

CONSTITUTION

OF

**FAIRHOPE SINGLE  
TAX CORPORATION**

FAIRHOPE, ALABAMA



Organized as Fairhope Industrial  
Association at Des Moines,  
Iowa, February 1894

Founded Fairhope, Alabama  
January, 1895



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# CONSTITUTION

## *Fairhope Single Tax Corp.*

1932

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### PREAMBLE.

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

### ARTICLE I—NAME.

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

### ARTICLE II—PURPOSE.

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

### ARTICLE III—MEMBERSHIP

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

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

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

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

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

### ARTICLE IV—SUPREME AUTHORITY.

Sec. 1. Supreme authority shall be vested equally in the membership, to be exercised

through the initiative and referendum as hereinafter provided.

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

### ARTICLE V—OFFICERS.

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

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

Sec. 3. The president, vice-president and secretary shall serve for terms of one year. The trustees shall serve for terms of three years — one being elected each year. The superintendents of departments shall serve for terms of two years — the first named three being elected on the odd numbered years and the last named two on even numbered years.

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

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

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

Sec. 7. The treasurer shall be the custodian of the funds of the Corporation, shall prepare and issue, under the direction of the Executive Council, the Corporation's non-interest-bearing obligations hereinafter provided for; and shall have general charge of the financial affairs of the Corporation, including the collection of revenues and department of insurance. He shall give good and sufficient bond for the faithful accounting of all monies coming into his hands.

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

Sec. 9. The Superintendents of departments provided for in Sec. 2 of this article

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

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

#### ARTICLE VI—INITIATIVE AND REFERENDUM.

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

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

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

#### ARTICLE VII—ELECTIONS.

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

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

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

Sec. 4. Nominations for office may be made by petition of five per cent of the membership filed with the secretary ten days before the election.

Sec. 5. The name of any officer whose term of office expires at any election shall appear on the official ballot as a candidate for re-election unless he shall become dis-

qualified to fill the position, or his declination in writing be filed with the secretary ten days before said election.

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

Sec. 7. The affirmative votes of three-fourths of the members shall be necessary to amend or repeal any part of this constitution. Providing that notice of every such election shall be sent by registered mail with return card, to every non-resident member at his last given place of address, and if the postoffice reports inability to deliver mail to any such member and no ballot shall be received from him at said election he shall not be counted as a member in determining the result thereof.

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

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

#### ARTICLE VIII—LAND.

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

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

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

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

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

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

Sec. 7. Nothing shall be construed to invalidate the Corporation's right of eminent domain. In all leases of land the Corporation shall reserve the right to resume the

possession of the same for public purposes, on payment of all damage sustained by the lessee thereby to be determined by the appraisers, one to be chosen by the board of trustees, one by the lessee and the third by these two.

#### ARTICLE IX—FINANCIAL.

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

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

#### ARTICLE X—PUBLIC UTILITIES.

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

#### ARTICLE XI—INSURANCE.

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

#### ARTICLE XII—PARKS, LIBRARIES, ETC.

Ample provision shall be made in platting the lands of the Corporation for land for

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

#### ARTICLE XIII—NO TAXATION.

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

#### ARTICLE XIV—PAYMENT OF TAXES.

Sec. 1. All taxes assessed against the Corporation shall be paid from the Corporation Treasury.

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

#### ARTICLE XV—MAY DEAL WITH NON-MEMBERS.

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

#### ARTICLE XVI—INDIVIDUAL FREEDOM.

The natural rights of its members to absolute freedom in production, exchange, as-

sociations, beliefs and worship, shall never be abrogated or impaired by the Corporation, and the only limit to the exercise of the will of individuals shall be the equal rights of all others.

#### ARTICLE XVII—NO INDEBTEDNESS

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