

# **PRINCIPLES OF PROPERTY IN LAND**

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Principles of Property in Land by John Boyd Kinnear

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**JOHN BOYD KINNEAR**

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OF  
PROPERTY IN LAND

BY

JOHN BOYD KINNEAR

AUTHOR OF 'PRINCIPLES OF REFORM, POLITICAL AND LEGAL,' 'A PRACTICAL  
TREATISE ON THE LAW OF BANKRUPTCY IN SCOTLAND' 'DIGEST  
OF HOUSE OF LORDS APPEAL CASES' ETC.



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## INTRODUCTION.

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AT A TIME when the Conditions on which Property in Land should be held are being brought under consideration, it seems desirable to examine the Principles on which such Property rests, as well as the practical results of our present laws affecting Land.

The preliminary inquiry into Principles is the more necessary, because very conflicting theories respecting the Institution of Property are put forward by defenders and opponents of the existing system of law. On the one side we have assertions of the sacredness of Property in private hands; on the other we have the doctrine that Property can vest only in the community, and that its appropriation to individuals is a moral wrong and an economic blunder. Between these extremes there is to be

found every variety of view as to the limits of right and of expediency. In this situation a brief exposition of the basis of Right is essential to clear the ground for the investigation of Expediency, and the determination of what is expedient must finally be controlled by consideration of what is practicable.

In the following pages it is therefore attempted to bring Principles to bear on Practical Legislation; to examine the teaching of Political Economy in the light of the facts of modern Agriculture and Science; and to illustrate the conclusions arrived at by a review of the actual operation of different systems of Law in our own and in other countries. After tracing the effects of the erroneous principles embodied in our present Laws affecting Land, the various Reforms which have been proposed in them are discussed; and finally, the leading Amendments which Legislation may usefully introduce are pointed out, and their application and consequences are considered.

LINCOLN'S INN:

*July 1880.*



# CONTENTS.

## CHAPTER I.

### *OF THE MATERIAL OBJECTS OF PROPERTY.*

	PAGE
All material objects of value derived from the earth . . .	1 ✓
The value of land is the value of its situation and constituent ingredients . . . . .	4
No distinction between it and other wealth in respect of its limitation in extent . . . . .	5 ✓
Or liability to be monopolised . . . . .	7
Or indestructibility . . . . .	9
Or benefit from natural laws . . . . .	11
Sole distinction consists in its immovability . . . . .	12
And forming a source of enjoyment . . . . .	13

## CHAPTER II.

### *OF RIGHTS OF PROPERTY.*

Modern resort to first principles . . . . .	17 ✓
Division into natural and social rights . . . . .	17
Natural right to live and to possess fruits of labour . . . . .	18
Does not involve right to specific portion of land . . . . .	19
Except by labour . . . . .	20

	PAGE
Occupancy no right without labour . . . . .	22
Labour applied to all land . . . . .	24
✓ No other natural title to property . . . . .	25
Limited to life . . . . .	26
Social rights founded on agreement . . . . .	27
Their variety . . . . .	28
✓ Cause of differences in individual wealth . . . . .	29
State is supreme arbiter of social rights of property . . . . .	31

## CHAPTER III.

*OF THE AIM OF LAW OF PROPERTY.*

✓ State exists for the benefit of all . . . . .	33
Communism . . . . .	34
Socialism . . . . .	35
Aim of laws of private property to promote, 1st, productiveness, 2nd, diffusion of property . . . . .	37
Limitation of these aims . . . . .	38
Subordinate rules, first, labour should be made productive . . . . .	41
Which involves that property should be transferable . . . . .	42
Second, labour should be carried to completion . . . . .	43
Third, excessive aggregation should be discouraged . . . . .	44
Application of these principles to land . . . . .	47

## CHAPTER IV.

*OF THE LAND LAWS OF GREAT BRITAIN.*

Recent reforms recognise principles stated in last chapter . . . . .	48
Still embody hurtful principles of fostering maintenance of large estates . . . . .	50
By primogeniture . . . . .	51
By creation of life interests . . . . .	52

CONTENTS.

ix

	PAGE
By entail and strict settlements . . . . .	53
By resettlements . . . . .	54
By mortgages . . . . .	55
By family provisions . . . . .	57
All these restrict powers of present owner . . . . .	58
No relief from Land Improvement Acts—nor from powers of sale . . . . .	60

CHAPTER V.

*OF THE NATIONAL INTEREST IN  
CULTIVATION.*

Argument unsound that free trade in corn makes cultivation immaterial . . . . .	62
Untrue that production abroad cheaper than at home . . . . .	64
Cost of transport . . . . .	65
Waste of labour at present . . . . .	68
More should be expended . . . . .	69
Estimate of loss from waste . . . . .	70
Inimmense amount . . . . .	72

CHAPTER VI.

*OF THE ECONOMIC AND SOCIAL RESULTS  
OF LARGE AND SMALL ESTATES.*

Large estates not necessary for good culture . . . . .	73
They must be broken up into farms . . . . .	74
No advantage in one landlord owning many farms . . . . .	74
Comparison of large and small farms as to education of farmers . . . . .	77
Use of machinery . . . . .	79
Methods of agriculture . . . . .	80
Channel islands and France . . . . .	83