

Virginian Land Title Origins

The first Virginia charter, issued by James I on April 10, 1606, granted to Sir Thomas Gates, and three others named, "... and any others whom they join with them, to be called the first colony [known as the London Company], all the lands, woods, soil, havens, ports, rivers, mines, minerals, marshes, waters, fishings, commodities and hereditaments whatsoever for fifty miles north and fifty miles south from the seat of their first location in America [which was subsequently made at Jamestown, Virginia], and directly into the mainland for one hundred miles, with all the island within one hundred miles between 34 degrees and 41 degrees north latitude [between Wilmington, North Carolina and Long Island Sound.]"

The following January 1, 1607, three ships of the London Company, in command of Captain Christopher Newport, sailed from London with colonists, stated by various writers as 105 and 143 in number, but which Captain John Smith, one of the colonists, reported "to the number of 100."

When the colony was scarcely more than a year old stockholders in England began clamoring for profits from their supposed Eldorado. They demanded a piece of gold, and threatened to forsake the settlers as "banished men" unless a cargo of goods worth 2,000 pounds sterling was sent.

The apparent policy of the Company was to dispose of all the land possible to appease the demands of shareholders for land dividends and increased land rents, regardless of the safety of the settlers.

Indians Lose Land

Yearning for a close monopoly of all the land between Carolina and Long Island Sound, the respective governors of Virginia, in 1623, 1631, and 1635, sent expeditions to the Delaware to drive out the Dutch, who were supposed to be there trading with the Indians.

A treaty of peace with the Indians, in 1645, provided as did every treaty ever made between Europeans and Indians, for relinquishment of their land.

Revenue collected from rents, and from land granted by the king since revocation of the company charter was appropriated as the personal property of the reigning monarch.

Land rents, and the holding out of use, by private appropriation, of vast areas of land, were a constant source of dissatisfaction among the settlers, as they were in all colonies.

When the people of Warwick County asked that "all persons may be rated and taxed according to their land value," the king's

commissioners, who were investigating the matter, replied: "That is a thing to be wished but never granted them, since the common usage always has been taxing by the poll."

First Sharecroppers

New arrivals coming to create homesteads, and indentured servants wanting land at the expiration of their services, found that land along all the streams (in that densely wooded country, the only means of travel and communication) had been appropriated either by large plantation owners or by speculators. Shut out from temporarily rent-free land on which to apply their labor, newcomers were forced to become tenant farmers, share croppers, or laborers for others.

In the early days of the colony, when there appeared to be more land than would ever be used, the extravagant granting of land to be held unused on speculation did not seem to be harmful.

Through wealth produced on these plantations, resulting from the land system and slavery, the large landholding families became powerful and their social life aristocratic.

The mere existence of indentured servants, landless free men, and Negro slaves, shaped the future social and economic conditions of the commonwealth.

Similar conditions and influence prevailed later throughout the cotton and tobacco plantation regions of the southern states. Without such conditions these states would have become the homes of small landholders earning a decent living, and, what is more, the underlying cause of the war between the states would not have existed.

(Editor's note: The foregoing is the second of a series of excerpts from "Land Title Origins" by Alfred N. Chandler. Published by Robert Schalkenbach Foundation, \$3.00.)