B. Wilmsans of lot 3, blk. 4, div. 2 approved.	
Secretary reported that Chas. Bishop had not complied with conditions to make effective his application for 10.7 acres in nw. ¼ of NW. ¼ of Sec. 15.	
Secretary reported that conditions to make effective transfer from Aranza to M. J. Jansen of ne. ¼ of ne. ¼ of SE. ¼ of Sec. 22, had been com-	

plied with.

Treasurer reported an instance of a large increase in assessment of improvements by a lessee, without apparent justification therefor.

It was moved and carried that where treasurer has reason to think property has been assessed too high, he may decline acceptance of tax receipts for same, and he and president may select a committee to advise with them regarding same, and ask arbitration if they see fit.

It was moved and carried that Garden Club, be allowed to set out dog-woods or other trees and shrubs, in the parks, under direction of the board of gardeners.

All action by unanimous vote.

Adjourned.

*Appd Mar. 3, 1931
E. B. Gaston Sec.*

Colony Council Proceedings

March 3, 1931

Regular meeting of Council, with all members present and president presiding.

Minutes read and approved of meeting of Feb. 17, 1931.

Following bills allowed:

R. E. L. Connolly, sund. exp. treasurer	2.68
Fairhope Courier, adv. two properties for sale, account del. rent; 2.15; job printing 20.00	22.15
J. A. Patterson, sund. items whf. expense	5.71
Marion Smith, sund. items dept. lands and highways	5.80
Drawing of orders for whf. pay-rolls, weeks ending Feb. 21 and 28 approved, total	8.40
Application of S. T. Mosely for 3.87 acres in sw ¼ of nw. ¼ of SW. ¼ of Sec. 16, accepted.	
Application of Ellen Heald, for east half ne. ¼ of NW. ¼ of Sec. 11, accepted, subject to definite written agreement regarding payment for timber, and improvements.	
Secretary reported withdrawal of application of Chas. Bishop for land in nw. ¼ of NW. ¼ of sec. 15, and refund of money.	
Also reported sale of improvements of R. E. Hunting, deceased, on land in lot 10 blk. 7, div. 1, for delinquent rent, being bid in for Corporation.	
Transfer of lot 15, blk. 6, div. 3, by M. Koppish to Mrs. Elinor M. Clarke, approved.	
Surrender by Melvin F. Holden, of lot 10, blk. 8, div. 2, accepted.	
All above subject to usual rules.	
In regard to application of James West to surrender lot 1, blk. 15, div. 4, and take in lieu of same lot 3, of same block, it was moved and carried that same be accepted, subject to usual rule reg. surrenders and applications.	
Moved and carried that president appoint a committee of three, he to be one, to take up disposal of the wharf, as per action of annual meeting of members and advise what to do with wharf pending disposal of same.	
All action by unanimous vote.	
Adjourned.	

*Approved Mar. 17, 1931
E. B. Gaston Sec.*

Colony Council Proceedings

March 17, 1931

Regular meeting, with all members present, but Mrs. Dyson.

Minutes of last meeting read and approved.

A delegation consisting of Councilmen J. E. Gaston, Eloy Tuveson and Howard Ruge, of the Town Council being present were heard with regard to the attitude of the Executive Council toward a conveyance of the Golf grounds to the town, should it acquire title to the improvements thereon and maintain same as a municipal golf course.

After discussion of the matter at some length, it was moved by R. L. Rockwell, seconded by Marion Smith, that the matter be referred to the committee provided for at last meeting to take up matter of possible disposal of wharf. On a call for an expression of sentiment by members of the council, all expressed themselves favorably to the general idea.

The president reported the committee to be beside himself (named as a member by the motion providing for the committee) Messrs E. C. Wolcott and M. Dyson.

Mrs. G. S. Wilson was heard in regard to an obligation given by herself and husband to pay rent on Mrs. Buell holding, in blk. 8.

Treasurer's report presented as follows:

REPORT OF TREASURER FOR, FEBRUARY, 1931

	Recd.	Paid
Rent	\$3,337.88	
Penalty	104.94	
Wharf	158.44	
Certificates	530.04	
Leases	6.00	
Grave Space	5.00	
Timber and Wood	6.80	
Sundries	5.00	
Rent Blass place	18.33	
Taxes		\$2,759.05
Highways		32.11
Wharf		200.63
Work in Cemetery		3.00
Salaries		125.00
Rent Council room		14.00
Reg. Courier Adv.		12.50
Fairhope Courier job wrk.		3.50
Library maintenance		75.00
Sec'y. postage and sundries		7.91
Sec'y land-matters		3.00
Powell St. flume		7.00
Treas. Sundries		3.50
H. H. Parker, work on land matters		1.50
Trustees service at election		3.00
Sundries		5.00
	\$4,171.93	\$3,154.73
Cash Jan. 31	497.60	
Cash Feb. 28		1,514.80
	\$4,669.53	\$4,669.53

R. E. L. Connolly, Treas.

The following bills allowed:

A. B. Call, auditing wharf-inger's books	4.00
Marion Smith, serv. dept lands and highways	5.40
Harry McClantoc, same	1.00
Fidelity and Deposit Co., prem. on treas. bond	10.00
Drawing of orders for wharf pay-rolls of March 7 and 14, approved totalling	7.80
Transfer by Mrs. Kath. I. du Choine to Carrie A. McConnel approved of portion of block 4, div. 3, described as follows:	

Beginning at nw. cor. of lot 1, said block, thence northerly along the westerly boundary of said lot 70 ft. thence in a direct line to a point on west boundary of lot 13, 110 ft. no. of Powell St., thence south to north line of lot 1, thence westerly along McConnel present line to place of beginning.

Surrender by Mrs. du Choine of following portion of said block accepted: beginning at a point on the westerly line of said block, 60 ft., on fence line

6/21/31

Record regarding to efforts to amend the constitution relative to amendments.

Nov. 19, 1923. Petition reported filed to add in section 7, of Art. & after the word "member" the word "voting," so as to require only three-fourths of those voting to amend.

When submitted at annual election in Feb. 1924 the report of trustees as to result was as follows:

Entitled to vote - - - - -	129
Necesssary to carry- - - - -	97
For amendment - - - - -	50
Against amendment - - - - -	5.

Annual Roll Call Amendment, petition filed June 1, 1925.

Add as section 6, of Art. e, relating to membership, as Follows:

The secretary shall each year make a revision of the list of non-resident members, writing on or before the 15th of January, by registered mail to the given address of each non-resident member, who has not been heard from officially since the beginning of the preceding 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 at annual election Feb. 4, 1926 and 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 interested in liberalizing the matter of amending. The petition requested that notices of proposed amendment be sent out by June 15 1925; that ballots be sent Sept. 15 with request for their return by Nov. 1, 1925 and that trustees notify secretary monthly thereafter of members whose ballots were received that those who had not voted might be urged to do so.

It appears that the 29 not enough interested to vote, with addition of 5 of the seven who spoiled their votes by some slip would have compassed the defeat of the amendment if every other member had voted affirmatively.

south of the nw. cor. of block and extending in a direct line to a point on the original easterly line of lot 4, 80 ft., southerly (on the original lot line) from the northeast cor., of said lot 4,

Transfer Mrs. E. M. Clarke to M. Koppigh of lot 15, blk. 6, div. 3, approved.

Transfer E. B. Converse to Wallace D. Potter of lot 15, except west one ft., and west 54 ft., of lot 14, blk. "B" of replat of lots 18, 19, 20, 27, 28 and 29, div. 4, approved.

Application G. A. Peacock for se. ¼ of se. ¼ of SE. ¼ of Sec. 2 accepted.

Surrender by A. E. Schalkenbach of lot 11, blk. 2, div. 3, was accepted.

Relinquishment by I. M. Galbraith of land in div. 4, bounded no. by Fairhope Ave., west by Mershon St., east by Golf Course, was approved.

Secretary reported securing of a deed from heirs of Ruth E. Mabee, Regina, Sask., Can., to west three-fourths of sw ¼ of SW. ¼ of Sec. 2, twp 7, S. R. 2 E., for a consideration of \$100, the same being secured from Abe D. Waldauer, of Memphis, Tenn., as a memorial to the late Alex Y. Scott, S. T., and the forwarding of the deed for record; the redemption of the said land from a tax sale at a cost of a few dollars additional, being all that was necessary to securing full title.

All action by unanimous vote.

Adjourned.

Approved Apr. 7, 1931
E. B. Gaston Sec.

Colony Council Proceedings

March 25, 1931

Special meeting of Council, with all members present, but R. L. Rockwell, and president presiding.

Reading of minutes of previous meeting waived.

Supt. lands and highways reported proposition of C. H. Mitchell, to buy improvements on land formerly under lease to Burness E. Carter, but sold for delinquent rent, for sum of \$245, value of improvements as appraised by Supt. and application by Mitchell for lease of land.

It was moved and carried that proposition of purchase and application be accepted, contract to be signed, protecting the Corporation as outlined.

Secretary reported receipt from Abe D. Wauldau, of \$50 to complete payment to Mr. Mabee for west 3-4 of sw ¼ of SW. ¼ of Sec. 2, twp 7 S. R. 2 E. and asked approval of drawing an order for \$15.61, to Probate Judge covering cost of filing deed and for redeeming land from tax sale. Same was on motion approved.

Surrender by Mrs. Kath. I. duChoiné of south 110 ft., of lot 13, blk. 4, div. 3 accepted.

Transfer Walter J. Carter to E. A. Cross of so. ½ of nw. ¼ and no. 5 acres of sw. ¼ of SW. ¼ of Sec. 11, (25 acres) was approved.

Approval given according to action of April 18, 1927, to mortgage of impts. in blk. 2, Div. 1, by T. J. Klumpp to F. B. Moore, according to memorandum of contract filed.

Secretary reported offering for sale after due advertisement as provided by lease, of improvements of Peyton Norville, on following described leasehold for delinquent rent, on March 23rd, and there being no other bidders, bidding for same, bidding same in behalf of corporation for rent due. Description as follows: Lots 5 and 6, and west 49 ft. of lots 7 and 8, also east 46 ft., of lot 4, blk. 12, div. 4.

Also reported payment of \$200 on rent account by G. E. Fuller prior to hour of sale and calling off sale; also

postponing Rathje sale, by agreement with them for one week.

Supt. lands and highways reported an offer for poles for Creosoting Company, but no action was taken regarding same.

All action by unanimous vote.

Adjourned.

Appd.
E. B. Gaston Sec.

Colony Council Proceedings

April 27, 1931

Regular meeting, with all members present. *min. appd. at 4/17 & 3/25*

Treasurer's report for March presented as follows:

	Recd.	Paid
Rent	\$5,024.97	
Penalty	234.02	
Wharf	183.87	
Certificates	96.09	
Pulp Wood	19.00	
Lease	1.00	
Grave space	5.00	
Rent Glass place	15.00	
Taxes		2,527.18
Highways		8.20
Wharf		180.41
Light Treas. office		4.50
Reg. Courier Adv.		12.50
Job printing		20.00
Adv. sale delinquent property		2.15
Salaries		125.00
Treas. sundries		2.68
Audit. Treas. books 1930		15.00
Powell St. Name		5.55
Library maintenance		75.00
Premium bond Treas.		10.00
Rent Council room		14.00
Redemption Mabee land		15.66
Cash Feb. 28	\$5,583.95	\$3,017.83
Cash March 31	1,514.80	4,080.92
	\$7,098.75	\$7,098.75

R. E. L. Connolly, Treas.

The following bills allowed:

H. B. Payne, road work in country	10.88
Town of Fairhope, 6th payment street imp. series No. 4.	2,882.50
Marion Smith, serv. dept. lands and highways	4.10
A. Aranza, road work in country	2.00
J. A. Patterson, sund wharf exp.	9.37
Wm. Stimpson Sons, lbr. wharf repair	73.56
E. B. Gaston, Sec. postage, etc.	2.25
M. Dyson and Co., speaking tube between offices of treasurer and secretary	9.30
Drawing of orders for wharf pay-rolls, March 21, 23 and April 4, approved, total	13.50

Moved and carried the secretary request of Town of Fairhope settlement for dirt taken from Colony land.

Jesse Stimpson and Harvard Gooden appeared before council to complain of nuisance from Colonial Inn in ball ground in park. Moved and carried that supt. lands and highways, secretary and supt. public health, be a committee to investigate and report.

Secretary reported advertising for sale on March 30th, the improvements of Mrs. G. E. Tibbetts—now Shores, on lot A, Blk. 21, Div. 4, and there being no other bidders appearing bidding in same for the delinquent rent.

A proposition of E. M. Grover to purchase said improvements and application for the lot, were on motion accepted.

F. L. Brown, made application for revision of his holding in Blk. 24, Div. 4, as follows: "beginning 173 ft. north of Morphy Ave., on east side of School St., thence north 75 ft., east 182 ft., south 75 ft., west 182 ft., to place of beginning, which was approved.

Surrender by R. C. Newman of all of his holding on Morphy except as according to description as follows: Beginning 30 ft., north and 94 ft., east of sw. cor. of nw. ¼ of SE. ¼ of Sec. 17, thence north 521 ft., east 98 ft., southeasterly to a point 225 ft., east of first described line and 435 ft., no. of starting point, thence so. 435 ft., to Morphy Ave., thence west to place of beginning, comprising 2.61 acres, more or less, was accepted.

Surrender by Hattie M. Knapp of no. 50 ft., of west 143 ft., of lot 3, blk. 4 accepted and request for new lease of remainder on same form as her present lease, granted.

Secretary reported proposition of

Mary C. Rathje and Henry J. F. Rathje to convey title to improvements on lot 2, blk. 7, div. 1, and surrender lease to same in consideration of receipt for rent on same to date. Same was on motion accepted.

Moved and carried that treasurer be authorized to settle with Mrs. Silvesta Martin and Mrs. Emma Hopping-Bloxham, for rent collected by error on more land than they were in possession of.

Secretary reported receipt from Thos. P. Craig, member, San Diego, Calif., of check for \$300, to be used in purchase of land for Corporation at tax sales. Moved and carried that suitable letter of thanks be mailed by secretary to Mr. Craig and also to Mr. Abe D. Waldauer, for his gift of \$100 as a memorial to Alex Y. Scott, for payment for land offered by Mr. Mabee, in Sec. 2, twp. 7 s. R. 2 E.

Petition presented to Council by requisite number of members, to hold an election on May 12, for submission to full membership of Corporation, of following amendment to the constitution:

"Shall Art. XII of the constitution of the Fairhope Single Tax Corporation, be amended in the following manner, namely:

"Sec. 1 as now.

"Sec. 2, to read as follows:

"If and when the lands of the Fairhope Single Tax Corporation are wholly or in part within a municipal corporation, should it be in the judgment of the Executive Council, to the advantage of the Fairhope Single Tax Corporation, to convey the park lands of the Corporation, wholly or in part, to the municipality the Executive Council may make such conveyance provided that the terms of such conveyance are satisfactory to 75 per cent of the entire membership, as expressed by a referendum vote on the terms of each such conveyance."

Moved and carried that the secretary submit the amendment as petitioned.

All action by unanimous vote.

Approved Apr. 27, 1931

Colony Council Proceedings

April 15, 1931

Special meeting.

Members Council present, Mrs. Dyson, Mr. Patterson, Mr. Smith.

Consideration given to the matter of removal of dwelling recently acquired of Rathjes to another site.

Moved and carried that president appoint a committee of three to consider matter and report. E. C. Wolcott, M. Dyson, and J. E. Gaston appointed.

Mr. David K. Tone appeared before the Council and presented a proposition relative to payment of rent on Crawford property, on which party he represented had a lien. Action on same deferred without motion until full council could consider same.

Adjourned. *appd 4/22/31*

E. B. Gaston, Sec.

Colony Council Proceedings

April 22, 1931

Regular meeting. All members of Council present and president presiding.

Minutes read and approved of minutes of regular meeting of April 7, and special meeting of April 15.

Following bills allowed:

T. C. Baldwin County for 1930 taxes on Hunting Improvement bid in by Corp. for delinquent rent 4.40

J. A. Patterson, sund items wharf expense 2.35

W. C. James, rd. work in country 2.52 Drawing of orders for wharf pay-rolls, April 11 and 13 12.00

Transfer H. K. Bickford to Norvin and Sybella DuBrook of bts 4 and 5, block 23, div. 2, approved, and their surrender of lot 4 accepted.

Transfer Geo. D. Fuller to C. C. Broomell, of lot 1, blk. 2 div. 3, approved.

Transfer by will, of John Bowen deceased, to daughter Sylvia Logsdon, of lot 13 and so 1/2 lot 19, bk. 6, div. 3, approved.

Transfer by G. M. McConnel to Mrs. D. K. Tone of block 5, div. 4 approved and Mrs. Tone's surrender of north part of block, retaining lots 1, 2, 8, 9 and 10, accepted.

Secretary reported fulfillment of conditions to make fully effective transfer by Irene Lucier Buell, to G. S. Wilson to Bessie F. Gooden, of east 33 1/2 ft. of lot 3 and lot 4, except 57 1/2 ft. x 150 ft. in southeast corner, approval of which was given Sept. 10, 1930, and presented her request to surrender north 63 ft. of same. Same was accepted.

Application of J. O. Stimpson for E. 48 ft. of lot 12, Block C, Stimpson-Steele tract approved.

Surrender by J. O. Stimpson of west half of lot 5, blk. C, Stimpson-Steele tract, was accepted.

Secretary reported that chairman of committee on moving Rathje house, was out of city, but stated the decision of committee, to recommend the house be left where it was for present.

Secretary was instructed by motion to place \$800 insurance on Rathje house.

Moved and carried that rent list not having been printed none be printed now.

After discussion of matter of disposal of certain timber it was moved and carried that superintendent lands and highways get best price he can for timber for poles and piling and close deal for same, if in his judgment desirable.

Treasurer authorized to have typewriter put in order.

Trustees presented report in writing relative to pending constitutional

amendment and asked that it be spread on the minutes.

It was moved and carried that request be granted.

All action by unanimous vote.

Adjourned.

The statement or report of trustees was as follows:

Executive Council Fairhope Single Tax Corporation, Gentlemen:

STATEMENT OF TRUSTEES

Your Trustees wish to make plain and of record, both to the Council and to the membership of the Corporation, our attitude in regard to the proposed transfer of the park lands of our corporation to the Town of Fairhope.

The Constitution says "The Corporation shall hold as trustee for its entire membership, the title to all lands upon which its community shall be maintained." We realized that our lands, are constantly increasing in value, especially our bay front lands, and we sought to be sure, in the event that the matter was submitted to the membership, whether it should be by means of a constitutional amendment or by simple referendum vote.

We were the more anxious to be right on this point on account of the opinion of the Corporation's attorney that there could be no referendum on the rulings of the Trustees in regard to an election. Therefore we felt it incumbent upon us to be careful in regard to this matter.

The chairman of our board at that time, Mr. Schalkenbach, submitted the Constitution to two attorneys of good repute, being careful to give to neither of them his own point of view. Both informed him that in their judgment a constitutional amendment would be necessary to effect the transfer of the parks. This opinion was included in the report of the Trustees for the year 1930.

On at least three different occasions Trustee Mrs. Call, speaking in behalf of the board, has said that should the Council doubt the correctness of the opinions of the attorneys consulted by the Trustees in regard to the need of a constitutional amendment to make effective transfer of the parks, that the Trustees would if requested consult other legal authorities. The Council has made no such request but

preparations have appeared to go forward to make the transfer without further authority.

An amendment has been filed seeking to provide constitutional grounds for the transfer, should it be desirable, to the entire membership. A circular has been issued advising "That the proposed amendment should be voted down, the Executive Council be left to carry out the mandate of resident members—the details to be subject to a referendum, if desired, to a majority of members in person on the Corporation grounds, on the day of election. (Sec. 2, Art. 3)."

The article to which reference is made says "But on election 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. "In the opinion of your Trustees the giving away of many acres of the most valuable lands, equally the property of the outside members as well as the resident members can by no stretch of the imagination be called "Local administration of affairs."

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 to 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.

We ask you to spread this report on the minutes.

Sincerely yours,

Trustees: D. K. Bancroft, Anna B. Call, Alice M. Smith.

appd May 6, 1931
E. B. Gaston, Sec.

COLONY COUNCIL PROCEEDINGS

April 23, 1931

Special meeting of Council. All members present, President Brown presiding.

Purpose to consider meeting requirements of government to secure erection of a building for postoffice on land leased of Corporation, on Fairhope Avenue.

Communication read from Postoffice Inspector E. R. Martin, asking if Corporation would join in with a lesser of its land, in making lease to government of building thereon for 10 year term.

Resolution offered that Corporation would do so, if in addition to regular lease contract its lessor concerned would make additional contract with Corporation, that in case of default in land rent, it should have the right to take possession of the building and instead of selling collect the rent therefrom, apply such portion of same as was necessary to the land rent, and turn over the balance to its lessor, less the usual commission for collection of rentals.

It was moved and carried that such arrangement be approved, if approved by Corporation's attorney, president and secretary being authorized to consult him at once.

Vote unanimous.

Meeting adjourned.

appd May 6, 1931
E. B. Gaston, Sec.

COLONY COUNCIL PROCEEDINGS

May 6, 1931

Regular meeting, with all members present but Mr. Connolly, President Brown presiding.

Minutes of regular meeting of April 22nd and special meeting of April 23 read and approved.

Treasurer's report for April presented as follows:

TREASURER'S REPORT FOR APRIL

	Recd	Paid
Rent	\$ 2,213.06	
Penalty	103.37	
Wharf	77.64	
Certificates	63.52	
Dividend on Bonds	6.53	
Thomas P. Crais donation to land fund	\$60.00	
Cr. on imp. on a 1/2 ne. 1/4 N. W. 1/4 Sec. 11	11.00	
Leases	4.00	
Timber	20.00	
Rent for houses		
Blk. 12, Div. 4	10.50	
Grave space	6.00	
Grave space, int. on same	1.00	
Sundries	6.97	
Taxes		1,913.21
Highways		10.98
Wharf		171.28
Trustees serv. at elec.		1.50
Salaries		125.00
Rent and Light Council rm.		15.50
Library		75.00
Town of Fairhope St. imp.		2,882.50

Installing speaking tube	9.30
Reg. Courier Adv.	12.50
Secretary sundries	2.25
Adv. Imp. for sale	4.35
Job printing	.50

	\$2,830.64	\$5,234.87
Cash March 31	4,080.92	
Cash April 31		1,676.69

\$6,911.56 \$6,911.56

R. E. L. Connolly, Treas.

Following bills allowed:

J. A. Patterson, sund whf. exp.	1.75
Marion Smith serv. dept. lands and highways	3.20
Fairhope Courier, job printing	7.40
E. B. Gaston, sec. sund items exp.	4.95
F. L. Brown use of car on Corporation business	5.80
Approval given to drawing of orders for pay-rolls wharf maint.: Apr. 25, \$4.80, May 2, \$6.00, total	10.80

Secretary reported receipt of check for \$209 from Town of Fairhope, for dirt taken from corporation land.

Application of J. T. Worcester for tracts 19, 28 and 21, River Park Tract, Sec. 35, T. 6 S. R. 2 E., reported, and collection of half year's rent at 80 cents an acre. Moved and carried that application be accepted, subject to adjustment of timber charge.

Application Dyson and Co., for west half lot two, blk. 7, Div. 1, accepted subject to usual rules.

Surrender by F. E. Curtis of lots 7 and 8, Block 17, div. 2, accepted, supt. lands and highways to make an adjustment of rent, improvements, etc.

President and secretary reported approval by Mr. Webb, corporation counsel of proposed arrangement re. post-office, and postoffice inspector written accordingly.

Discussion of proposed street improvement program of town. Memo. of objections found by president and secretary was presented. Moved and carried that the president and secretary be instructed to appear before the Town Council and present the objections of the council, along the line of memorandum and suggestions made by members of Council.

All action unanimous.

Adjourned.

Approved 5/19/31
E. B. Gaston Sec.

Colony Council Proceedings

May 13, 1931

Colony Council met in special session with all members present and president presiding.

The report of trustees on referendum election of preceding day read as follows: For 27. Against 52.

QUESTION

"Shall Art XII of the constitution of the Fairhope Single Tax Corporation be amended in the following manner, namely:

"Section 1 as now.

"Section 2 to read as follows:

"If and when the lands of the Fairhope Single Tax Corporation are wholly or in part within a municipal corporation, should it be, in the judgment of the Executive Council, to the advantage of the Fairhope Single Tax Corporation to convey the park lands of the Corporation, wholly or in part, to the municipality, the Executive Council may make such conveyance, provided that the terms of such conveyance are satisfactory to 75 per cent of the entire membership, as expressed by a referendum vote on the terms of each such conveyance."

Attention called to action of Town Council, Friday evening preceding, appointing a committee of three, consisting of Councilman Gregg, Tyneson and DuBrock, to confer with a like com-

mittee to be appointed by Colony Council, to consider matter of street improvements and see if an agreement could be reached on same.

President said that he had told Mayor Northrop that such a committee would be appointed.

Moved by Marion Smith and duly seconded, that Secretary, A. O. Berglin and E. C. Wolcott, be appointed such committee.

A motion for adoption of the following resolution was made by Mr. Connolly; seconded by Mrs. Dyson;

"Resolved that immediate action be taken by the Council on the instruction of members at annual meetings of 1921 and 1931, for transfer of the parks, the treasurer and secretary being authorized to get the opinion of our attorney as to authority for such action and his assistance in preparing form of conveyance; also that a committee be appointed to delimit such ground not already designated as park, which in their judgment should be added to the conveyance to the Town, employing a surveyor to assist them in such duty and to accurately show such land on a map of the town, or otherwise properly describe the same for conveyance."

After extended discussion a substitute motion was offered by Mr. Rockwell, and seconded by Mrs. Dyson, that president and secretary be authorized to consult Mr. Webb and secure his opinion upon the matter of park conveyance, which was adopted.

All action unanimous.

Adjourned.

Approved 5-19-31
E. B. Gaston Sec.

Colony Council Proceedings

May 13, 1931

Regular meeting. All members present, president presiding.

Minutes read and approved of regular meeting of May 6 and special meeting of May 13.

Following bills allowed:

L. C. Smith and Corona Agency rep. Treas. typewriter	8.50
Marion Smith, services and use of car for dept. lands and highways	3.45

J. A. Patterson, sund items whf. maintenance	4.30
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Trustees, D. K. Bancroft, Anne B. Call, Alice Smith, services at ref. election, each \$1.50	4.50
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Approval given to drawing orders for wharf pay-rolls, May 19 and 15, total	13.55
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Opinion of Corporation Attorney, Mr. J. H. Webb, read holding that corporation "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."

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 Art. 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 24 hour's notice is sufficient, except when it is proposed to amend the constitution."

Mr. Connolly presented the following resolution and moved its adoption:

Resolved that immediate action be taken by the Council on the instruction of members at annual meetings

of 1921 and 1931, for transfer of the parks to the town, if acceptable to it, and that a committee be appointed to delimit such ground not already designated as park, which in their judgment should be added to the conveyance, employing a surveyor to assist them in such duty and to accurately show the land proposed to be conveyed, on a map of the town, or otherwise properly describe the same for conveyance.

Motion for adoption seconded by Mr. Rockwell and carried.

Application for membership of Abe D. Waldauer, of Memphis, Tenn., was presented; referred to a committee consisting of Messrs. Connolly, Rockwell and Gaston; committee gave immediate consideration to application and recommended acceptance and on motion application was accepted.

Communication read from Mrs. Call, Mrs. Bancroft and Mrs. Dyson members of Woman's Council, active in care of cemetery, insisting upon increased charges to outsiders made for grave spaces to provide funds for the care of the cemetery.

It was moved and carried that charge for grave space be \$50.00 for other than members of the Fairhope Single Tax Corporation and resident lessees on its land.

Mr. Gaston resigned from the cemetery committee.

Moved and carried that the treasurer establish a cemetery fund, in which shall be deposited all sums received for grave spaces or otherwise for the cemetery, to be drawn upon for its maintenance.

President appointed M. A. Bowey, Marion Smith and E. C. Wolcott committee on marking out parks, as provided in resolution previously adopted.

All action by unanimous vote.

Adjourned.

Approved June 10, 1931
E. B. Gaston Sec.

Council Proceedings

No meeting, first Tuesday, June 2, 1931. Meeting in lieu thereof, June 10, 1931.

All members present.

Minutes of last meeting read and approved.

Treasurer's report for May presented as follows:

	Recd.	Paid
Rents	2,039.72	
Penalty	58.20	
Wharf	145.18	
Town of Fairhope dirt	209.00	
Leases	9.00	
Grave space	5.00	
Rent from house Blk. 12, Div. 4	3.00	
Imp. on e 1/2 ne 1/4 NW. 1/4 Sec. 11	6.00	
Rent for tract in 39-40 Div. 4	5.00	
Taxes		1,677.52
Highways		9.17
Wharf		141.40
Library		75.00
Salaries		125.00
Secty. sundries		4.95
Rent, light council rm.		15.50
Regular Courier adv.		12.50
Job printing		7.40
Repairing typewriter		8.50
Services as trustee at election		1.50
Sundries		5.80

\$2,530.80 \$2,084.24

Cash April 30

1,678.69

Cash May 31

2,123.25

\$4,207.49 \$4,207.49

R. E. L. Connolly, Treas.

Following bills allowed:

J. A. Patterson, sund. items wharf expense	8.73
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6/2/31

R. E. L. Connolly, postage, etc., Treas. exp. 4.34
 E. B. Gaston, Sec. postage and sund. exp. Secretary's office 5.63
 McIntosh & Lowell, prem. policy on Rathje place 13.04
 Anton Aranza, road work 50
 Wm. Ruffles & Son, reconnecting water at Barnacle 1.91
 Drawing orders for pay-rolls wharf maint. appd. as follows:
 5-23 \$6, 5-30 \$6, 6-6, \$6, total 18.00
 A. O. Berglin, E. B. Gaston and E. C. Wolcott, committee to confer with like committee from town council, on proposed street improvement venture, presented report in writing, unanimously recommending surface treating of following streets, to be paid for half from general fund, half in additional rent against abutting leaseholds:
 Fairhope Avenue from east side of Bancroft to Bay.
 Section Street, from North side of Oak St. (cemetery corner) to Fels Avenue.
 Fels Avenue, Section Street to Mobile Street.
 Mobile Street, Fairhope Avenue to Fels Avenue.
 This subject to approval of majority of persons directly affected, as lessees and owners.
 The report of the committee was approved and the committee continued.
 Transfer approved of lease of J. P. and Irma Bailey (by foreclosure sale against J. L. Sutphin, whose contract of purchase was approved Jan. 21, 1930) and purchase by Mrs. M. R. Worsham, covering lot 13 and east 32 ft., of lot 14, blk. B Div. 4, replat of Stimpson-Steete tracts.
 Transfer approved A. R. Rockwell to J. H. Parker of west half of ne. 1/4 of Southeast Quarter of Sec. 16.
 Transfer R. L. Rockwell, as administrator of estate of late Franklin Rockwell to himself individually, of two and one-half acres held by deceased in ne. cor. of west half of sw. 1/4 of SW 1/4 of Sec. 15, approved.
 Transfer R. L. Rockwell, as administrator of estate of late Franklin Rockwell, to Mrs. Amelia Rockwell, now Mills, of west. 24 acres and four acres, 330 x 515 ft., in ne. cor. of sw. 1/4 of NW. 1/4 of Sec. 15 approved.
 Application for membership of Mrs. David K. Tone received and referred to committee consisting of Mrs. M. Dyson, Dr. C. A. Gaston and R. L. Rockwell.
 Secretary reported offer of Ed. J. Green to sell 10 acres, adjoining land recently acquired, for \$50 and it was moved and carried that same be purchased from fund recently made available by Mr. Thos. P. Craig.
 Secretary reported matter of loss of deed, secured through then Tax Collector Mr. Humphries, for lot 5 of subd. of w 1/2 of NE. 1/4 Sec. 17, before recording same, another deed being made later by seller and adverse title being set up through same and he had just removed this claim by securing a deed from adverse holder at a cost to himself personally of \$128.75 because of his loss of original deed.
 Capt. M. A. Bowen reported for committee on conveyance of park land to the Town, making verbal, tentative report, and promising a more complete report shortly.
 Stairway at foot of Magnolia Ave., being reported in unsafe condition it was moved and carried that same be torn down, and way to where same had been barred.
 Moved and carried that secretary ask for bids on moving Rathje house to three locations; Magnolia Ave., west of Patterson and across Church St., to west, alongside Randolph property; and fronting west on Church St.
 Moved and carried that Messrs Pat-

terson and Smith be instructed to examine stairways, bathing appurtenances, etc., and either see same are in safe condition or be done away with.
 Mrs. Call discussed proposed transfer of park lands, reading an opinion obtained by her from Smith and Johnson, attorneys, of Mobile.
 All action by unanimous vote.
 Adjourned.

Approved June 16, 1931
 E. B. Gaston Sec.

Colony Council Proceedings

June 16, 1931
 Regular meeting of Executive Council with all members present but Mr. Connolly, President Brown presiding.
 Minutes read and approved of last meeting, June 10.
 Rev. Hill, pastor of M. E. Church, appeared and requested permission for the Epworth League of his church to conduct a stand at some point in beach park, on the Fourth of July.
 Moved and carried that matter be referred to a committee of two, and president named as such committee, Mrs. Dyson and Mrs. Call.
 Bill of J. A. Patterson for \$3.93, light for May, etc., allowed.
 Secretary reported conclusion of deal for 10 acres in Section 2, 7 S. 2 E., according to action of preceding meeting.
 Committee on application of Mrs. David K. Tone for membership reported through Mrs. Dyson, recommending acceptance.
 On motion report was approved and application accepted.
 Transfer from estate of Harriet L. Williams, by assignment of interest of Marion Chase Schaefer, co-inheritor and remainderman, to Emilia Loos, of improvements upon and leasehold interest in and to lot 5, blk. 13, div. 2, approved.
 Proposition to advertise in Mobile Register and News Item, for a summer campaign, was on motion rejected.
 The committee on designation of land to be offered to town as parks, reported through M. A. Bowen, chairman, in writing, report including not only land hitherto classed as park, (undedicated) including "Knoll Park," and land in "Stacks" and "Marshall's or Great Gulley, as well as gulley west of cemetery, with adjacent land on either side, not under lease, or suitable for lease.
 The report of committee was on motion by R. L. Rockwell, accepted.
 All action by unanimous vote.
 Adjourned.

Appd 7-7-31
 E. B. Gaston Sec.

Colony Council Proceedings

June 30, 1931
 Special meeting to consider application of Lawrence Winberg to purchase the Blass dwelling and other improvements on a portion of block 22, Magnolia Beach Addition to Fairhope.
 All members present.
 Secretary stated Mr. Winberg's proposition to be to pay \$500 for these improvements, \$50 down and \$10 a month; proposing to spend several hundred dollars at once in improving the property.
 Motion made and carried that east and west streets in this locality, where land is Corporation's, be widened by taking 10 feet from either side, and an alley 20 feet wide be provided through the center of the block, also from east to west; also to widen Liberty street to 60 feet

by taking 10 feet from land on either side, where owned by Corporation.
 Moved and carried that the frontage rate on Orange street for calculation of rent on any portion of this land be 5.
 Moved and carried that the firm of Lawrence Winberg to purchase dwelling and other improvements on portion of land desired in southeast part of block 22 Magnolia Beach Addition for \$500, \$50 payable in cash and the balance in installments of \$10 a month, be accepted subject to execution of contract approved by president, protecting the corporation, including usual lease terms for land taken with house, and insurance on building to be carried by Winberg, with loss payable to Corporation as its interest may appear.

Appd. 7-7-31
 E. B. Gaston, Sec.

Colony Council Proceedings

July 7, 1931.
 Regular meeting, with all members present except Mr. Rockwell; president presiding.
 Minutes read and approved of regular meeting of June 16 and special meeting of June 30.
 Treasurer's report for June presented as follows:

	Receipts	Disb.
Rent	\$2,251.90	
Penalty	93.01	
Wharf	116.53	
Taxes		\$1,918.66
Highway		97.95
Wharf		125.16
Library maintenance		75.00
Salaries		125.00
Council room rent		14.00
Insurance Rathje house		13.04
Trustees' salary at election		1.50
Regular Courier advt		12.50
H. H. Parker, abstract		5.00
Ed. J. Green, payout for 10a in sw 1/4 sw 1/4 Sec. 2		50.00
Ruffles & son, wk on Barnacle		1.91
Sec'y sundries		6.63
Treas. sundries		4.34
	\$2,461.53	\$2,445.69
Cash on hand 5-31,	2,123.25	
Cash on hand 6-30,		2,139.09
	\$4,584.78	\$4,584.78

Respectfully submitted,
 R. E. L. Connolly, Treasurer.
 Following bills, allowed:
 J. A. Patterson, sundry items
 wharf maintenance \$ 5.83
 Anne B. Call, aud. whigs acct 2.00
 H. B. Payne, drag country rds 10.56
 Fairhope Coal and Supply Co.,
 Tile for country roads 6.40
 Nails, etc., for wharf repair 4.64
 Wm. Ruffles & Son,
 Repair beach toilets, etc. 3.36
 G. W. Humphries,
 recording Green deed, 1.25
 Marion Smith, serv. dept. lands and highways 1.65
 E. B. Gaston, sec. postage and sundries 4.60
 R. E. L. Connolly, treasurer's postage and sundries 2.32
 Approval given by motion to drawing of orders for payrolls of 6-3, 6-20, 6-27, and 7-6 for wharf mnt., totalling \$26.40; also for mowing and cleaning beach park, 7-2, \$10.50.

Marion Smith reported recommending allowance of \$1.50 additional to Anton Aranza for road work, on bill formerly disallowed in part; on motion same was allowed.
 In regard to request of Mrs. Bertha Mershon to relinquish 25 or 30 feet on corner of Fairhope Ave. and Summit St., Secretary was directed to advise her of rules regarding surrender, adopted Oct. 7, 1930, and Town building rules.

Transfer by Josephine S. Ward to Ana L. Loeffler, of lot 7, blk. 2, div. 3, approved.

Agreement between W. R. Briggs and wife and Mr. and Mrs. C. J. Free for purchase by latter of south $\frac{1}{2}$ of ne $\frac{1}{4}$ and e $\frac{1}{2}$ of se $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, and of mutual agreement for surrender of se $\frac{1}{4}$ of se $\frac{1}{4}$ of SW $\frac{1}{4}$ was approved, lease to issue to the Frees on proof of completion of payment.

Surrender by Ethel O. Darrow of portions of leasehold in Blk. 24, Div. 2, described as follows, approved: a tract on corner of White Ave. and Equity St. 78ft on White, by 165ft no. & so., and a width from east to west on rear of 138 $\frac{1}{2}$ ft; a tract of which the west 93 $\frac{1}{2}$ ft of last described line is the north line and running so. 135ft, on the east line, thence 145ft west to Equity St., and north to first described line; also a tract beginning 99ft west of Liberty St. on White Ave., with a width of 90ft, and extending south 165ft.

Surrender by Wm. Stuersel accepted of lot 4, blk. 8, div. 3.

Both above surrenders subject to usual rules.

Notice reported by secretary as received from Mr. Yohn, health officer, of unsanitary conditions at bath-houses and toilets on beach, to be remedied in 3 days from date of 6th. It was moved and carried that Mr. Patterson be instructed to nail up the bath-houses except rooms which can be locked, and put out of use toilet not in repair.

Mr. Smith reported examination of land offered in exchange by Mr. Maschmeyer for nw $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 15, but no action taken.

Secretary reported sale of improvements on Mrs. J. R. Yerton leasehold in blk. 12 Div. 4, for delinquent rent, and there being no other bidder, bidding same in for Corporation. He reported an offer to rent cottage at \$10 a month, and was authorized to accept offer and allow \$5 on first month's rent for clearing and cleaning property.

Bid of J. E. Lawrence to move Rathje house opened; only bid received. No definite action taken.

On motion Mr. Connolly was added to cemetery committee, all parties seeking lots to settle with him before being permitted to make use of any lot.

Opinion of James H. Webb on right of Corporation through Executive Council to convey park lands to town, presented in communications of June 25 and June 30, read, same fully confirming such right. Mrs. Call read some correspondence between Secretary and Mr. Schalkenbach, relative to park conveyance.

All action taken by unanimous vote.

Adjourned.

Colony Council Proceedings

July 15, 1931.

Special meeting.

Present, Mrs. Dyson, Mr. Connolly, Mr. Rockwell. In absence of president, M. Dyson elected chairman pro tem.

Reading of minutes waived.

Purpose of the meeting to provide for protection of the Corporation's interests in the sale of certain improvements for delinquent taxes the following day.

Moved by Mr. Rockwell, seconded by Mrs. Dyson, that president, treasurer and secretary be authorized to take all steps necessary to protect Corporation interests at tax sale tomorrow. Carried.

Bills allowed as follows:

Harry H. Parker, surveying lots in Magnolia Beach tract, $\frac{1}{2}$ in cash, $\frac{1}{2}$ in rent credit \$13.50
John Joiner, helping Parker 7.20
R. E. Curtis, helping Parker 7.35
A. C. Desporte, helping Parker .75
All action unanimous.
Adjourned. *App'd 7-21-31*

Colony Council Proceedings

July 21, 1931.

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

Minutes read and approved of regular meeting July 7, and special meeting of July 15.

Following bills allowed:

R. E. L. Connolly, pstg and sund. exp. Treas. ofs. \$ 3.09
Harry Parker, surveying Mag. Beh. property 6.00
John Joiner, helper on same 3.00
R. E. Curtis, helper on same 3.00
G. W. Humphries, probate judge, filing bills of sale for delinquent taxes of Boroski, Norville and Parker impts. 2.55
Wm. Stimpson's Sons, lumber for wharf maintenance 37.74
W. T. Scrimphille, road work in country 1.50
Marion Smith, roads in country 1.65
M. J. Jansen, roads in country 24.50

Proposed surrender by T. H. Bowen of 25x125ft. of leasehold on bay front, by motion referred back to him.

Transfer C. C. Broomell to Thos. G. Melnema of lot 1, blk. 2, div. 3, was approved.

Transfer of leasehold rights of estates of Elizabeth and Ralph Quarles, to lot 2, blk. 22, div. 2, and lots 1 and 2, blk. 20, div. 4, through mortgage foreclosure proceedings by Bank of Fairhope, to said bank approved.

Application of Arabella F. Armstrong for transfer Converse-Potter leasehold (impts purchased at delinquent tax sale) passed over for lack of certificate of purchase.

Proposal of Mrs. Alice Stimpson and sons for surrender of west part of lot 18, blk. C, subd. Stimpson-Steele tracts, accepted, if for 60 feet in width.

Secretary reported that most of the delinquent taxes on improvements on Colony land, for which the improvements were advertised for sale on the 16th, were paid before date of sale; the president and secretary bidding in for the corporation, the Boroski, Norville Brothers, and Mrs. Parker improvements for the amount of the taxes, with no other bidders; the Converse-Potter improvements being bid in by Miss Arabella F. Armstrong; no bid made for improvements on former Cain leasehold.

Secretary reported offer of J. E. Lawrence & Sons for moving Yerton house to rear of lot, with front on School St., and repairing roof. On motion offer accepted, all to apply on rent but cost of material; supt. lands & highways to direct where same should be placed.

Secretary instructed to call on Reliance Equipment Co. to repair leaks in Library roof, covered by their guarantee.

Moved and carried that Supt. lands and highways be instructed to tear down the old Winter building in blk. 5, div. 4, and dispose of material.

President directed by motion to call a special meeting of council to consider the matter of tender of park lands to town.

All action unanimous.

Adjourned.

App'd 8-4

Ed Gaston Sec.

Colony Council Proceedings

August 4, 1931

Regular meeting. All members present.

In absence of president and vice president M. Dyson, elected chairman pro tem.

Minutes read and approved of last meeting, July 21st.

Treasurer's report for July presented as follows:

TREASURER'S REPORT

	Recd.	Paid
Rents	2,123.17	
Penalty	147.50	
Wharf	143.09	
Membership fee	100.00	
Leases	10.00	
Rent Blass place	7.50	
Rent, former Norville houses	9.00	
Improvements on e $\frac{1}{4}$ ne $\frac{1}{4}$ NW. $\frac{1}{4}$ Sec. 11	12.00	
Dividend on Bond	3.00	
Transfer from Wharf account	323.86	
Sundries	16.25	
Taxes		901.13
Highways		21.90
Wharf		130.88
Salaries		125.00
Office rent		14.00
Recording Green deed		1.25
Secty Sundries		4.60
Regular Courier adv.		12.50
Treasurer's sundries		5.41
Library maintenance		75.00
Cleaning Bay front		10.50
Repairing Beach toilet		3.86
Surveying Magnolia Beach blocks		40.05
Purchasing at tax sales		77.02
Filing tax deeds		2.55
	\$2,395.27	\$1,425.65
Cash June 30	2,139.09	
Cash July 31		3,608.81
	\$5,084.46	\$5,034.46

Respectfully submitted,
R. E. L. Connolly, Treas.

Following bills allowed:

J. A. Patterson, supt. whf. exp. 6.57
Wm. Ruffles & Son, rep beach toilet 1.25
Fairhope Coal & Supply Co., bathhouse exp. .55
Dr. P. B. Skinner, medical service for Monroe Smith, injured in work at wharf 9.50
G. W. Humphries, Probate Judge, for taxes for 1930 on Mabee, land, refunded by him to Bradford, who had paid same 7.58
Fairhope Courier, job work and adv. as per statement 20.25
H. B. Payne, dragging road in country 16.75

Moved and carried that Monroe Smith, be allowed \$5 for lost time, acct. injury when working on wharf, on signing waiver of claim for damages.

Approval given to drawing of orders for wharf pay-rolls, July 11, 25, and August 1, total 14.25
Report of secretary on certain matters requiring no action of council.

Approval given to contract between Greeno Lodge A. F. & A. M., No. 293 and Nina K. Foster, for purchase by latter of improvements on lot 15, blk. 9, div. 1.

Approval given to application of Arabella F. Armstrong, for lot 14 and lot 15, except west one foot, block "B" of replat of blocks 18, 19 and 20, 27, 28 and 29, division 4, she holding bill of sale from Jesse Smith, tax collector, for improvements thereon, sold at sale for delinquent taxes, July 18, 1931.

Surrender by Gottlieb Schoettie, of lots 7 and 8, block 15, div. 4, accepted.

Surrender by J. E. Gaston, of lots 7 and 8, blk. 3, div. 3, accepted.

The following resolution suggested by secretary, was unanimously adopted:

Resolved: That the secretary be directed to convey to the Sheffield

Muscle Shoals Chamber of Commerce, the hearty appreciation of this body, for its efforts to secure the administration of the Muscle Shoals properties, created by expenditure of money taxed from the people, for the people's benefit, in line with the original Muscle Shoals legislation, instead of being permitted to go to increase the already swollen fortunes of private power interests; and for the further development of the great power resources of the Tennessee in the same behalf.

Secretary reported contract executed with J. E. Lawrence and Son, for moving and repair of Yerion house.

Mrs. Call reported leaking roof, of The Barnacle, and Mr. Stearns having been engaged to repair same. Moved and carried that council approve the expenditure necessary for labor and material for same.

Moved and carried that secretary and treasurer be authorized to contract for the moving of the Rathje house to a site on Magnolia Avenue, east of Mrs. Randolph place, in b'k. 8, div. 1.

Treasurer reported on several delinquent lessees and was authorized to take all measures appropriate to collect same.

All action by unanimous vote.

Adjourned.

*Appd 8-25-1931
E. B. Gaston Sec.*

Colony Council Proceedings

August 6, 1931

Special meeting of Council, called by president, under direction of last regular meeting, to consider proposed conveyance of park lands to the Town.

All members present, president Brown presiding; also present Mrs. Call, Mrs. Alice Smith, R. F. Powell, M. A. Bowen, C. A. Gaston.

Mr. Connolly moved adoption of suggested resolutions prepared by secretary and a copy furnished each member; seconded by Mrs. Dyson. Discussion by Mr. Smith, Mr. Bowen, Mr. Gaston.

Motion put and carried with one dissenting vote, by Marion Smith.

Resolution as follows:

WHEREAS, the members of the Corporation have twice at annual meetings declared that it was in the interest of the Corporation that legal ownership of the lands which our corporation was permitting the use of by the public as parks, should be vested in the town, in whose ownership the same would not be taxable by the County and State as well as the Town; and a committee appointed by the Council to specify the lands which should be included in conveyance of the Town if made, has acted in the matter and presented its report which has been accepted, and

WHEREAS, the attorney of the Corporation has, in a written opinion declared such proposed conveyance to be within the proper discretion of the Executive Council and subject to a referendum only to members on the ground on the day of election, and

WHEREAS, it is deemed by this Council in the interest of the incorporated Town of Fairhope and its citizens, whether members or lessees of the Corporation or not, that the legal title to and control of park lands, so vital to the interest of the citizens throughout all the future, should be in the legally constituted local unit of government, the Town, rather than be subject to the vicissitudes of an organization which, however sound its principles and successful its administration hitherto, is still a private corporation; and the time is very near

a hand when such transfer must be effected to effect the exemption of the property from taxation for the coming state and county fiscal year, as well as from probable assessments against it for proposed street improvements, therefore

BE IT RESOLVED, That the president and secretary be directed to appear before the Town Council at its next meeting, inviting an expression from the same as to its attitude toward the proposed transfer of park lands and, if in general favorable, inviting the appointment of a committee by the Council, or expressing the pleasure of the council to consider with the Colony Council, the exact terms of such proposed conveyance.

BE IT RESOLVED FURTHER, that the terms of such proposed conveyance be suggested to the Town Council as follows:

Proper description, by metes and bounds or by filing an amended plat.

That the use or uses of the land

shall be expressed in the conveyance, with provision for reversion to the donor if not so used.

That no monopoly or special privilege shall ever be granted in or on such lands.

That the tender be contingent on acceptance prior to October first, 1931.

That all assessments for street improvements against land included in conveyance hereafter falling due shall be assumed by the Town.

I suggest further, that as soon as agreement can be reached between Town and Colony regarding terms of conveyance, the question of authorizing the officers of the Corporation to make the conveyance be submitted by referendum to the members legally qualified by opinion of our attorney to pass upon the same.

Adjourned.

*Appd 8/25/1931
E. B. Gaston Sec.*

Colony Council Proceedings

August 25th, 1931

The Council not having had its usual third Tuesday meeting on account of desire of officers to attend the meeting called by the Town Council to consider the street improvement matter, President authorized a special meeting on this date.

All members present but Marion Smith.

Minutes read and approved of regular meeting of August 4, and special meeting of August 6.

Following bills allowed:

Marion Smith, serv. dept. lands and highways 3.80
J. A. Patterson, sund items
wharf expense 2.05

Approval given to drawing of orders for wharf work payrolls, of Aug. 8, 15, and 22, total 16.80

Transfer by Mrs. Dr. A. Lamon to Julia Schreen, of her joint interest in lease to lot 11, blk. 3, Div. 3, approved.

Surrender by Walter James of no. 129 1/2 of sw. 1/4 of SE. 1/4 of Sec. 11, accepted.

Transfer by Samuel Smith to J. Francis Lamon of west half of sw. 1/4 of NE. 1/4 of Sec. 15, approved.

Application of J. Sheldon Hixon for lot 11, blk. 2, div. 3, accepted.

Contract for sale of George F. Martin improvements and leasehold of lot 10, blk. 2, div. 3, approved, lease to be issued without further action of Council on satisfactory evidence of completing of payment according to agreement. (to J. Sheldon Hixon)

Surrender by Wm. Stuersel of south 36 ft. of east 2 ft. of lot 6, and so. 114 ft. of west 18 ft. of lot 7, blk. 5, div. 4, accepted.

Moved and carried that supt. lands and highways be authorized to get grader and use on country roads.

Mrs. Call read written statement signed by trustees, calling attention to a sign on grandstand at Beach Park, under lease to the ball club, no trespassing, all unpaid admissions will be considered as such. General admission 25 cents, stand free, which was alleged not to be in consonance with article 12 of the constitution; requesting that council have sign removed at once and the practice of charging a stated admission changed to that of taking a voluntary collection.

Moved and carried that secretary communicate with club, stating that no lease had been given to the club; that their right to charge for seats in the grandstand was recognized but not to enforce payment otherwise.

Mr. Powell brought to attention of the council the movement to provide ground for gardens for indigent people this fall and winter actively promoted by county and home demonstration agents, and others.

It was moved and carried that president, secretary and supt. lands and highways be authorized to select suitable lands which are vacant and make them available for gardens for people needing the same, under the auspices of any local committee which may be organized.

Mrs. Call also read statement by trustees relative to proposed transfer of park lands to town, asking Council "to take full responsibility for this action, not complicating it with anything requiring the cooperation of the trustees," therefore to "omit the referendum to the local membership."

It was moved and carried that statement be filed.

All action by unanimous vote.

Adjourned.

*Appd Sept. 1, 1931
E. B. Gaston Sec.*

Colony Council Proceedings

September 1, 1931

Council met in regular session with Councilmen Connolly, Patterson and Rockwell present, Dyson and Smith absent, president Brown presiding.

Minutes of last meeting, August 25, read and approved.

Following bills allowed:

J. A. Patterson, sund. whf. exp. 2.20
R. E. L. Connolly, sund. treas. exp. 2.55
M. J. Jansen, Lbr. whf. rep. 94.48
Fairhope Courier, job printing 12.75
Drawing of orders for pay-roll whf. rep. 8-29, approved 6.00

Transfer of interest of Lawrence Winberg in lots 4, 5, and 6, blk. 3; Div. 3, to Anna Winberg, (endorsed on their copy of lease, as of date of April 20, 1931) approved.

Moved and carried to return to meeting first and third Mondays.

All action by unanimous vote.

Adjourned.

Appd Sept. 21, 1931

Colony Council Proceedings

September 21, 1931

Council met in regular session with Mrs. Dyson, Messrs Patterson, Rockwell and Smith present, president presiding.

Minutes read and approved of last meeting, Sept. 1, 1931.

Treasurer's report for August received as follows:

TREASURER'S REPORT

	Recd.	Paid
Rent	1,978.45	
Penalty	149.37	
Wharf	108.36	
Chamber Commerce and Lion's Club donation to cleaning beach park		
\$5.00 each	10.00	
Leases	3.00	
Rent Norville cot.	3.00	
Taxes		1,015.51
Highway		41.25
Wharf		124.67
Salaries		125.00
Library Maintenance		75.00
Tax on Mabee land		7.58
Printing and advertising		30.25
Reg. Courier adv.		12.50
Rent, light Colony office		17.84
Helping survey Magnolia Beach property		.75
Medical service Monroe Smith		9.50
Hardware bath house		.55
Monroe Smith settlement		5.00
Repairs Beach toilet		1.28

\$2,244.13 \$1,456.68

Cash July 31, 3,603.31

Cash August 31 4,396.31

\$5,852.99 \$5,852.99

R. E. L. Connolly, Treas.

Following bills allowed:

Fairhope Courier, adv. Quade and Larsen Impts. for sale and second sheets	4.60
E. B. Gaston, secretary's postage and sunds	3.40
H. B. Payne, dragging roads in country	8.94
Marion Smith, Serv. Dept.	
Lands and Highways	11.65
J. H. Webb, legal services	50.00
Approval given to drawing orders for wharf rep. payroll, Sept. 5, 12 and 19, total	23.00
Transfer P. A. Frederick to Sibylla	3
R. C. Astrella, of lots 1 and 2, blk. 21, div. 4, approved.	29
Transfer Fred Hemman to Mrs. E. M. Clarke, of lot 3 and so. 1/4 lot 2, div. 4, approved.	39
Transfer by George Martin Adm. of estate of Jane D. Irwin to Maud Smith of lot 8 and west 8 ft. of no. 65.7 ft. of lot 7, blk. 13, div. 1; was approved.	123

Application of F. S. White for so. 36 ft., of east 2 ft. of lot 6, and so. 114 ft. of west 18 ft. of lot 7, blk. 5, div. 4, accepted subject to agreement by White with Wm. Steursel for purchase of improvements on same, according to copy of contract furnished corporation, was accepted.

Secretary reported expiration of policies of insurance on wharf, Clarke and Morgan, on outer warehouse, of wharf under same and contents, in sum of \$775, premium \$21.31 and McIntosh and Lowell for inner warehouse and contents in sum of \$1,000, premium \$40.37, and on motion he was authorized to have policies renewed and bills for same were allowed.

Secretary reported appointment by President Brown, of M. A. Bowen and Secretary as members of committee of 2, to confer with committee of Town Council appointed by mayor, Messrs

Norvin DuBrock and Eloy Tuveson, and meeting of joint committee Friday evening September 18th, and presented conditions for transfer of park lands, which had been tentatively agreed to by committee. Also description of land to be conveyed.

Mr. Rockwell moved an amendment to the conditions, making limit of concessions one year, seconded by Mr. Smith: Carried.

In description of land, north boundary of blk. 1, div. 4, made south boundary on Section Street, of land in div. 4, instead of Oak St., by unanimous agreement.

Moved by Mrs. Dyson, seconded by

Mr. Rockwell as follows:

That the description of land to be conveyed, be approved, also conditions, (as amended) be approved, and, if accepted by Town Council, officers of Corporation be authorized to make conveyance accordingly. If not approved, to be reported to council, at a special meeting to be called if deemed necessary by president; such conditions and description being as follows:

SUGGESTED CONDITIONS FOR TRANSFER OF PARK LANDS TO TOWN OF FAIRHOPE

1. That the property conveyed shall be forever used as public parks of the Town of Fairhope, according to general usage of public parks and according to the wishes of a majority of the qualified electors of the Town, provided that in such use there shall be no special privileges of any kind to individuals or organizations and no profit to individuals, but the latter shall not apply to use made of any concession which may be given by the Town Council or other body in which control of the parks may be placed, for the fuller enjoyment of same by the public and awarded for terms not exceeding a year, on a competitive basis; but, provided further, that the natural function of gullies included in conveyance as drainage ways for water from streets and other public and private lands, shall be recognized as a proper use of same in conjunction with their use as parks; also, that if in the future the Town decides upon putting in a sewer system and the Town Council and engineers agree that the best location for a disposal plant as an essential part of the sewer system is in or along the gully north of the cemetery as now located, such use may be made of the needed land, with laying of such sewer lines leading to the same and pipe lines for carrying the effluent therefrom as may be necessary, but modern methods shall be made use of to render the same inoffensive.

2. That in case of disapproval of any detail of park management evidenced by a petition filed with the body in control of the parks, signed by 10 per cent of the qualified electors, the question as framed by petitioners must be submitted to vote of the electors and the body in control of the parks shall be guided by the wishes of a majority as expressed by their votes and the filing of any such protest shall estop action upon any matter with which such petition shall deal until the same is voted upon.

3. That the land conveyed west of Bay View Street, north of Fairhope Ave., bounded on the north by Magnolia Avenue, and the Swift land and extending on the west to the top to the bluff above Mobile Bay, shall be designated and known as Henry George Park.

4. That the party of the first part shall be entitled to place and maintain at its expense suitable markers, (subject to approval of the party of the second part) setting forth that the lands on which the same are placed, were donated by it to party of the second part for park purposes.

5. That full riparian rights to the land conveyed touching the margin of Mobile Bay shall pass to party of the second part for appropriate development and use in harmony with the conditions of this conveyance, but unless and until the party of the second part acquires the frontage used in connection with Fairhope Wharf, not included in this conveyance, no wharf shall be permitted to be built in competition with wharf owned and controlled by party of the first part, its successors or assigns.

6. That should the party of the second part cease at any time to use the lands conveyed in harmony with the conditions of this conveyance the

title to the same shall immediately revert in the party of the first part.

DESCRIPTION OF LANDS TO BE INCLUDED IN PARK CONVEYANCE

Embracing the lands in easily understood language not necessarily to be followed in conveyance.

DIVISION ONE

All land now in use as park west of Bay View Ave., (excluding of course, land under lease to T. H. Bowen and A. O. Berglin and land leading to Fairhope Wharf, covering width occupied by Wharf, including warehouses and bathhouses.) Also land west of Bay View St., on south side of Fairhope Avenue, west of Block two to Mrs. White east line; back of leaseholds in block one and from Mobile Avenue west, and to center of Stack's Gully.

DIVISION TWO

West of Mobile Street from center of Stacks Gully south to Crawford holding, along Crawford holding to the northwest corner thereof and along the front of Crawford and Gordon Smith holdings, embracing every thing westward therefrom to the bay. Also Block 31, Div. 2, and small triangular tract bounded on East by Equity Street, south by Morphy Avenue, west by George St. Also land in front of Blk. 13F and 14F and foot of White Avenue and Nichols street to Bay.

Also, all land north of Cliff Drive, to connection with land previously described as in Division One; thence east to include all of said gully owned by Corporation to Church Street.

DIVISION THREE

Everything not under lease west of Bay View Ave., or Street; also from Corporation north line in Marshall's Gully to line approximately in line with north side of Cemetery to Section Street. Also land in rear of Block Six, extending across gully parallel with said line to line to be mutually determined, between east bank of Branch Gully and present cemetery fence, so as to give access to gully from upland, practically along its entire length.

DIVISION FOUR

From Corporation boundary line in Marshall's or Great Gully, with meanderings of the same to Fairhope Ave., extending south at Section Street to Oak Street and thence following lines to be mutually agreed upon, above the top of Gully bank, to Fairhope Ave.

Vote upon this motion, Aye, Mrs. Dyson, Mr. Patterson, Mr. Rockwell, nay, Mr. Smith.

Moved and carried that the president be authorized to secure making of an amended plat to show lands which may be conveyed to town for parks, such replatting as has been done, and to eliminate lines and numbers showing blocks where land is not made available as lots by opening of streets through same.

Marion Smith called attention to willingness of county, and individuals to cooperate in putting in shape for travel road on east side of Section 14 and made a motion that Corporation cooperate to extent of \$75 on same, as much as possible to be secured in work by lessees to be applied on rent; motion carried.

All action by unanimous vote, except as stated.

Adjourned.

Approved Oct. 5, 1931
E. B. Gaston, Sec

Colony Council Proceedings

September 23, 1931.

Special meeting, present all members Council but Marion Smith, president presiding.

Secretary reported filing of petition with him by requisite number of members, as follows: E. B. Gaston, M. V. Watros, Emil Knips, C. A. Gaston, J. E. Gaston, A. O. Berglin, E. C. Wolcott, Lenore W. Wolcott, Margaret Dyson, J. A. Patterson, M. A. Bowen, A. H. Mershon, Paul Nichols, F. L. Brown, R. E. L. Connolly; asking for calling of special referendum election to be held at Treasurer's office, September 25, 1931, between the hours of 1 and 6, for submission of the following question:

"Shall the action of the Executive Council, Monday September 21, 1931, relative to transfer to the Town of Fairhope, of park land of the corporation (including gullies) be approved?"

Moved by Mr. Rockwell, second by Mr. Connolly, that election be called for as prayed. Carried unanimously.

Adjourned.

E. B. Gaston, Secretary.

Colony Council Proceedings.

Sept. 24, 1931

Special meeting at call of the president. Present, Mrs. Dyson, Messrs. Connolly, Patterson and Rockwell. President Brown, presiding.

Communication from trustees read, declining to conduct referendum election petitioned for by more than 10 per cent of resident members, for submission of following question:

"Shall the action of Executive Council Monday, September 21, 1931, relative to transfer to the Town of Fairhope, of Park Lands of the Corporation, including gullies, be approved?"

Also communication from trustees objecting to sending out of notices of proposed election, because they had not been consulted regarding same and requesting notice to be sent to members that election would not be held.

Secretary reported that the notice had been sent out in obedience to action of Executive Council, and form of ballot, had been sent to Trustee Mrs. Call, for approval or amendment and she had handed same back without consideration.

The following resolution moved for passage by R. E. L. Connolly, seconded by Mrs. Dyson:

"Resolved, That the Council do not recognize any authority conferred upon Trustees by the constitution to pass their judgment of constitutional matters as final, against the judgment of the Executive Council as guided by the considered opinion of the Corporation's Counsel, nor to deny to members of the Corporation the right of referendum.

"That the Council having, according to long usage, responded to a petition presented by the constitutional number of qualified members, by calling a referendum election for Friday, the 25th of Sept. from 1 to 6, for submission to members entitled to vote on same the question stated by petitioners, and the Trustees having served written notice that they will not perform their constitutional duty in conducting such election, Canvass the votes cast and declare the result there-

of the president be directed to be present at the place of voting at the hour set for the beginning of voting, and if no trustees appear to serve, appoint from or suggest the choice by those present, of qualified voters to the usual number to perform the duty refused by the trustees, so that the constitutional rights of members shall not be curtailed.

"Resolved further, that the president provide for personal notice to be given every resident member as early as maybe Friday morning, that the election will be held as announced, in

obedience to the petition filed."

Question discussed by members of Council, president, secretary, and others present, who included, following members, Mrs. Call, Dr. Gaston, Paul Nichols, R. F. Powell, E. C. Wolcott. The motion being put was carried by unanimous vote.

President urged very strongly that trustees reconsider their action and come out and perform their constitutional duty at the election the following day.

*App'd Oct. 5, 1931
E. B. Gaston, Sec.*

Colony Council Proceedings

October 5, 1931

Regular meeting, with all members present and president presiding.

Minutes read and approved of regular meeting of Sept. 21st, and special meetings of Sept. 23 and 24.

Mr. Melville being present was given opportunity to make statement the purpose of which was to relieve Mrs. A. B. Call, of any association with him or expression of approval of his desire to see the Colony broken up, which he frankly stated to be his own feeling; the reason being that in his opinion it "was a travesty on the Single Tax and doing the cause far more harm than good."

Report of members elected to conduct referendum election of Sept. 25th by members appearing to vote, the trustees having declined to serve, presented as follows:

Votes cast	50
Votes for	46
Votes against	3

Proposition carried.

Signed: M. V. Watros, Almeda Mershon, Elva D. Troyer.

Treasurer's report for September presented as follows:

TREASURER'S REPORT

	Recd.	Paid
Rent	1,545.27	
Penalty	66.85	
Wharf	112.29	
Pulp wood	45.00	
Imp. on land in Satsuma Park	6.00	
Rent, former Norville cottages	6.00	
Payment, imp. on Glass place	50.00	
Payment imp. on ne ¼ SW ¼ Sec. 11	6.00	
Taxes		1,140.25
Highway		20.59
Wharf		208.98
Office rent and light		15.50
Salaries		125.00
Treasurer's sundries		2.59
Library		75.00
Regular Courier adv.		12.50
Job printing		12.75
Adv. impm'ts for sale		4.60
Secretary sundries		3.40
Insurance premiums		61.63
Legal services		50.00

	\$1,837.41	\$1,732.84
Aug. 31	4,396.31	
Sept. 30		4,500.88

\$6,233.72 \$6,233.72

Respectfully submitted,

R. E. L. Connolly, Treas.

Following bills allowed:

Anne B. Call expense of duplicating and sending to members of statement by trustees relative to park transfer	19.35
Fairhope Courier, job printing	2.25
R. E. L. Connolly sund. treas. exp.	2.60
Marion Smith, serv. and use of car, dept. lands and highways	11.95
Gaston Motor Co., cutting, for dept. lands and highways	.60
Wm. Ruffles & Son, plumbing at bay front	3.31
C. J. Free, work on country roads	11.85
Sam easty, same	.50

R. L. Rockwell, dragging and grading country roads 15.00

William A. Young, making replat of portion of Corp. land 3.75

Harry H. Parker, surveying park by Sec. Gaston 13.50

lands, fig. acreage, etc. (\$3 adv. Also exp. blue prints and trip to Bay Minette, advanced by (Gaston) 3.93

E. B. Gaston, postage and sund. items, sec. exp. 1.55; exp. trip to Mobile on park matter, 1.10 2.65

G. W. Humphries, probate judge, recording revised plat 5.00

Mr. Prince, work on survey park lands 3.00

F. L. Brown, car and exp. to Mobile on park matter 7.40

J. A. Patterson, sund. items, wharf expense 7.78

Fairhope Coal & Supply Co., material for rep. former Yerton cottage 8.25

Following land transfers approved: W. B. and Maud LaNeca, to Bank of Fairhope, south 140 ft. of lots six and seven, blk. four, Div. 1.

Oras E. and Emma Clark Bowers to Bertha Mershon, No. 100 ft. of west 150 feet of blk. 5, div. 4.

Rebecca and Jas. H. Kizer to P. B. Skinner, (final transfer on contract previously approved) of Lot 5, and so 4 ft. of lot 4, blk. 8, div. 4.

Secretary reported sale for delinquent rent on Sept. 8, 1931, and bidding in for Corporation, of following leaseholds and improvements thereon:

Otto Qnade lot 1, and 8, and no. 1/2 of lots 2 and 7, Block 2, div. 4.

Andrew Larson and heirs, lots in blk. 26, div. 4.

Communication read from P. R. Williams, Sec. Henry George Foundation, relative to Henry George Congress, at Baltimore, Md., Oct. 12 to 14, and communication from Memphis, Tenn., relative to holding 1932 Congress at Memphis, and president and secretary were instructed to send suitable letter of greeting to the Congress in behalf of the Corporation.

Attention being called to a petition filed with Town Council for the adding of improvement of Fels and Mobile Aves. to street improvement venture, it was moved and carried that the Corporation go on record as being opposed to taking on any other street improvements under present serious financial conditions.

Renewal by Clarke and Morgan of policy covering the wharf proper, no buildings, in sum of \$500, accepted and bill for premium allowed, \$13.75.

Moved and carried that supt. lands and highways be authorized to sell boxed timber, as he deems advisable.

Mrs. Call addressed the Council regarding matters which were not made the subject of any motion.

Adjourned.

All action by unanimous vote.

*App'd Oct. 19, 1931
E. B. Gaston, Sec.*

Colony Council Proceedings

October 19, 1931

Regular meeting, president Brown presiding, Mrs. Dyson, Mr. Connolly and Mr. Patterson present.

Minutes read and approved of last meeting, Oct. 5.

Following bills allowed:

Fairhope Courier, printing letters to Henry George Congress 8.40
R. L. Rockwell, dragging roads in country 17.00

Marion Smith, serv. etc., dept lands and highways 8.55
J. A. Patterson, sund items wharf expense 13.21

Drawing of orders for wharf pay rolls as follows: Sept. 25, Oct. 3, 10, and 17 approved total 22.50

President and secretary reported tender of deed to town of Fairhope for park lands in conformity with instructions of Council on Sept. 21, and approved by members on referendum Sept. 25th and its acceptance by Town Council at special meeting Sept. 29.

Moved and carried that report be accepted and committee discharged.

Application of Henry C. Littlefield for membership, referred to committee composed of Secretary, A. H. Merzhon and M. Dyson.

Application of Anton Youngquist for 66 x 116 ft., east of Westerlund place in blk. 14, div. 4, was accepted.

Transfer by Arabella F. Armstrong to Ethel A. Worsham of lot 15, except west 1 ft., and west 34 ft., of lot 14, blk. "B" of replat of land in div. 4, according to action of Council Jan. 16, 1923 and amended map filed Sept. 30, 1931, approved.

Surrender by F. B. Moore of lot 7, blk. 9, div. 2, accepted, subject to usual rule regarding surrenders.

All action by unanimous vote.

Adjourned.

E. B. Gaston, Secretary

Colony Council Proceedings

October 26, 1931

Special meeting, called by order president, to act upon petition by requisite number of members, praying for calling of a special election "at which shall be submitted the recall of the present trustees; Anne B. Call, Della K. Bancroft and Alice Smith, each to be voted upon separately;" to be held on October 29, 1931, from 1 to 6 P. M.

Present F. L. Brown, president and all members of council except Marion Smith.

It was moved and carried unanimously that the election be called as prayed for.

The meeting then adjourned.

E. B. Gaston, Secretary

Colony Council Proceedings

Monday, November 2, 1931

Council met in regular session with President Brown presiding, members council present, Mrs. Dyson, Mr. Connolly, Mr. Patterson.

Minutes read and approved of regular meeting of October 19, 1931 and special meeting of October 26, 1931.

Report presented of trustees on result of special election on October 29, showing same to have resulted in recall of trustees Anne B. Call, and Alice Smith, and failure to recall Della K. Bancroft; however resignation of Mrs. Bancroft, was presented in writing.

It was moved and carried that Mrs. Bancroft's resignation be accepted.

The following bills were allowed:

E. B. Gaston, postage etc. 2.10
Wm. Stimpson's Sons, lumber for wharf repair 15.78

Drawing orders for pay-rolls, wharf maint., approved October 24 and 31 16.80

Surrender by Query and Pound of west 52 ft. of lot 11, blk. 9, accepted.

Surrender by Dyson and Son of west half lot 2 blk. 2 Div. 1, accepted.

Transfer from estate Julia G. Mackintosh on copy of will certified by Probate Judge, to Amelia Riley of lot 4, except east 1 ft. and lot 5, blk. 8, div. 2, approved.

Application of J. H. McKay for ne. 1/4 of sec. 1/4 of SE. 1/4 of Section 2 accepted.

All above subject to usual rule.

Moved and carried that inclusion in rent of sidewalk charge on south side of Fairhope Ave., from Bay View to School be discontinued.

Moved and carried that a special election be called for Friday, November 20th, from 1 to 6, P. M., in Treasurer's office, to fill vacancies in the office of trustee by recall of Trustees Annie B. Call and Alice Smith and resignation of Della K. Bancroft.

All action by unanimous vote.

Adjourned.

*Appd 11-16-31
E.B. Gaston Sec*

Colony Council Proceedings

November 16, 1931

Regular meeting, with all members of Council present. In absence of President Brown, R. L. Rockwell elected chairman pro tem.

Minutes of last meeting, November 2, read and approved.

Treasurer's report for October presented as follows:
(See at close.)

Following bills allowed:

R. E. L. Connolly, cash paid for ledger and journal 9.70

Northrop and Wharton, prem. on Treas. bond 10.00

Mobile Register, adv. for safe bargain 1.40

Fairhope Coal & Supply Co., nails, wharf maint. 7.50

R. T. Prince, clearing lots 8.40

Mrs. D. K. Bancroft, serv. trustee at election 1.50

C. A. Darrow, (adv. by E. B. Gaston) serv. at election 1.50

Alice Smith, serv. trustee at election 1.50

Town of Fairhope, water, Rathje place 4.50

George Gabel, road work in country 9.50

Marion Smith, serv. dept lands and highways 8.20

Drawing of orders for wharf rep. pay-rolls, 11-7 and 11-14 approved, total 20.55

Application of Ad M. Royer for nw 1/4 of nw 1/4 of N. W. 1/4 of sec. 15

Transfer George W. Unruh to Katherine Carr of lot 4, blk. 13, Div. 2, approved.

Transfer Mary E. Brown to Flora G. Welch, of east 58 ft. of lot 4 and west 11 1/2 ft. of lot 5, blk. 6, div. 1; and lot 6 blk. 6, Div. 3, approved.

Moved by Mr. Connolly, seconded by Mrs. Dyson, that there being no trustees in office to conduct the election to fill vacancies existing in office of trustee by recall and resignation, the president be directed to be present at the time and place set for opening the election, 1 P. M., Nov. 20th, and appoint from those presenting themselves to vote, or suggest their choice by those present from among their

number of three to serve as trustees in conducting the election, carried.
All action by unanimous vote.
Adjourned.

Treasurer's Report

	Recd.	Paid
Rent	2,114.65	
Penalty	31.66	
Wharf	111.08	
Certificates	131.63	
Leases	5.00	
Cash for pulp wood	2.50	

Taxes	1,584.31
Highways	53.60
Wharf	161.09
Salaries	125.00
Treasurer's office rent	14.00
Regular Courier Adv.	12.50
Library	75.00
Surveying Park Lands exp.	21.30
Maps for corrected plats	3.75
Filing plats Probate Judge office	5.00
Filing amendment to land plat	3.93
Secretary sundries	2.65
Treasurer sundries	2.60
Fairhope Courier, printing	10.65
Supplies former Verion cottage repairs	8.25
Plumbing repairs bath house	3.31

	\$2,396.52	\$2,086.94
Cash Sept. 30	4,500.88	
Cash Oct. 31		4,310.46

\$6,897.40 \$6,897.40

Respectfully submitted,
R. E. L. Connolly, Treas.

*appd 12-7-31
E.B. Gaston Sec*

December 1, 1931

Special meeting, with members present, Mrs. Dyson, Mr. Connolly, Mr. Patterson. President Brown presiding.

Report of acting trustees in charge of election of Nov. 20, 1931, to fill vacancies in office of trustee, M. V. Watros, Mrs. E. B. Gaston and Mrs. Margaret Dyson read, showing result as follows:

For trustee to fill vacancy caused by resignation of D. K. Bancroft, M. A. Bowen, elected.

To fill vacancy caused by recall of Anne B. Call, Jesse Stimpson, elected.

To fill vacancy caused by resignation of Alice Smith, C. A. Gaston elected.

Bill for services \$1.50 each, allowed.

The newly elected trustees were present in advisory capacity, at request of president; also M. Dyson.

Reading of minutes of last meeting waived.

President and secretary reported loss by fire of improvements of Mrs. L. C. Pomeroy and her desire to surrender all of her leasehold except lot 17 and east 9 ft. of 18, and rebuild on smaller scale, suggesting acceptance of same, according to memorandum filed.

It was moved and carried that surrender be accepted as suggested.

Bill of Anton Youngquist for preparing, furnishing seed and sowing winter grass in front of lots on Fairhope Avenue held by corporation allowed \$10.48.

Moved and carried that in present unusual and difficult financial conditions a committee be appointed to take up matter of collection of delinquent rents, with authority to adopt methods best suited to meet conditions.

Messrs Brown, Connolly and Patterson appointed such committee.

Proposition from Fiske Warren in regard to acquirement of certain additional land considered and it was moved and carried that while appreciating Mr. Warren's proposition, it was not deemed advisable at present time, to assume any new obligation for land.

All action by unanimous vote.
Adjourned.

*appd 12-7-31
E.B. Gaston Sec*

Colony Council Proceedings

December 1, 1931

Special meeting, with members present. Mrs. Dyson, Mr. Connolly, Mr. Patterson, President Brown presiding. Report of acting trustees in charge of election of Nov. 20, 1931, to fill vacancies in office of trustee, M. V. Watros, Mrs. E. B. Gaston and Mrs. Margaret Dyson read, showing result as follows:

For trustee to fill vacancy caused by resignation of D. K. Bancroft, M. A. Bowen, elected.

To fill vacancy caused by recall of Anne B. Call, Jesse Stimpson, elected.

To fill vacancy caused by resignation of Alice Smith, C. A. Gaston elected.

Bill for services \$1.50 each, allowed.

The newly elected trustees were present in advisory capacity. Request of president, also M. V. Watros, waived.

Reading of minutes of last meeting waived.

President and secretary reported loss by fire of improvements of Mrs. L. C. Pomeroy and her desire to surrender all of her leasehold except lot 17 and east 9 ft. of 18 and rebuild on smaller scale, suggesting acceptance of same, according to memorandum filed.

It was moved and carried that surrender be accepted as suggested.

Bill of Anton Youngquist for preparing, furnishing seed and sowing winter grass in front of lots on Fairhope Avenue held by corporation allowed \$10.48.

Moved and carried that in present unusual and difficult financial conditions a committee be appointed to take up matter of collection of delinquent rents, with authority to adopt methods best suited to meet conditions.

Messrs Brown, Connolly and Patterson appointed such committee.

Proposition from Fiske Warren in regard to acquirement of certain additional land considered and it was moved and carried that while appreciating Mr. Warren's proposition, it was not deemed advisable at present time, to assume any new obligation for land.

All action by unanimous vote.

Adjourned.

*App'd 12-7-1931
E.B. Gaston Sec.*

Colony Council Proceedings

December 7, 1931

Council met in regular session, with all members present but Marlon Smith, President Brown presiding; also present C. A. Gaston, R. F. Powell and M. Dyson.

Minutes read and approved of regular meeting of November 16 and special meeting of December 1.

Treasurer's report for November presented as follows:

	Recd.	Paid
Rent	1,573.46	
Penalty	31.47	
Wharf	76.30	
Certificates	36.53	
Pulpwood	57.00	
Rent for former		
Yerion house	11.40	
Rent for former		
Norville house	5.00	
Leases	6.00	
Taxes		1,156.90
Highways		17.70
Wharf		127.45
Salaries		125.00
Rent Council room		14.00
Printing for former Trustees		19.35
Library		75.00
Secretary Sundries		2.10
Regular Courier Adv.		12.50

Salaries of Trustees at election	3.00
Advertising for sale	1.40
Books for treasurer	9.70
Work on Park survey	3.00
Mowing lots	8.40
State and County Corporation taxes	4,599.29

Cash Oct. 31	1,797.22	6,174.79
Cash Nov. 30	4,810.46	432.89

\$6,607.68 \$6,607.68

Respectfully submitted,
R. E. L. Connolly, Treas.

Following bills allowed:

E. B. Gaston, secretary, postage, Oct. 16 to date 4.00

Fairhope Courier, job work, whf. \$4.85, general \$5.90 10.75

A. L. Stearns, clearing on Yerion lot \$5; rep. Woman's Council building, \$4, total 9.0

Fairhope Coal & Supply Co., material for rep. Yerion house, 64.94, for Larson bldg. 5.38 70.3

J. A. Patterson, sund. exp. wharf 9.8

Eugene Lawrence and Sons, moving and repairing Yerion house \$135.13, Same, moving Rathje house, \$197.19, total \$332.3

(Applying on rent, except \$50)

Drawing of orders for pay-rolls wharf work 11-21, 11-28 and 12-5, approved, total 14.4

Secretary reported that A. M. Royer whose application was granted, 11-16 for nw 1/4 of nw 1/4 of NW 1/4 of Sec 15, desired instead to take east half this ten and west half of ten acres to east and same was on motion approved.

Transfer by administrators of estate of Jennie T. Brown "with will annexed," to Marie M. Stearns of lot 13, and so, 37 ft. of lot 12, blk. 13, div. 1, was approved.

Moved and carried that application be made to Alabama Public Service Commission, for permission to discontinue operation of Fairhope Wharf, on ground of service being at a loss and condition of wharf.

All action by unanimous vote.

Adjourned.

*App'd 12-23-31
E.B. Gaston Sec.*

Colony Council Proceedings

Dec. 23, 1931

Falling of a quorum on Monday evening, Dec. 21, date of regular meeting, on account of illness of Mr. Connolly and bad weather keeping away Mr. Smith and Mr. Rockwell, the council convened on Wednesday evening, December 23, with all members in attendance except Mr. Connolly.

The minutes of last meeting, Dec. 7, were read and approved.

The following bills were allowed:

J. A. Patterson, sund. items wharf exp. 4.34

Marlon Smith, dept L. and H., and cash pd. Earl Royer, for same 7.28

(Reporting at same time corn from Mitchell leasehold, amounting to \$5.20, to be credited to Mitchell rent and deducted from amount due himself.)

Fairhope Courier, job printing \$9.13, adv. 76 cents 9.94

E. B. Gaston, cash pd. for recording fee, Green deed 1.25

Mrs. Anne B. Call, serv. aud. Wharfingers books 2.17

Allowed on bill of Chas. Lowell for road work, item app'd by Supt. Lands and Highways 2.00

R. T. Prince, work on various lots to apply on rent 10.65

F. L. Brown, car and time on trip to Bay Minette 7.00

Surrender by Ernest B. Miller of ne 1/4 of NE 1/4 of Sec. two, approved, with clearing accepted for accrued rent.

Transfer Chas. H. Kerr, to Marie D. Swedelius of lots 11 and 12, blk. 31, div. 2, approved.

Transfer Harriette A. Saxe and husband to Mrs. John P. Petersen of the north 52 ft., of the south 86 ft., of lot 6 and of the east 7 ft., of lot 7, blk. 7, div. 1, approved.

Transfer Mrs. Orra D. Matthews and Weltha F. Matthews, to Jennie May Matthews, of lots 1 and 2, blk. 15, div. 2, approved.

Moved and carried that lots in Salsuma Park, which rent is more than six months delinquent be forfeited.

Supt. lands and highways reported desire of A. M. Potter, for year's lease of cleared portion of w. 1/2 of ne. 1/4 of NW 1/4 of Sec. 27, rated as 3 acres for season at \$1.50 an acre and it was moved and carried that he be allowed same, if rent is paid in advance.

Moved and carried that treasurer be authorized to accept on rent, teacher's certificate of Lottie Mae Butger, in amount of \$20.

Moved and carried that appropriation to Library be reduced to \$25 a month from January first.

Moved and carried that rents for 1932 stand as for 1931; provided, that if during 1932, the governing body of the Town of Fairhope, shall order and complete any improvement of streets assessing the cost or any portion of the same against the street frontage directly affected, on the ground that the same is enhanced in value by the improvement to an amount equal to or greater than the cost thereof, the rent against the land affected shall be increased by an amount sufficient to meet one-half of the cost of the improvement upon the terms of payment fixed by the Town, the increased rent to be effective from the date upon which assessments against the property shall become legally effective.

All action by unanimous vote.

Adjourned.

E. B. Gaston, Secretary

*App'd Jan 4, 1932
E.B. Gaston Sec.*

Colony Council Proceedings

Dec. 29, 1931

Special meeting, with Mrs. Dyson, Mr. Patterson, Mr. Rockwell present, President Brown presiding. Trustees Gaston and Stimpson were also present.

There was placed before council, correspondence with Mr. Fiske Warren, relative to an offer for conveyance of land in Central Park to corporation, on a non-interest-bearing annuity plan, additional to that before Council on Dec. 7th.

After discussion, it was moved and carried unanimously that having before it offers regarding land in Central Park, Council appreciates offers, but does not deem it advisable to enter into proposed contract at this time.

The Council then adjourned.

*App'd Jan 4, 1932
E.B. Gaston Sec.*