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"LVT via LITIGATION". From speech delivered at 1981
Henry George Conference, Franklin Pierce College

Greetings to the Conferees:

After attending twenty-three Henry George Conferences, I am sorry that Helen and I must miss this one. We had looked forward to the agenda and New Hampshire's cool weather.

All last week I watched the evening wrap-up at 11:00 of the NAACP's annual Conference at Denver broadcast on PBS, the broadcast financed by the Miller Brewing Company and the Corporation for Public Broadcasting, with Carl Rowan, the well-known black columnist for Field Syndicate, as anchorman.

It was a polished performance, with the cameramen switching to reporters and speakers in the wrap-up. Playing my usual role as the Devil's Advocate in the Georgist Movement, I started to make comparisons of this huge organization's Conference of approximately 4000 people in attendance vs ours, which is usually not more than 100.

Our Movement started with the publication of "Progress and Poverty", and with the exception of the period from 1913 to 1930, we are over 100 years old.

The NAACP (incorporated in 1910), is one of several large black organizations; the other 3 are National Urban League, Operation Push and the Southern Christian Leadership Congress at which Perry Prentice was the chief speaker several years ago.

The NAACP has a membership of 450,000 with sixteen hundred local chapters.

Our Georgist mailing lists probably total less than 10,000 people -- and have no chapters whatsoever.

The NAACP has over 165,000,000 dollars in assets, and over 150 paid staff members at its national headquarters. The assets of the other three black organizations probably equals that 165,000,000 dollars in total assets. These huge assets come from government and corporate and foundation grants. Vernon Jordan, head of the Urban League, receives an annual salary of \$70,000. Dr. Benjamin Hooks' salary is probably close to that. Why do these two men command such good salaries? Because they know how to get money from the foundations and corporations!

Our foundation total assets are less than ten million. If you add Lincoln Foundation's assets to that, the total is closer to \$30,000,000.

The black organizations have made remarkable strides via the Civil Rights Act, the Voting Rights Act and the School Desegregation Act via Brown vs Board of Education, Topeka, Kansas, 1954.

All three of these congressional acts came as a result of litigation!

This is the whole point of this short paper, which I have asked to be delivered at this Conference in my absence.

Our Movement has some excellent lawyers. I have never been able to understand why these lawyers have not prepared a case to try to win land value taxation through litigation.

If you people in this room want to give more study to this, read "THE SUING OF AMERICA" by Marlene Adler Marks, Seaview Books, Publishers. I got my copy from the library.

My cordial wishes to all of you.

WILLIAM NEWCOMB

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Dear Georgist Attorney:

In the some 102 years since "Progress and Poverty" was published, we Georgists as individuals or through vast sums of money spent by Georgist foundations, have tried numerous educational and promotional means to achieve LVT.

We have not tried the litigation route, yet many other social reform organizations have achieved success by that route. It is going to cost money, but I am sure that dedicated Georgist attorneys would give their time on a voluntary basis. And if BEE would put up a sum to be matched by other Georgist foundations, the filing and secretarial and travel costs could be met.

Tom Sherrard offers the following thoughts. Surely, others of you attorneys can come up with a consensus -- including choosing the state in which success is most likely:

"From time-to-time I too think about LVT thru litigation and related action. There may be opportunities to chip away and establish precedent; disqualify certain judges who themselves speculate in land (and there are plenty from Chief Justice Burger down to the lowliest JP). It may be an excellent arena "Court of Justice" to remind the world of basic concepts -- Blackstone, I understand, struggled with whether or not natural resources should be included as "property". Also, the law of trusts has special interest to Georgists. It is established that a Resulting Trust exists when title is taken in one person but the thing of value (consideration) is provided by another. Is not the community clearly and squarely the resulting beneficiary of every land titleholder? And since when have trustees not been required to account to their beneficiaries? In other words, our moralist concepts fit a legal framework like a glove fits a hand. And too, there are excellent legal opinions in courts of record to justify and uphold special assessments against land. The reasoning could be right out of "Progress and Poverty". Yes, I do believe LVT thru litigation has possibilities."

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Sincerely,

WILLIAM W. NEWCOMB -- 40 years of voluntary service, including the four years of running this Foundation.