The case for land nationalisation

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THE CASE FOR LAND NATIONALISATION
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BY

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"LAND PROBLEMS," "PUBLIC PROPERTY IN LAND," "STATE LAND PURCHASE WITHOUT LOAN OR TAX," "THE CURSE OF LANDLORDISM"

WITH A SPECIAL INTRODUCTION BY

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PREFACE

BY

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AS Secretary to the Land Nationalisation Society for the past twenty-five years, Mr. Hyder has written many pamphlets on the land question, and has addressed many hundreds of meetings in all parts of the country. Every summer he has gone out with one of the Yellow Vans of the Society and carried the gospel of the land for the people into both towns and villages in nearly every county in Great Britain. The experience he has thus gained has given him such a knowledge of the whole land question, and especially of the attitude towards it of the various interested classes—workers and tradesmen, farmers and labourers, manufacturers and landlords—that no one is better fitted to deal with the whole subject, as he has done in the present book.

He discusses almost every aspect of the question, and, considering that it has been written amid the constant pressure of office work, it is a remarkably complete and instructive volume. Its nineteen chapters are crowded with facts and evidence which will be of the greatest value to our supporters in Parliament and elsewhere, and its appearance is especially valuable now that the Government has undertaken to deal with the subject in a thorough manner, and, to a large extent, in accordance with the principles we have so persistently advocated.
There is, however, one aspect of the land question to which I wish to call special attention, because it involves matters of principle which should never be lost sight of when proposed reforms are being discussed in Parliament.

In his second chapter, entitled "A Cloud of Witnesses," Mr. Hyder has given us a more complete and valuable exposition of the opinions of our greatest lawyers, political writers, and advanced thinkers, as to the actual status and strict limitations of modern land-holders, than any previous writer. These authorities date from Sir Thomas Littleton in the reign of Richard III., through Sir Edward Coke, a contemporary of Shakespeare, Sir William Blackstone in his Commentaries on the Laws of England in the early Georgian era, and a long succession of other authorities down to the present day, including such men as Adam Smith, Paley, Coleridge, J. S. Mill, Ruskin, and Tolstoy, who all declare, in most positive and assured terms, that there is and can be, according to the law and constitution of England enforced by principles of natural justice and morality, no such thing as absolute property in land. And there is really no exception to this general statement—no one great thinker, or writer, or lawyer, or moralist, who can be quoted on the other side. They all maintain that no individual can absolutely own land, and, further, that all the gifts of kings or parliaments cannot alter this great principle of law and natural justice, notwithstanding the claims and usurpations of landlords or the deeds of lawyers which often imply the contrary.

Yet, strangely enough, our rulers in Parliament have allowed this wicked and illogical power of unrestricted ownership to be upheld by a body of lawyers and judges who, though they must be familiar with the opinions of the authorities referred to, continually reiterate the contrary. They tell us that there is not one yard of English soil which has not an absolute owner. They
assert that this ownership must be assumed to exist unless it can be proved by some deed that it does not exist. They declare that not only all cultivable land, but even the soil of our highways, the water of our rivers, our unenclosed commons and mountains, our seashores down at least to low-water mark, and every living thing in or upon them is private property—the "cloud of witnesses" to the contrary notwithstanding!

But if there is not and cannot be absolute private property in any part of the land of our country, that statement now implies that it belongs absolutely and entirely to the nation at large, to whom all so-called rights of the Crown have descended through their representatives in Parliament, and should be administered for the benefit and enjoyment of every free-born Briton.

Mr. Hyder's book will be especially valuable by calling attention to the glaring inconsistency of our principles and our practice in this respect; and now that the Government have declared their intention of dealing with the anomalies and injustice of our actual land laws, as interpreted by lawyers and judges, will induce our representatives to insist that effect shall be given in every case to this great and indisputable principle. The very least that can be done is for Parliament to recognise that existing land-holders and their living heirs have no more than a life interest in the land they are permitted to hold, and that they shall in no case be compensated for more than the lowest net value of that life interest. And, further, it must be declared that the burden of proof of any legal rights to landed property must be shifted from the nation to themselves, and every particle of their alleged landed possessions and rights which they cannot prove to have been acquired legally and equitably shall at once be reclaimed as public property.

Every possible opportunity should be taken to bring
forward resolutions affirming the ancient rights of the Crown, to the absolute possession of the soil of our country, as trustee for the whole nation, subject only to the life interest of those who are now allowed to hold and occupy it. Thus only will this great injustice and spoliation of the people be gradually and beneficially redressed, with full regard to the fundamental rights of all to the use and enjoyment of their native land. To assist them in upholding this claim the present volume is an indispensable storehouse of facts and arguments.
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