

LAND HISTORY OF THE AMERICAN COLONIES.

IN SIX CHAPTERS.

*(For the Review.)*By **THOMAS L. BRUNK, B. S., M. D.**

CHAPTER I.

- I. AMERICA DISCOVERED DURING THE FEUDAL PERIOD.
- II. THE MOTIVES THAT STIMULATED THE SETTLEMENT OF AMERICA.
- III. TERMS OF PATENTS FOR AMERICAN COLONIZATION.

In showing that all the evils of the land tenure system of England were engrafted upon the American colonies, it should be remembered that America was discovered at a time when the Feudal system of holding land was still at its zenith in Europe, though it was gradually being replaced by the private ownership, rent and mortgage system.

The great land owners had found that it was far less trouble, less expensive, and provoked less irritation among the tenantry, to lease land outright for a fixed rent or to sell portions of their land on mortgages, than to hire bailiffs, abbots, agents, and various overseers to keep the detailed accounts of each villain's "works" and the elaborate system of spies and detectives to see that the lord was served to the letter of the law and that products were not sold by the villains contrary to the custom of the manor. Also the manor court could be dispensed with and a long list of petty difficulties, punishments, and controversies could all be relegated to the past and in its stead the villain become his own lord, in many cases a freeholder, and in case of war bear his own expenses, or as happened a little latter, defray such public bills by paying interest and principal on a bonded debt which his rent money was used to make.

The villain was free and his own master, so it seemed to him, but with unstable rent fixed by the great land-holders, on the principle, as it is in this so called advanced age, of "all-the-market-will-bear." Thus he was wheedled into parting with his earnings as effectually as by the machinery of feudalism, and at the same time was led to pay most of the public expenses by the debt method and still be ignorant of the fact. No wonder the feudal system died out. It was not as profitable to the landlord as the present rent system.

Under the Tudors when America was explored preparatory to settlement, it was demonstrated that the arable lands of England, as of every country, were limited, and that after the public lands and been largely fenced in and claimed by those who had favor with the Crown, rents at once rose from ten to twenty fold. With this land monopoly condition at home, multiplying beggars, thieves and vagabonds by the thousands and producing a great outcry of the people against the principle of pay-or-starve, it is natural that

they rejoiced and were "exceedingly glad" when the avenue of escape to the New World began to open wide its gates.

Reiterating this same thought, Doyle says: "During the whole of the sixteenth century, while England grew in external splendor and greatness, there was beneath the surface an ever increasing mass of distress and discontent. Poverty, discontent, and distress were becoming such prominent evils as to alarm every thoughtful man. Moreover, the system of dealing with land had been revolutionized. As large fortunes were made in trade, and as the restrictions on the alienation of real property were modified, land was more and more treated as an ordinary mercantile commodity.

"Merchants families, like the Greshams, became large landed proprietors. Such a class, we cannot doubt, dealt with land in a far more commercial spirit and with less regard probably for the peasantry, than those whom they succeeded. The tendency to throw land out of cultivation and to replace tillage by sheep farming, must have had a serious effect on the peasant. Men ejected from their holdings prowled about as idle beggars or continued as stark thieves till the gallows did eat them."

"The dissolution of the monasteries, too, had tended in various ways to increase these evils. It had thrown a vast number of persons on the world in search of employment. Colonization was an obvious palliative and the statesmen of the seventeenth century eagerly availed themselves of it."

The glittering stories brought back by explorers, traders, and missionaries from the New World were more fascinating to the rent-oppressed people of England and Ireland than the tales of fabled Utopias, and they found thousands of willing listeners.

It is a fact we may dislike to acknowledge, but it is nevertheless true, that the great land-holding class have used the petty controversies of religion to divert the public mind from the true causes of world-movements of men and nations that they might not be disturbed in their monopoly of land. In the settlement of America, our modern orators and text-book writers have painted the horrors of the old-world religious persecutions and have given us a roseate coloration to the providential escape of the Pilgrim fathers, the Quakers, the French Huguenots, the Unitarians, and other sects to the shores of religious freedom in America. In this our youths are misled into the belief that religious freedom was the supreme inducement of the thousands that sought homes on this side of the Atlantic.

While religious freedom and freedom of speech and press are all dear to any people, there is nothing so persuasive, nothing so convincing to men as an empty stomach and empty hands. It is always the stomach first, and religion, sentiment, and high ideals second. So it was with the emigration movement to America. Had all the people of the mother country been in permanent possession of a moderate amount of land, and there had been no process by which any of them could have been ejected from their homes by the power of landlordism, it is a serious question whether there would have been any religious controversies that would have assumed the proportions of persecu-

tions. When the land jobbery axe is no longer in sight to grind, men in all spheres of thought and interrelations become as mild and submissive as lambs.

We know to what extreme depths of cruelty and barbarity men will go to obtain possession of the earth's surface. The land motive overshadows all others in the relations of men. Land is peculiar in that it differs from all other kinds of property. Man did not create one foot of it, but he cannot live without it. He must have it though it costs his life in attempting to get it. Give men enough land to provide for the comforts of life and make them secure in its possession, and there is nothing left to war about. The age of peace is here or near at hand.

In the great conquest of Ireland, the English soldiery, no doubt, were prejudiced and spurred to greater outrage by holding up to them that the Irish were Catholics. But while religious fanaticism was used as a subterfuge with the unthinking Protestant soldiery, it was land-confiscation that was the all-absorbing motive that impelled those in power. The Protestants who were enticed by the lower rents to become the tenants on the confiscated lands of Ireland, were the first to leave Ireland and go to America, while most of the wretched, persecuted Catholics remained in Ireland and are there today. A few hundred came to America and settled in Maryland under Lord Baltimore, not for religious persecution, but to obtain land, as will be shown in a later chapter.

The Quakers had great religious fervor and marked peculiarities, and though they were imprisoned for certain antagonistic and irritating tenets of belief, they really came to America under the inducements of Penn to settle on his empire of 40,000 square miles of land. We will see that Penn's motives were more those of a real estate agent than those of one wishing to make refuge for his people. They, too, went so far in their religious zeal that "some travelled and preached naked or barefoot or dressed in sackcloth; even the women in some cases distinguished themselves by the impropriety and folly of their conduct." They were imprisoned for many of the same acts which if committed today upon our streets would make them subject to arrest.

As for the Puritans or Independents who wished to separate the church from government and not conform to the church of England, they were mostly farmers and poor men of the neighborhood of the village of Scrooby. Instead of taking mild steps for the establishment of their church they boldly and vehemently denounced the acknowledged church of the State, and that being unlawful, they were arrested and imprisoned. But again these people were without land and miserably poor, except in a few instances, and after living in Holland for twelve years a part of them came to America, to secure a home as well as religious liberty.

Another fact contrary to the belief generally accepted is that in the American colonies there was almost as much religious persecution as in England. A writer on Virginia history relates what precautions were taken to keep the soil of that colony undefiled by their presence. "They hold riot now in England, but steps have been taken to exclude these factionists and

the hated papists from the 'Kingdom of Virginia.' The commander of the fort at Point Comfort, on the arrival of any ship, shall go on board, take a list of the passengers, and administer the oath of supremacy and allegiance which, if any shall refuse to take, that he commit him to imprisonment, to be dealt with thereafter as the authorities shall determine—most likely ordered to depart as unfit for the time and place."

By 1642 some Virginia dissenters from the Church of England sent to Boston for a supply of pastors. They preached in all parts of the colony, but the next year the Assembly passed a decree that "all ministers whatsoever which shall reside in the colony, are to be conformable to the orders and constitutions of the Church of England, and all non-conformists shall be compelled to depart out of the colony." This law was rigidly enforced. The pastors had to go. "Some were fined, others imprisoned; nearly all were driven out of the colony."

In New England the Puritans fought, imprisoned, whipped and banished the people of the Church of England, the Quakers and Antinomians, in Pennsylvania the Quakers quarreled with the Churchmen; but in Maryland, a Catholic colony was the only place in the New World in which toleration was practiced.

The main cause for emigration has been and ever will be that man seeks to find a place where he can satisfy his wants with the least effort. That is a law of the economy of man's nature. When rents and taxes burden him in one country, he will seek the one where both of these are less, even if surrounded by pioneer privations and dangers.

One of the earliest documents extant written in 1583, by Sir George Peckham after Gilbert's ill fated attempt to plant a colony on Newfoundland island, gives the reasons offered at that time for urging English enterprise to invest in voyages to the New World. Peckham was a large land owner and was interested in getting a foothold on the soil of the land across the seas for himself. In his address he pointed out that "by establishing a safe harbor in Newfoundland, more English vessels would be brought to the fisheries there. By this means it would encourage trade with the natives and a demand spring up for woolen and other wares whereby the alarming glut of labor at home might be relieved."

Then he says: "Noblemen and gentlemen would find all the resources of country life, whether for pleasure or profit." This is the Englishman's idea of society, that "pleasure and profit" naturally and of right should fall only to "Noblemen and gentlemen" who never work and who boast of an ancestry that never worked. The only way for a gentleman to secure profit in the New World is to own land. "It is the ownership of land that gives the ownership of men that live upon it, and has been the means of reducing whole races of men to cringing bondsmen. It is by appropriating, not earning or producing land, that makes lords of land necessarily lords of their fellow-men. The ownership of land is the basis of aristocracy. It is not nobility that gave land, but the possession of land that gave nobility."

Further he says: "The huntsman, the falconer, the farmer would all have full scope for their pursuits," meaning the well-to-do class. Then by way of acknowledging the fearful state of the masses and to heap insult upon injury, he appeals to them in these words: "There are great numbers which live in such penury and want as they be contented to hazard their lives and to serve one year (in the New World) for meat, drink, and apparel only, without wages, in the hope thereby to amend their estates." What a monstrous comment upon the civilization of those times, what a comparison with, not only the chattel slavery of but a half century ago, but also the land slavery that prevails all over this land to-day.

Then as if to apologize for the shameful condition of the masses, he refers to higher objects that are not to be forgotten: "The savages are to be brought from falsehood to truth, from darkness to light, from the highway of death to the path of life, from superstitious idolatry to sincere Christianity, from the devil to Christ, from hell to heaven." Nor were they to be left without a share in the temporal gains accruing from the settlement. "Besides the knowledge of how to till the soil, they should be reduced from unseemly customs to a well governed commonwealth and withal should be taught mechanical occupations, arts, and liberal sciences."

Thus we see the appeal of this wily landlord in the current lines of thought of his time does not vary from these we hear on every hand to-day. On the one hand there is an appeal to the sordid commercialism and land-grabbing element, and on the other, to that noble sacrificing portion of humanity that willingly but unshrewdly open their pocket-books to advance true civilization, unaware of the folly of their efforts.

One of the chief drawbacks to the colonization of this country was the attempt to land the paupers of Europe upon these shores. Doyle has said: "From first to last, from the failure of Gilbert on the shores of Newfoundland, down to the day when Oglethorpe led his band of bankrupts and paupers to the savannahs of Georgia, the tendency to look on colonization as a refuge for the impoverished and incapable, was one of the chief drawbacks to the success of our American settlements."

Another writer, Carlile, in a letter which is addressed to the Moscow Company, made up of English merchants trading in Russia, offers reasons why trade should be introduced into America. Russia's trade he argued is so hindered by the jealousy of the Dutch, the Danes, the Easterlings, that it is "fallen to very ticklish terms and to as slender likelihood of any further goodness as any other trade that may be used. Piracy and religious commotions interfere with the trade to the Mediteranean and the East. None of these objections could be brought against the American voyage."

The forces guiding and misguiding the world during the colonization period of America have changed but little from those now in vogue. It was and is, new markets and more land for the ruling class, a pretense of having a deep interest in the evangelization of the savage, and homes for the poor and outcast of society.

Think of this avaricious, saintly, slave-maker Peckham appealing to the good men and women of England to help Christianize the American Indian when at the very time he published his double-dealing address the most inhuman of conquests was being aided by loans to starve the Irish, the most Christian, hospitable and deserving people in Europe.

Then to add insult to injury, he and all the "real-estate boomers" of his time proposed to ship the outraged poor to the unheven wilderness in America to aid in developing large grants of land he and his ilk might see fit to ask as a favor from the King to be given to them under his great seal.

The early explorers were "substantial merchants or shipmasters;" not, like Gilbert or Raleigh, or the other voyagers of seventy years later, members of the landed aristocracy. The early voyagers faced an unknown sea and the dangers of storm and shipwreck to unfold the mysteries and resources of the land that Columbus had discovered; but the fruits of this discovery and these hardships were enjoyed by the land aristocrats who remained at home receiving with benedictions and smiles of the king the first fat land grants on the great western continents.

These courtly gentlemen also had in mind in western exploration another avaricious object. It was to find a western and as they supposed a shorter route to the rich treasures of pearls, precious stones, and other oriental products of the East Indies. As Gilbert argued, "It were the only way for our *princes* to possess all the wealth of the East parts of the world, which is infinite."

An examination into the patents granted by the Crown to various voyagers is of interest in showing the spirit of the times and the powers that would be theirs if they but effected a settlement in the new country. The earliest surviving document which connects England with the New World is the patent granted to John Cabot and his sons in 1496. "It gave the patentees full authority to sail with five ships under the royal ensign, and to set up the royal banner on any newly-found land, as the vassals and lieutenants of the king. They were bound on their return to sail to Bristol and to pay a royalty of one-fifth upon all clear gain." Other details of government were left to the discretion of the commander. He discovered Newfoundland island in June, 1497. We are left, from lack of detail, to infer what the object was of both king Henry VII and Cabot. From the provision of the royalty to the king, it is clear that they both expected to enrich themselves by added territory and cargoes of treasures found in the new land.

In 1501 a patent was granted to three Englishmen and three Portuguese living in England, more ample than the patent granted to Cabot. Full power was given to the patentees to explore and appropriate all districts not yet discovered by Christians. No limitation is placed on the number or tonnage of their vessels. All English subjects were to have full right of settlement in the lands to be discovered. The patentees were allowed to defend their territory by arms. They were empowered to punish offenders; to have the monopoly of the trade for ten years, and in consideration of the expense of the

adventure, they were at liberty to import one ship's cargo of goods duty free for four years.

Another patent was granted in December of the same year to two merchants of Bristol and two esquires. The provision which limited the discovery to lands yet undiscovered is omitted. Any land could be taken. The monopoly of trade is extended to 40 years and permission is given to import duty free in one vessel for 15 years. Not much is known of the voyages under these patents.

We next come to the Elizabethan age eighty years later when England was gold-mad and the gentlemen of the great families were hungry for adventure and more land power. Sir Humphrey Gilbert, an owner of a large estate, an Oxford scholar, a soldier, once governor of Munster in Ireland, "thoroughly steeped in the literary culture and military and political training of that versatile age," obtained a patent of colonization from the Queen. This instrument gave him full power to inhabit and fortify all lands not yet possessed by any Christian prince or people. His choice of a situation was not limited by geographical limits. "Full proprietary rights were granted him and his heirs and assigns over all land within two hundred leagues of the place in which during the next six years they would make their settlement. The only right reserved by the Crown was a royalty of one-fifth on all precious metals. The proprietors had full power of making laws and ordinances as near as conveniently might be to the laws of the realm and not opposed to the Christian religion as professed by the Church of England." In 1584 Raleigh, after Gilbert's failure, obtained a patent precisely similar to Gilbert's. It was on the voyage under this patent that one of Raleigh's commanders wrote of the American Indians thus: "We found the people most gentle, loving, and faithful, void of all guile and treason, and such as live after the manner of the golden age."

Thus, we see from their very patents that it was the thirst of land dominion and commercial power that actuated the powers of Europe and the nobility and courtiers that fluttered about in the electric-light glare of the Crown-heads.

Let us see if they did not betray the multitudes of poverty-stricken people of every religious creed into going into the wilderness, enduring the hardships and facing the perils of hunger and savage treachery, that the great land grants given to lordly proprietors and companies might be opened up and increased in value by their labor under the pretext of amending their condition and getting them away from wretched poverty at home?

Let us see if these great plantations were not developed by the labor of these thousands that "the Almighty must love," as Lincoln said, "or he would not have made so many of them," and then divided into feudal manors of several thousand acres each? Let us see if the children of the oppressed were not in bondage to a slavery almost as complete as their parents had left in the fatherland.

Let us see if history does not amply show that this same English land-

nabob system has not followed down through all the years of our history till to-day it stands more deeply engrafted upon our institutions than ever before though we have spread over nearly 3,000,000 square miles of new territory in the ceaseless endeavor to get away from its pernicious influences through the movements of populations to low priced and unappropriated lands.

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HISTORIC Holland House is situated in the midst of a park of 70 acres. Its rateable value is only £2,917, or a little over £40 per acre, although it was estimated, twenty years ago, that the land alone would sell for £10,000 per acre. It is situated in the Holland ward of Kensington. The rest of the property in this ward extends to about 360 acres and is rated at £325,000, or £900 per acre. The ratepayers of Kensington are paying so much a year towards the expense of lighting, cleansing and policing the streets, of providing a fire brigade and other public services. The carrying out of these services is maintaining and increasing the value of the idle land, but the owner sits still, waiting for a fine big price or rent, while others pay the greater part of his share of the expenses.

LLOYD GEORGE'S Budget, twice indorsed by a majority of the people of England, called for a small tax of only one-half of one per cent. on land values. Behold what a great conflagration a little fire hath kindled! Two parties stood looking each other in the face, the unprivileged laborers and the privileged landlords, the latter owning four fifths of the soil to England, yet the enormous weight of existing taxation resting chiefly on the masses. Which should bear the new burden?

The rejection of the Budget of 1909-10 by the Lords paved the way to their own overthrowing. Small wonder that the busy Press of this country should fail to grasp the full import of this rapid movement, when few in England expected this measure would cause anything like the political upheaval it has wrought.

Like the repeal of the corn laws, this reform was effected, not by noisy harangues of designing demagogues, but by sober appeals to reason. In no other country but enlightened England could such a change be effected without war, or at least without great social and industrial disturbances.

And this order of progress toward economic freedom must go on until, through the general enlightenment of the masses, through an ever increasing production of wealth and its more equitable distribution, all power of the few to live on the toil of the many by taxation, will be legally abolished, and long before this end is reached, want and the fear of want will be destroyed.—**ELIZA STOWE WITCHELL** in *The Boston Common*.