It is alleged in the third paragraph of the bill of complaint that the term "single tax" as used in said statute and in said proceeding purporting to incorporate such organization, means that theory or system of government whereunder all public revenues are to be obtained by the taxation of land and all other taxation and forms of taxation forbidden.

The first contention presented by the bill is that the aforesaid statute, in so far as it undertakes to authorize the formation of corporations for the application of the single tax theory is unconstitutional and void; that the organization attempted thereunder is but a partnership, or an assocation in the nature of a partnership; and that complainant, being a member thereof, is entitled to have the same dissolved and wound up; not only because of his right to do so upon his own withdrawal, but also because of the fact duly alleged that one Joseph Fels, a member of the said organization, had died a short time before the filing of the bill.

It is contended in the alternative that if complainant be mistaken in his first postion above mentioned and thetaforesaid organization is either a de jure or a de facto corporation, then it is legally impossible for it to accomplish in this jurisdiction the one purpose of its organization; that it has failed to accomplish such purpose; that it must continue to so fail, and that complainant as a member of the corporation is entitled to have the same wound up and its affairs liquidated.

In its nature, the term "single tax" is indivisable and means a governmental policy controlling the entire nation insofar as concerns the vital essential of supplying public revenue. In other words, it embraces and covers the whole field and scope of all law dealing with, or relating to, taxation, federal, state and municipal. To apply such theory necessarily involves the aboliton of all federal taxation and all state and municipal taxation, except the advalorem tax on land, and an increase of the last mentioned tax to such extent as may be necessary to supply, not only revenue for state and municipal purposes, but also for federal purposes.

It follows, therefore, that the statute under consideration clearly and distinctly purports to authorize the organization of corporations to which shall be confided, not only the power to radically and fundamentally change the existing tax laws and system of taxation in the state of Alabama, but also to abolish the entire existing system of Federal taxation, and to substitute therefore revenue derived from direct tax on land, Of course, such a propostion is altogether ridiculous, but it is none the less the only possible purpose of the absurd statute which purports to authorize the creation of corporations to apply single tax principles. There can be no question as to the meaning of the word"application" as used in the statute, and there is no escaping the proposition that the thing to be applied is a system or scheme of taxation.

Such a legislative effort, at the outset, is a violation of Section 212 of the Constitution of Alabama which provides that " the power to levy taxes shall not be delegated to individuals, or private corporations, or associations."

But were there no constitutional inhibition against a delagation of the taxing power, yet the statute in question would be offensive to numerous constitutional provisions.

It is axiomatic that the legislature cannot authorize any one to apply a governmental policy which the constitution prohibits the legislature from adopting or applying by direct enactment. Consequently, if the legislature itself cannot pass a statute applying the single tax principle, then it certainly cannot authorize the creation of a corporation with power to apply such principle.

Section 5 of Article 1 of the Constitution of the United States authorizes Congress to lay and collect taxes, duties, imposts and excises to pay the debts and provide for the common defense and general welfare of the United States; section 9 of article 1 of the constitution of the United States prohibits the laying of any direct tax for federal purposes unless in proportion to population; and the sixteenth amendment to the constitution of the United States authorizes the collection of an income tax. The single tax principle is in direct conflict with each and all of these constitutional provisions, and can never be applied by state statute, or otherwise, so long as the federal government exercises its right to collect tariffs on imports, a tax on incomes and the other internal revenue taxes so authorized.

A statute of the kind under consideration would be directly violative of section 229 and section 232 of the state constitution which requires respectively, that the legislature shall provide for the payment of a franchise tax to the state of Alabama by domestic corporations, and by foreign corporations for doing business within the state. It would also be in conflict with the spirit and policy of section 219 of the constitution authorizing the anactment of laws levying and inheritance tax, and section 259 of the constitution authorizing the collection of poll taxes.

We fully appreciate that the idea that the legislature of Alabama, either directly or indirectly, could apply the single tax theory, is quite absurd, but we are forced to discuss such absurdity because we must deal with a statute which purports to authorize the creation of unnumbered private corporations for the purpose of "mutual benefit through the application of single tax principles" and which, if valid, would vest each of the unnumbered corporations with the most important and far reaching of governmental powers and functions.

It is well to here note that on this phase of the case we are not concerned with what has, or had not, been done under the aforesaid statute, for the constitutionality of a law is not determined by what has actually been done thereunder, but by what may be done by virtue of its provisions.

Minn.Brewing Co.vs.McGillievay, 104 Fed.,258.
Dexter vs.City of Boston, 176 Mass., 247;
57 N.E.,379.

Perhaps it is not necessary to here consider the other features of the said statute which purport to authorize the organization of corporations for mutual benefit through the application of "co-operation - - - or other economic principles", but it may not be amiss to mention that in this also the statute is clearly unconstitutional when viewed in the light of the rule announced by the authorities last cited.

The word "Co-operation" as used in the statute embraces every common or joint effort or purpose of two or more, whether good or bad, lawful or unlawful, and is limited only by the uttermost confines of human activity.

The term economic as used in the statute includes and covers every possible public or governmental theory, good, bad and indifferent. It embraces all such questions as taxation, socialism, universal or restricted suffrage, woman's suffrage, free coinage of silver, gold standard, public education, commission government, and substantially all other public questions, and yet the remarkable statute under consideration purports to authorize the creation of corporations to apply any or all these ideas. In short, were the statute valid, it would deliver us all into the control of the corporations which it purports to authorize, without even intimating which of the many that may be organized is to prevail when conflict between them arises.

So far we have treated the statute from the standpoint of direct conflict with the letter of constitutional provisions, but it also conflicts with a settled constitutional policy, both federal and state, as evidenced by the several federal and state constitutional provisions above mentioned, to obtain revenues for public and governmental purposes from sundry established methods of taxation, besides the taxation of real estate, and any statute which is offensive to a purpose and policy so declared and established is violative of a necessary constitutional implication and is void.

Georgia Fruit Exchange vs Turnipseed, 62 Sou., 544
Ex parte Ownes, 148 Ala., 410
State vs Moones, 76 N.W., 175
McDonald vs Douch, 81 Pac., 60
Lexington vs Thompson, 68 S.W., 477
People vs Harding, 51 Am. Rep., 95.

Individuals have an almost unlimited right to criticise, talk against and seek to change any existing law, yet it by no means follows that a corporation may be created for such purpose. Our system of taxation is a part of our law, and so is every valid statute authorizing the creating of corporations, and neither of these parts may be made a means or vehicle for assailing or destroying the other. The law will not purposely and deliberately become a Frankenstein and create its own destroyer. In short, under our institutions, there can be no such thing as a corporation existing for the sole purpose of demonstrating, or even teaching, that an established constitutional policy, federal or state, is wrong, and should be abandoned.

It is altogether probable that there is nowhere else such a statute, but the proposition which we are now presenting has been pointedly discussed by a very able Court. A so-called corporation was organized to protest and agitate against the prohibition laws of the State of Michigan. The validity of the organization was brought in question and while the Court held that there was no statute in the State of Michigan authorizing a corporation for such purpose, it thus discusses the qestion:

> "Every citizen has an undoubted right to agitate for such changes in the laws as he may desire, and to be charitable to those whom he may think are wrongfully punished; but it swould be preposterous for the legislature to provide for organizing corporations for such purposes, since the very provision would be an admission that the laws were wrong, and ought to be repealed, without agitation or outside influence. When the legislature is thus convinced, it is to be presumed that all needful changes in the laws will at once and in a direct manner be made, in the interest of peace, good order and justice, without its calling upon the people for agitation or excitement as a preliminary thereto.
> Detroit Scheutsenbund vs Detroit Agitations Verin.
> 6 N.W., 676 (Mich.)

The idea which we would here present is embraced in the proposition that it is preposterous for the legislature to provide for the organization of a corporation to teach or demonstrate that the law, or part of the law, is wrong, because if the legislature is sufficiently convinced to that effect to create such a corporation then its duty is to make forthwith the needed change. Much the same thought is embraced in the following quotation from a standard text-book:

> "Neither can corporations be organized under general laws for purposes which the courts regard as being against public policy. Thus, where an application for a charter provided that any

member who enlisted in the regular army or navy should thereby forfeit his membership and all claims on the association, it was refused as being against public policy, the court holding that a corporation which is a creation of the law ought not to prescribe its members for aiding the government which created and protected it."
1 Thompson on Corporations, Sec. 38.

The Supreme Court of Pennsylvania, in dealing with an application on the part of the Christian Scientists for a charter incopporating a society to build a church, thus justified its refusal to grant such a charter:

"It is not a question as to how far prayer for the recovery of the sick may be efficacious. The common faith of mankind relies not only upon prayer, but upon the use of means which knowledge and experience have have shown to be efficient. And when the results of this knowledge and experience have been crystallized into legislative enactments declarative of what the good of the community requires in the treatment of disease, and of the qualifications of those who publicly deal with disease, anything in opposition thereto may fairly be taken as injurious to the community".
First Church of Christ, Scientist,
97 Am. St. Rep. 755.

And if the Christian Scientist may not be incorporated to teach the healing of the body by prayer, upon what theory can we incorporate the "single tax" or teach or promulgate his theory as a panacea for all economic troubles and diseases?

We submit that the statute above discussed is clearly unconstitutional and void, and it is not contended that there is any other statutory authority for the organization of a corporation for the purpose declared in the articles of incorporation of Fairhope Single Tax Corporation.

It is well settled that there must be a law authorizing a corporation for the purposes and powers assumed before there can be even a de facto corporation. The following cases, among many others, well state this propostion:

"A corporation de facto exists, when from irregularity or defect in the organization or constitution, or from some omission to comply with the conditions precedent, a corporation de jure is not created, but there has been a colorable compliance with the requirements of some law under which an association might be lawfully incorporated for the purposes and powersassumed, and a user of the rights claimed to be conferred by the law - when there is an organization with color or law, and the exercise of corporate franchises." Snider vs Troy, 91 Ala., 224; Can.Agr.& Mech.Assn.vs Ala.Gold Life Ins.Co.,70 Ala.,120.

Owensboro Wagon Co. vs Bliss, et al., 132 Ala., 256.

"A body of persons cannot be a corporation de facto unless they are capable of becoming a corporation de jure; and the laws of Wisconsin authorizing churches to organize as corporations making no provision for the organization of two churches into one corporation, a body of persons assuming to act as the board of trustees of a corporation de facto, composed of two churches in that state, act without authority."

Evenson vs Ellington,31 N.W.342

"A corporation de facto cannot exist in any case where there is no law authorizing a de jure corporation. And where there is no grant of power existing for the creation of the corporation pretended to be organized, there can be no de facto corporation, and, in a suit by such pretended corporation upon a contract executed by it, the other party to the contract is not estopped to deny the corporate existence at the date of the contract: See Heaston v Cincinnati,etc. Ry. Co.,16 Ind.,275,79 Am.Dec.,430; Williams v Franklin, etc.Assn., 26 Ind.,310; Indianapolis,etc.Co. v Herkimer,46 Ind.,142; Mullen v Beech Grove,64 Ind.,202; Piper v. Rhodes, 30 Ind., 309; Brown v Killian, 11 Ind., 449; Snyder v Studebaker, 19 Ind., 462, 81 Am.Dec.,415; Harriman v Southam,16 Ind., 190; 1 Thompson on Corporations, Secs. 505, 523."

Indiana Bond Co. v Ogle, 72 Am. St. Rep., 3300.

"The foregoing results in the respondent company having no basis for corporate existence but the unconstitutional law, which is not sufficient to support even a de facto corporation, The latter can exist only where there is a valid law under which the corporation might have been created de jure. It is in the latter situation that the existence of a corporation can only be inquired into by a direct action in the name of the state. Evenson v. Ellingson. 67 Wis.,634-646,31 N.W.,342; In re Incorporation of Village of North Milwaukee,93 Wis.,616,67 N.W.,1033; Gilkey v. Town of How,105 Wis.,41,81 N.W.,120,49 L.R.A.,483; Town of Winneconne v. Village of Winneconne, 111 Wis.,10-18,86 N.W.,589; Methodist, etc.,Church v. Pickett, 19 N.Y.,482; Vanneman V. Young, 52 N.J. Law, 403, 20 Atl., 53."

Huber v. Martin, 105 N.W., 1042.

" A levee district organized under an unconstitutional law is not a corporation de facto, and may set up the unconstitutionality of the law to defeat the collection of bonds issued by it."

Brandenstein v. Hoke, et al., 35 Pac.,562.

"An unconstitutional act is not a law. It confers no rights. It imposes no duties. It affords no protection. It creates no office. It is, in legal contemplation, as inoperative as though it had never been passed."

Norton v. Shelby Co., 116 U.S.,442,6 Sup.Ct.,1121.

In all of the Alabama cases the existence of a valid law authorizing the organization of a corporation for the purpose declared, is stated as one of the essentials to a corporation <u>de facto.</u>

That the organization in question contemplates many business transactions clearly appears from the powers which the statute purports to confer and from the means to be used, as announced in its declaration of incorporation, to work out its purpose. It purports to have the power to deal in real estate, operate all kinds of transportation facilities, water works, electric lights, power plants, libraries, schools and parks, and to do anything else incident to applying "co-operation, single tax, or other economic principles". Consequently, while it appears that no dividends are to be paid, yet it is clear that great business activity is contemplated.

Such an organization, founded upon a void statute, is bound to be a partnership, at least as concerns the organization's property and the rights of the members inter sese.

Cook on corporations, Secs. 236-424 and 637.
Eaton v. Walker, 76 Mich., 579, (6 L.R.A.,102)
Davis v. Stevens, 104 Fed., 235
Booth v. Wonderly, 36 N.J.L., 250
In re Mendenhall, 9 Nat.Bkr.Reg., 497
Vredenberg v. Behan, 33 La.Ann., 627
Brandenstein v. Hoke, 35 Pac., 562.
Snyder v. Studebaker, 61 Am.Dec., 415

It seems that there is some conflict of authority as to whether or not the members who do not participate in the management may be held liable as partners for the debts of the association, but there is no substantial dissent from the proposition that for all purposes of dissolution and distribution, such organizations are partnerships.

The death of a member ipso facto dissolves a partnership and authorizes the winding up of its affairs.

Comer v. Trapp & Reid, 93 Ala., 391
Lee v. Wimberly, 102 Ala., 550
Espy v. Comer, 76 Ala., 503

The bill avers that Joseph Fels, then being a member of the organization, died a short while before the institution of this suit, and alleges that this dissolved the partnership.

It appears that a majority of the surviving members are in charge of the compnay's property and affairs and are running several businesses under the claim that the organization is a corporation with full powers, etc., complainant being entirely excluded from any part in the management, and his protests being disregarded. There is no remedy for such a condition except the appointment of a receiver to administer the property under the control of the Court.

Gillett v. Higgins, 142 Ala., 448
Brooks v. Tucker, 149 Ala., 96
Meaher v. Cox, Brainard & Co., 37 Ala., 201
Moore v. Price, 116 Ala., 247
High on Receivers, Sec. 532.
Gilmore on Partnership, page 522

We believe that under the facts averred in the bill Fairhope Single Tax Corporation is either apartnership or an association in the nature of a partnership of such character that its dissolution and the administration and distribution of its property will be governed by the rules applicable to partnerships, and, therefore, that the foregoing brief and argument covers the entire case. However, if it be held that under the facts shown by the bill, the organization mentioned is either a de jure or a de facto corporation, then the bill presents a good case for the dissolutions of such corporation and the administration of its assets for the benefit of those entitled thereto.

It has been many times held by the Supreme Court of Alabama that where a corporation has failed of the purposesand objects of its creation a single stockholder may maintain a bill in equity for the dissolution of such corporation and a distribution of its assets among those equitably entitled thereto without regard to whether the corporation is solvent or insolvent and without any appeal to the directors or stockholders.

Decatur Land Co. v. Robinson, 63 Sou., 523
Mobile Temperance Hall Assn. v. Holmes, 63 Sou., 1020
Ross v. American Banana Co., 150 Ala., 270
Minonoa Portland Cement Co., v. Reiss, 167 Ala., 487
Central Land Co., v. Sullivan, 152 Ala., 360

The same doctrine is clearly presented by one of the leadingtext writers on the subject.

5 Thompson on Corporations, Sec. 6504

We have seen that the one purpose of the corporation under discussion is to demonstrate the beneficiency, utility and practicability of the single tax theory, and to secure for the incorporators, their children and associates the benefits to be enjoyedfrom its application as fully as existing laws will permit. We have also seen that the only possible authority for the attempted organization of such a corporation is a statute which purports to authorize the formation of corporations for mutual benefit through the application of co-operation, single tax, or other economic principles. Consequently, if an application in any degree or to any extent of single tax principles be legally impossible in this jurisdiction, it must follow that the said organization has never attained and never can hope to attain the one purpose set forth in its declaration of incorporation and purported to be authorized by the statube under which it was organized and this brings us squarely to the inquiry as to whether or not i$ is or has been possible to apply, use or put in operation in any way, shape, form or fashion in the State of Alabama any principle of single tax.

Taxation in all its forms is inherently and purely a governmental function, and we have seen that there is an expsrses constitutional inhibition against a legislative declaration of that function. We know that there has been passed no statute adopting as apart of the tax law of the state any element of single tax, and we further know that had such statute been attempted it would have been void under the constitution. How then, can it be contended that there has been, or can bee, within this state, any application of the single tax theory? We repeat that all taxation whether single or manifold, is inherently and necessarily a governmental function; that it can exist only by operation of law; that it can be imposed only by legislative act, and that neither it, nor any substitute for it, can be or exist except as expressly provided by the legislative branch of the government. Hence it is t idle and foolish to talk of any application of any principle of taxation except as such application may be made by and through the l legislature.

Doubtless it will be contended that this novel scheme adopted by the organization under consideration of renting out portions of its land under contracts whereby it returns a part of the rental by paying the taxes of the tenants, is an application of single tax theories, but such contention is wholly absurd. The terms upon which the tenants of the organization under consideration or the tenants of any other landlord, may acquire the use of the lands which they occupy or not, and can never be, remotely connected with the subject of taxation by municipality, county, state or federal government, and nothing that the Fairhope Single Tax Corporation has done, or ever can do, will bear upon, alter, change or affect in the remotest degree, the theory, system or basis of taxation adopted by the federal government, or the state of Alabama.

Furthermore, nothing relating to taxation is shown, demonstrated or proved, or can be shown, demonstrated or proved, by any results, good, bad, or indifferent, which may follow or flow from such renting, no matter how low the rents or what may be done with the same by the landlord. Ifall of the rents should be returned to the tenants, or be spent for their use and benefit, there would still be nothing in the situation touching or relating to any matter or question of taxation, but only a donation by a land owner, of the use of his land - a mere private transaction in nowise resembling or relating to an exercise of the public or governmental function of taxation in any form.

For it to be held that Fairhope Single Tax Corporation has done, or can do, anything to demonstrate or apply any single tax theory, it must also be held that any land owner who sees fit to rent his lands at the reasonable value of the use of the land without improvements, to pay from the rents the taxes of his tenants and to devote the remainder of the rents to the use and benefit of the tenants, is thereby demonstrating or applying some principle of single tax. The assertion just made is bound to be correct, because there is nothing in the law, or elsewhere, which gives to the acts of the organization under consideration any greater legal effect than will be accorded to the same acts on the part of other land owners. The fact that the said organization may be claiming to be demonstrating or applying single tax theories by what it is doing is without effect, because the law regards facts, as distuinguished from claims or assertions. We submit that it would be exteemely difficult to find anyone, even in Fairhope, who would have the hardihood to assert that an individual who was so treating and indulging his tenants, was thereby applying or demonstrating the single tax theory.

Under the authorites above cited and the necessary deductions therefrom, we could contend confidently that the law will not create and artificial body for the purpose of even teaching that the law is wrong, but it is not necessary to so confine ourselves in this case because we are here concerned with an organization which was created and exists for the declared purpose of applying a governmental theory utterly contrary and opposed to the fundamental and statutory law of this jurisdiction. The statute which purports to authorize the organization declares that the companies formed thereunder are for the purpose of obtaining benefit to the members through an "application" of the theories mentioned. The declaration of incorporation states that the purpose of the organization is to <u>demonstrate</u> and <u>apply</u>, and the facts alleged with respect to the organization's activities show that it is attempting to concretely apply, as distuinguished from to abstractly or academically teach or instruct.

Opposing counsel appear to fail to appreciate that we are dealing, not with the broad and almost unlimited rights of the individual, or voluntary association of individuals, but with the much narrower question of corporate powers, rights and liberties, Such attitude is evidenced, not only by their discussion, but also by their reliamce upon the case of George v. Braddock, 18 Atl., 881, which merely decides that there is nothing in the teachings and writings of Henry George which make it unlawful for a testator to make a bequest, in the nature of a charitable use, for a general distribution of such writngs. It seems rather strange that any one should question the validity of such a testamentary provision, for it would be a most serious infreingment of the right of free speech to class such writings as being unlawful or forbidden in any manner.

However, this question is very far removed from the question as to whether or not there can be an application or demonstration of the theories of government set forth in such writings, or to the formation of corporations for that purpose, in a jurisdiction whose fundamentals and statutory law absolutely deny and repudiate the essentials of such theory. Henry George taught by his writings that private ownership of land was wrong, that it ought to be changed either by direct abolition of such ownership, or, indirectly and in substance, by placing all of the burden of taxation on land, and that these changes should be made by changing the laws, not only of the State but also of the nation and of the world. He did not teach, and we darenot say that he never thought of teaching, that there could or should be an effort to demonstrate the correctness of his theories by trying to apply them in advance of their adoption as a part of the law.

The case of the State v. Amana Society, 109 N.W., 894, merely holds that a corporation organized under a general statute authorizing the incorporation of religious societies with the power to acquire, hold and dispose of property, may also be used as a vehicle for the common ownership of the property of its members, provided that such common ownership be one of the elements of the creed, or belief of such society. No principle is evolved in this decision which is relevant to, or bears in any way upon, the case at bar. The religious society mentioned was not organized for the purpose of exercising any possible governmental function. It did not claim to be applying or demonstrating any theory opposed to the law of the land, and there was nowhere in its conduct of business any infringement of law, or public policy. Its members were adhering to and exercising their religious belief and they were using their organization obtained under a perfectly regular and valid statute, as a means of handling and holding their property in the manner required by their creed. It did not claim or purport to be practicing, demonstrating or applying any theory of government, nor was it required so to do in order to accomplish the end or purpose for which it was organized.

Bearing in mind that the Fairhope Single Tax Corporation was organized under a statute purporting to give corporations formed thereunder the right to apply a system or theory of taxation that the declaration or incorporation announced that the purpose of the organization is to demonstrate and apply the single tax theory, that such application is necessarily a governmental function, that the organization has acquired a lot of land which it is renting out, paying its tenants' taxes from the rents and devoting the remainder of the rents to the benefit of its members and tenants, and claims that this is a demonstration and application of single tax theories, we confidently assert that there will never be found written in any law book anything approaching an authority for such legislative absurdity or farcical claim. We use thislanguage advisedly, for any legislative attempt to authorize in Alabama the formation of corporations for the application of any theory of taxation is thoroughly absurd, and even if such a power could exist, a claim that it can be exercised by or through any possible plan or scheme of landlordism, is worse than farcical.

The writer of this brief does not believe in the single tax theory and thinks that he could advance many throughly sound reasons for his dissent therefrom, but he has read earnestly and carefully Mr. George's "Progress and Poverty" and does not hesitate to say that the book proves beyond controversy that its author was a man of most extraordinary character and attainment. His philanthropy and concern for his fellowman was intense, and he evidenced a knowledge of history and literature little short of wonderful. His language is elegant, his style most fascinating, and his work abounds with poetical thoughts and the splendid dreams and visions of the idealist. However, he never lost sight of the fact that he was writing on one of the greatest of all economic questions, andhe viewed and discussed it from a worldwide standpoint in a splendid effort to induce the nations of the world to amake a most fundamental abd far-reaching change in their laws and systems of government. He without let or hindrance to persons of good character, and the leases were transferred without question to such purchasers; but, unfortunately, this is no longer true. The Corporation has lately assumed the position of the feudal lord and of the plantation owner in the "black belt," and the tenant has become a serf who can leave the land with permission of the landlord only.

If the price of the improvements agreed upon between a willing buyer and a willing seller meets the approval of the Corporation the serf may depart in peace, otherwise he must sacrifice that which he has produced or remain upon such terms as the lord may determine.

The Declaration of Independence sets forth that men have certain inalienable rights, among them life, liberty and the pursuit of happiness. A denial of the right of disposing of what one has produced and which the law says is his against the world is a denial of the above declared rights of American citizens.

Do you want Fairhope to be a town of free people in which its young men may have opportunity for profitable employment; to develop its business possibilities and become useful citizens, or a town in which the business and capital of its people are jeopardized by the whims of a group of misled zealots? Do you want these things badly enough to go after them and get them? What are you going to do about it?

Sincerely yours,

ALEX. J. MELVILLE,

A. Henry George and a Croasdale Single Taxer.

The F. S. T. Corp. owns less than 40% of the land in the Town of Fairhope

WHAT IS FAIRHOPE, ALABAMA, a Town or a Colony?

Some thirty years ago a few people bought seventy acres of land, now the heart of the Town, at six dollars per acre. Other land has since been acquired by money from the sale of memberships and by outright gift.

The lands were at first leased to members only, therefore the landlord and tenant were one.

The Fairhope Industrial Association, the name by which the Colony was known, purposed, as may be seen, by the constitution, then in operation, to carry on all business co-operately, even to the newspaper. It also issued its own money. If this was not communism what was it?

Finding the settlement doomed to failure they threw the land open to non-member lessees with the cry of "Free Land!" This brought to them the unsuccessful financially, among them a number from a Socialist colony, which had gone on the rocks, and then the trouble began. When the community was made up of those who were both landlord and tenant, a community of interest prevailed, but under the new plan the relation became what history has always shown, that of lord and serf, of master and slave.

The next stage was to relegate co-operation to obscurity and bring the Single Tax to the front. The name then became "The Fairhope Single Tax Corporation. The old letter head herein reproduced:

FAIRHOPE INDUSTRIAL ASSOCIATION
Fairhope, Alabama
A Model Community applying the Law of Equal Freedom---every man has freedom to do all that he will: provided he infringes not the equal freedom of any other man---through Equal Suffrage; Initiative, Referendum, Imperative Mandate; Single Tax; Public Performance of Public Services; Local Medium of Exchange, Issued Direct, Without Interest and Redeemed in Services.
In an Ideal Location, Homes for the Making
Official Paper, The Fairhope Courier.
Organized to Make Good Theories Work and Doing It.
Office of the Secretary.

Fels, of soap fame, came and other prominent Single Taxers, mislead by their zeal to favor a plan opposed by Henry George, heralded Fairhope throughout the land. Newspapers looking for the unique and sensational, blazoned accounts of Fairhope in their Sunday editions. Many winter tourists, coming south, gave Fairhope a look and finding the location ideal and climate good, told others. The Organic School became known throughout the United States, bringing more by two to one than any other factor.

The possibilities for business from increasing tourist trade, attracted men of capital and ability, and from all these causes Fairhope grew and flourished.

The settlers for the past fifteen years were not attracted by the Corporation plan; so-called "free land" meant nothing to them. They know that nothing is free but the air. They took leaseholds because the Corporation land took in the whole business section and the close in resident sites. They all knew that if one has the capital to build, a lot in any town in the U. S., could be had without money by either giving a mortgage or using a building and loan company.

The capital of the Fairhope S. T. Corporation represented by memberships. is about $10,000.00. The interest on this is $800. The Corporation overhead is about $3,500. Its only income is the rent collected, except the wharfage which is spent for things other than tenant benefit.

The rents collected pay all taxes on the untenanted and as well as the taxes on the leased land and improvements of the tenant. If tenants pay all that is paid out for them and more, what do they recieve from the Fairhope S. T. Corp'n? Is not the answer nothing? The tenants in addition, pay their own taxes on money and credits, and also the rent through rebates, of a favored few.

Any values the land of the F.S. T. Corp n now has in excess of its original price, about $5,00 per acre, average, has been created by its lessees and belongs to them, and is no one's gift: but their's of right. If the Single Tax means anything, it is that land owners are not entitled to its unearned increment.

For many years the owners of improvements on Corp'n leaseholds have sold them