

LAND TENURE IN WALES A THOUSAND YEARS AGO

On Thursday, 19th April, representative Welshmen commemorated at Carmarthen the Millenary of Prince Hywel Dda, "head and glory of all the Welsh race, and the greatest of law makers. The following is from an article on the great ruler and lover of peace by "A Lawyer," in the *Western Mail*, Cardiff, 19th April:—

But the most striking portions of the codes were those which dealt with the holding of land. Those provisions show that every free born Welshman was entitled to a share of land, and that in addition he had a right to recover land from the waste for himself by joining with others in ploughing it and bringing it under cultivation.

The codes were written for people who knew and practised the system of occupation, cultivation, and pasturing that these provisions regulated, and there are consequently many blanks to be filled in before they can be understood by the modern reader.

These omissions are to a great extent filled in by the Norman surveys made of the conquered portions of the country after the death of Llewellyn, and by the rent rolls and other documents in which the Norman Marcher Lords kept the records of the holdings, rents, and grazing lands of the Welshmen, who held land from them according to Welsh tenure. Most of these Marcher Lordships had two sets of freehold tenants—the Norman or English, who held according to English, or rather Norman-French, law and the Welsh, who held according to their own customs. These records make the land provisions of Hywel's codes quite clear, especially to those who have walked the hills of Wales, and observed the groupings of farms, and their places of pasture, with an eye of ordinary intelligence.

The land was occupied in Hywel's day, and long afterwards, by families, and not by individual owners, and their area of occupation was known as their "gwely," or bed. The individual was not altogether lost or merged in the family, because he was entitled to a "gafael" or holding in the gwely, and he had certain separate rights which were specified. This system undoubtedly once covered the whole of England and Wales, and it was the principle of the "gafael" that gave rise to the tenure known as gavelkind which has prevailed in Kent up to the time of the last Law of Property Act.

GAVELKIND TENURE

The main feature of gavelkind tenure was the descent of land to all the sons of the owner in equal shares on his death intestate and this tenure prevailed to a great extent in Wales up to the time of Charles II., when the Welsh tenures were abolished. English lawyers have invented all sorts of fantastic derivations for the word gavelkind, but the truth is that the word "gavel" in gavelkind is simply the Welsh word "gafael," meaning a grip, or a hold.

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Says Henry George in *Progress and Poverty*, Book VII., Chap. IV.: This is clear—that in Great Britain to-day the right of the people as a whole to the soil of their native country is much less fully acknowledged than it was in feudal times. . . . The English yeomen—the sturdy breed that won Agincourt—are as extinct as the Mastodon. The Scottish clansman, whose right to the soil of his native hills was then as undisputed as that of his chieftain, has been driven out to make room for the sheep ranges or deer parks of that chieftain's descendant. . . . Turning back, wherever there is light to guide us, we may everywhere

see that in their first perceptions, all peoples have recognized the common ownership of land, and that private property is an usurpation, a creation of force and fraud. As Madame de Stael said, "Liberty is ancient." Justice, if we turn to the most ancient records, will always be found to have the title of prescription.

THE TRUE CAUSE OF UNEMPLOYMENT AND POVERTY

OUR LAND SYSTEM: ITS TWO EVILS

(Paragraphs from a new eight-page Leaflet issued for speakers and for general distribution by the Liverpool League for the Taxation of Land Values)

*The First Evil: Private individuals appropriate the value of land, which is a value due solely to the presence, activities and expenditure of the community as a whole, and not to any exertion or expenditure of those individuals—the landowners.**

For permission to live and work in Britain, enormous sums are paid by the people every year in city ground rents, mining rents and royalties, agricultural rents, etc., for which the landowners render no services in return.

Every year this toll increases as the growth, progress, and expenditure of the community as a whole add to the advantages and value of land.

All beneficial expenditure of public money adds to the value of land, because the advantages secured by that expenditure are provided in particular localities, enabling higher annual and capital values to be obtainable there for land. To no other values does this apply. Rightly, therefore, land values should be the prime source of public revenue.

The community, deprived of this natural fund of its own creation, is compelled to obtain its revenues by taxation and rating, which heavily penalize industry, reduce the earnings of producers, and greatly increase the prices of commodities. The decrease of purchasing power and the lessening of demand thus brought about seriously contribute to unemployment and poverty.

The Second Evil: Vast areas of land are withheld from use, or from proper use, by owners who, in order to profit by the unceasing rise of land-values, refuse to sell or to tie themselves by leases.

AGRICULTURAL LAND

Less than 14 million acres are cultivated out of 33 million good cultivable acres.†

While the agricultural possibilities of this total acreage are as good as any in the world, the general methods of cultivation in Britain are extremely poor, for the following reasons:—

The great majority of cultivators have only yearly tenancies, for they are refused long leases and cannot purchase land at the high prices demanded. They have thus no security of tenure, and therefore dare not carry out the improvements which must be sunk in the soil to secure the maximum yield, for fear of rent increases, or ejection, which would deprive them of the benefits, and prevent the recovery of such expenditure. This is also the reason why credit is not obtainable by cultivators

* The term "land value," as used herein, denotes the value of the land apart from all buildings and improvements, and definitely excludes all values attributable to the results of work such as drainage, levelling, construction of sea-walls, etc., carried out by the landowners or tenants. The term "Landowners" denotes all receivers of land values, however usually named.

† Agriculture statistics, 1927.