

THIS BLOCK, WHETHER IMPROVED OR VACANT, AS WE NOW TAX FOR SEWERS AND FLAG SIDEWALKS? WHY FINE PEOPLE FOR MAKING IMPROVEMENTS? FOR INFORMATION REGARDING CORRECT TAXATION METHODS APPLY TO
 "THE NUTLEY SINGLE TAX CLUB."

The original cost of this sign was \$66.00. It stands on a vacant lot in the center of my native town, Nutley, New Jersey. It has caused much discussion and has brought inquiries from many directions.

PRIVATE PROPERTY IN LAND.

MR. FILLEBROWN STATES HIS POSITION,

EDITOR Single Tax Review:

I gladly avail myself of the opportunity to contribute a few thoughts upon an issue which, in the dissemination of Single Tax ideas, is admitted to be a source of embarrassment inversely proportioned in most instances to people's understanding of the subject.

Few people know of the distinctions made by Henry George and political economy and the law between private property in land and private property in the things produced by labor, or between the private ownership of land, and the private possession of land; therefore, if you say that private property in land is unjust, or that private ownership of land is unjust, the tendency is to close many minds to further consideration of a statement which they are not qualified to understand. One may attack with vigor the private appropriation of ground rent (what land is worth for use), and be easily understood, while an attack upon private ownership in land is very apt to be misunderstood. Able men sometimes assert that the end in view of the single tax movement is the complete subversion and overthrow of the institution of private property in land. Five minutes of such talk from one such man will do more damage than can be repaired in a long time, and all on account of a confusion of ideas which seems unnecessary. This confusion arises partly from a lack of clear understanding as to the meaning of terms, but largely from applying to land the theory of ownership which in law applies only to personal property.

Coming to an analysis of the different terms, possession, ownership and property, used in describing the tenure of land, we find that while not synonymous, these definitions have much in common, and the terms are often used interchangeably. The "possession" of the dictionaries does not always imply ownership; but possession does imply that same physical dominion which belongs of right to ownership, which right the legal ownership grants and conveys. Henry George's proposition was to leave owners in possession of land, and to accord to that possession this legal right of physical dominion by means of a broad definition of the word, made to include the right, quoting Mr. George's own words, "to buy and sell, bequeath and devise," or, in the usual form of the real estate deed, "to give, grant, bargain, sell and convey,"—a right universally granted to ownership and property.

A land title is a title to the rights and privileges which constitute its value, and which, largely at least, are the creation of labor. Title to the land itself, whether its value is one dollar or a million dollars, is necessary to security of improvements. Title to the annual value of land, (ground rent) is not neces-

sary to the security of improvements, which would be equally secure whether one-quarter or three-quarters of ground rent be taken in taxation. The dictionaries do not include land value in their definition of land. Land itself, deprived of the rights and privileges pertaining thereto (that is, land with the ninety-nine years' restriction of a tight and high board fence around it) has no market value. The value of land is in large part created by the tributary surroundings which are provided through taxation, and hence such value is largely the product of the labor of the community as represented in its public and quasi-public outlays. A man who owns land owns the soil, which of itself has little or no value, and he owns every right and privilege, fee, title, etc., pertaining to the land from zenith to earth's centre exclusive and absolute as against any other individual, but qualified and conditional as against the community.

Private ownership of land may be defined as that proprietorship of the rights and privileges pertaining to the situation which extends to the exclusion of all other persons (person being limited in law to "an individual, or a body corporate, other than the State"), but subject always to the claims of the community to its share in the value of those rights and privileges, so far as that value is a social product, the same to be asserted and maintained by means of the sovereign power of taxation.

Property in land, ownership of land, in law, means tenure, holding, right of possession (subject to the sovereign right of taxation) and no more. The owner can have no more enjoyment of these rights than can the possessor, as defined by Henry George. Either must have an exclusive enjoyment (proprietorship) in the benefits of which no one else can share except through the agency of taxation. The rights of the public are the same under either definition.

If, under the Single Tax landowners should be allowed to retain a small percentage of rent, there is no moral difference whether such privilege attach to their ownership or to their possession, for in either case there is no recognition of the right of the private appropriation of ground rent, no compromise with any wrong attendant upon ownership that does not attend alike upon possession.

It is not individual proprietorship of land, but the private appropriation of ground rent, which is charged with maintaining industrial slavery. True it is that under present conditions "when land value is made private property the law of equal freedom is denied", but under the Single Tax this would not be true. Any degree of justice or injustice, with the Single Tax or without, would be exactly the same whether the tenure be called property, ownership or possession. What practical difference then does it make, whether the tenure be called by one name or the other? The private property in land of which Herbert Spencer and Henry George treated was the untaxed ownership of our day and generation with its private appropriation of ground rent. It is confidently asserted, as shown by the context, that when Henry George said "private property in land was unjust," he must have meant private property in land values.

It is sometimes said that if landowners can rightfully claim ownership they are entitled to all the ground rent; that the common right to land, and the common right to rent, go together. How can this be true, when, under the land tenure of to-day, which is that of ownership, no one claims that the landowners of Boston are entitled to all the ground rent, but only to that part which is not taken in taxation. Their own claim falls short of "all" by the \$8,500,000 now yielded up in taxation. In case the demands of taxation should be twice as great, would they be any more than now entitled to all? It is not easy to see how ownership can rightfully carry with it the private appropriation of ground rent, because there has never been a denial, but there always has been a recognition, of the sovereign power and right to tax the land. Private ownership of

land is no injustice to anybody to-day, nor has it been at any time. The un-taxed private ownership of land value as it exists to-day is unjust. This does not mean that the ownership is unjust, but that not to tax it is unjust. An absolute ownership in land, such as is theoretically recognized in the products of labor, would be unjust, but no such "absolute ownership of land is recognized in the law books." Its tenure is always subject to taxation, and to the superior right of eminent domain. Feudal tenure would seem to have been a rude recognition of the principle that the beneficiaries of a Government should pay the expenses of government.

Henry George said himself, *Progress & Poverty*, Book VIII, Chap. II, "I do not propose * * * to confiscate private property in land" * * * but "to appropriate rent by taxation." "It is not necessary," he says, "to confiscate land; it is only necessary to confiscate rent." And again, "people are led into confusion by assuming that we propose to take land from its owners." What people need to see in order to incline them to the Single Tax is not so much "the wrong of private ownership," a phrase which often both violates and confuses their moral sense; but "the wrong of the private appropriation of ground rent," a phrase which does neither.

Inasmuch, therefore, as the operation and efficiency of the Single Tax would be the same under either of these three names or forms of land tenure, cannot Single Taxers well afford to disregard this point upon which they themselves, as well as others are disagreed, and unite upon a declaration of purpose in which all may be agreed?

Boston, Jan. 1, 1906.

C. B. FILLEBROWN.

[We print Mr. Fillebrown's communication because it is a statement of his position, in which some of the members of the Massachusetts Single Tax League share. It is by no means the view of any large percentage of Single Taxers anywhere, but it is interesting as furnishing a viewpoint from which we doubt not certain conservative minds may survey the approaches to our ultimate end with less inclination to hesitate. We say the "approaches" only, since "the ultimate end" is the same in any case. When a reasonable percentage of land values is taken—and what is reasonable will be determined by how much it is practicable to take, limited only by the present needs of government and such extension of its functions as may be called for—the purely abstract question of ownership will have ceased to interest anybody.

The metaphysics of the controversy are tempting, but we refrain from combatting Mr. Fillebrown's position so forcibly, and, on the whole, so clearly stated. Those who venture to take exception should bear in mind that Mr. Fillebrown is to-day the most successful protagonist of the measure to shift taxation from improvements to land values in the whole length and breadth of the land. We know of no one—not even the Hon. Tom L. Johnson—who has so impressed the influential elements of a great community with the ethical quality and practical value of the Single Tax, as well as his own "sweet reasonableness."

Mr. Fillebrown, on page 51 of the REVIEW, returns again to the subject in an endeavor to show that Tolstoy's recent pronouncement, entitled "A Great Iniquity," is in perfect accord with his own views on land ownership.—EDITOR SINGLE TAX REVIEW.]

Tom Watson criticises Tolstoy's land ideas in a long indictment. This is natural, and very human, when it is understood that Tom "owns half the county" in which he lives. Of course he can see no evil in land monopoly, but thinks the whole lies in finance and transportation. Tom is a reformer, limited. Watson is from Georgia and Tolstoy from Russia, and this one outclasses that, in mental breadth, about as far as Russia outclasses Georgia in her physical dimensions.—Ellis County (Texas) *Mirror*.