

**LAND**

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Land by James Platt

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**JAMES PLATT**

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# L A N D .

BY

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"BUSINESS," "MORALITY," "MONEY," "LIFE,"  
&c., &c.

*Second Thousand.*

ONE SHILLING.

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*The only true policy is:—*

**“ TO DO UNTO OTHERS AS, SIMILARLY SITUATED, YOU WOULD  
THEY SHOULD DO UNTO YOU.”**



## INTRODUCTION.

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THE Land Question is one that occupies a very prominent position in people's minds at the present time; it is one that all of us are interested in, and I have thought it right to submit repeatedly in the following pages, that, in considering this question, too great a prominence is given to it from the agriculturists' and labourers' point of view, and too little to the most inequitable operation of building leases, which acts so unjustly to those who build upon other men's land, in towns, or where people congregate together. In the following pages will be found, in a condensed form, the information I have gathered from various writers, *pro* and *con*, with my comments thereon, from my own experience and the experience of others. The problem, you will find, is more difficult to solve than is generally imagined; but there can be no doubt of this, that it is one of the greatest importance, and should receive from the people, and their representatives, the earliest consideration.

"Land" is the subject of the day. It is one that has not had the attention its importance deserves, and it is one that requires to be viewed broadly and impartially. Unfortunately, very strong language has been used, and no epithet has been considered too strong to apply to landlords as a class. Such language does not matter from professional agitators, paid agents of land-law associations, or from irresponsible men; but the matter becomes much more serious when Cabinet Ministers say what Mr. Chamberlain is reported to have said at Inverness, in September, 1885: "I can well understand that any examination into the titles of landlords carried back for many generations might be very undesirable and very inconvenient, especially for landlords." Why go back for many generations, when the law of the land is a good title after twenty years' undisturbed possession? "It may not be technically accurate, but it is

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practically true, to say that after twelve years' wrongful adverse possession a man becomes the owner of land so possessed" (SIR J. F. STEPHEN). If the law be wrong, alter it; but if it be the law, why try to bring a class into disrepute by asking from them a proof of title that the law has decreed to be unnecessary? Mr. Chamberlain's object was to prove that in the Highlands and Islands of Scotland there was not, until comparatively recent times, anything in the way of private ownership of land: "The land belonged, in common possession, to the chief and his clan, or perhaps it would be more correct to say that the chief held it in trust for his clan." I suppose we shall be told next that a manufacturer holds his mills and machinery in trust for his workpeople? Mr. C. C. Grant refers Mr. Chamberlain to a book called "Origines Parochiales Scotiae." "This most interesting and learned work deals, as far as it goes, one by one, with every parish in the country. In particular, it notices the earliest and all the charters down to modern times, which refer to every parish in the dioceses of Argyle and the Isles, of Ross, and of Caithness. The work does not give charters at length, but we are told where they are to be found. We find, then, that, from the days of King Alexander and William the Lion, landlords held their lands by charter as personal property, much as they do now, all over the Highlands and Islands. All the holders of landed property cannot be traced back, though many can, to the days of the kings mentioned; but there is not a district, however obscure, and scarcely an island, however small, that is not conveyed by charters dating four, five, or more hundreds of years ago. The terms of these charters establish beyond all doubt that they dealt with land as personal property, and they indicate clearly that the same state of things existed at the date of the earliest of them. . . . In the face of all this, how can any reasonable man maintain that there was no claim to ownership of the soil until within 'the last hundred years'? . . . People bought and sold land of old as in our day. . . . Proprietors exchanged lands. . . . This exchanging of lands and parcels of lands in one part of the country for others elsewhere, makes it clear that there was everywhere the same dominion over the soil. Proprietors gave lands as

marriage portions to their daughters. . . . The younger sons were provided for frequently by grants of lands. . . . Lands were mortgaged for raising money; lands were granted with reversion, &c. . . . In all their dealings with land they used the same terms as now, and consequently they conveyed the land as absolutely as now." All this is probably as far back as records exist; yet Mr. Chamberlain had the audacity to tell the people at Inverness, September, 1885, that, "at all events, there was no claim to absolute and unrestricted ownership. Security of tenure was inherent in the customs of the people, even if it did not receive the sanction of the law; and the arbitrary claim to absolute possession and disposition of the soil has only sprung up within the last hundred years." Mr. Grant replies by facts, proving that in the past, as now, "landlords were landlords, and tenants and crofters occupied of old the position they now occupy. The Spalding Club published a 'List of Pollable Persons' within the shire of Aberdeen, in 1696, in which one finds every householder in the shire, and their status, whether landlord, gentleman, farmer, tenant, sub-tenant, crofter, cottar, servant, &c. A similar state of population existed in every part of Scotland. The rents proprietors received were partly in money, partly in kind, and partly in labour or other services."

This proprietary right of the peasants, this right of the people to the land, is quite a modern idea. "Who was the first to invade this right—who the last? Was no voice raised in their behalf? It must have been done, like the sowing of the cockle, when men were asleep. No; it is easier to prove that *they*, as well as *the land*, were the personal property of the chief, than that they were joint owners of the soil with him." No doubt it was as Mr. Grant states, not only in Scotland, but in every part of the United Kingdom, and in every part of the world. So it seems to have been ordained; if so, it must have been for some good cause designed. At the present time, it seems to us unjust to the people at large; but, just or unjust, we shall derive no benefit from misrepresenting the past; and before making an attack on landlords, men in a responsible position should be careful that what they say is the truth. "One that aims