

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

**PRINCIPLES OF
PROPERTY IN LAND**

ON

PROPERTY IN LAND

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BY

JOHN BOYD KINNEAR

AUTHOR OF 'PRINCIPLES OF ROMAN, 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.

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.

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