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LAND AND LAND TENURE IN THE HISTORY OF AMERICA : AN INSIGHT INTO A EUROPEAN HERITAGE TO AMERICANS.

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University of Abomey-Calavi, Bénin

Résumé

La nécessité d'exploiter de nouveaux canaux commerciaux à l'ère de découverte a suscité en Amérique des intérêts colossaux vers la terre et le travail de celle-ci. Ce nouveau monde est royalement connu sous l'appellation « la fille de toute l'Europe » à cause de certaines valeurs culturelles intrinsèques et civilisationnelles de base des Américains. Le régime foncier Européen a occupé une place de choix dans la vie de toute l'Amérique. Orientée telle comme un sujet à des changements fréquents, la problématique de la terre était d'une manière ou d'une autre en amont et en aval de la construction de cette « terre promise ». En s'inspirant des pratiques du régime foncier aristocratique et féodal, l'enjeu difficile du statut des hommes et les politiques foncières Américaines, le présent article se propose de jeter un regard critique sur deux siècles et demi de l'expérience de vie Américaine. Nous pourrions ainsi appréhender à sa juste valeur l'importance accordée à la terre dans cette période de temps et qui a fortement impacté sur toute la nation : un lieu de grande prééminence des terres.

Mots clés : Terre, régime foncier, régime foncier aristocratique, moyen âge, prééminence.

Abstract

The need for new trade routes in the age of discovery opened wide doors to huge interests in land and land cultivation in America, rightly called «the daughter of all Europe» due to certain intrinsic cultural and civilization-based values about Americans. The European land tenure held a high standard place in the making of America as a whole. Set in a constant state of flux, the issue of land was in one way or the other the be-all and the end-all of the early building-up of that land of promise. Drawing on practices linked to the land-holding aristocracy through the feudal age, the sticky stake about the status of persons and the American land-tenure policies, the present paper sets out to look into two centuries of the American life experience. We would then be better prepared to grasp an adequate understanding about the specific importance granted to land in that period of time that impacted the whole nation: a place a great prominence to the land.

Key words: Land, land tenure, land-holding aristocracy, feudal age, prominence.

Introduction

Those years in the mid-1400S flourished both in the discovery of new things as well as in the rediscovery of old. So much was happening in the age of discovery such as the need for new routes. It was not curiosity alone that aroused interest in the New World but opportunities to expand business and draw large profits from it. The land stood as the God-given fountain that naturally helped to bring to fruition such a tangible prospect.

Christopher Columbus¹⁵⁷, a grown-up in a booming area didn't hide his great satisfaction after having discovered an already-peopled land awkwardly called the "New World". Tracing back to the American colonial history reports, he openly announced his discovery in the following way:

Sir, forasmuch as I know that you will take pleasure in the great triumph with which Our lord has crowned my voyage, I write this to you, from which you will learn how, in 20 days(actually 33 days) I reached the Indies...And there I found very many Islands filled with people without number, and of them all have I taken possession for their Highness, by proclamation and with the royal standard displayed, and nobody objected.

From Columbus' letter to Luis de Santangel, February 15,1493.¹⁵⁸

His high interests in land and land cultivation products and later on, the ones of the vast majority of European countries seemed not to be hidden but highlighted in the letter above. The royal standard in question that was exhibited and smoothly imposed, called upon but in an indirect way, the intrinsic European land tenure. In such a vein, if Christopher Columbus didn't happen to discover the New World in the time he did, others soon would. They would surely discover it in light of the fact that the later one urged up a movement of people and ideas that in a surprising short span of time, brought a great and powerful nation (the United States of America) into being.

When the Old World found the New, people quickly adapted to the earth's physical features such as landforms, climate, bodies of water, vegetation and soil while others put forward claims to these new lands. Yet, in one way or the other, the issue of land was granted even an exponential privilege may be beyond human control. From land cultivation boom in early Virginia (Virginia where land products took the place

¹⁵⁷Columbus was born in 1451 in Genoa, a seaport in northwestern Italy. At the time of his birth, Genoa was a thriving trade center. Notice that the Italian Peninsula is located in the Mediterranean Sea, midway between Europe and trading centers to the east such as Constantinople and Damascus. All goods from Asia reached Europe by this route. Asia was the source of many valuable items of trade, such as gold, gems, spices, silk, sugar, glass and steel. As a boy growing up in Genoa, Columbus must have seen ships unloading this rich cargo(see Carol Berkin and Leonard Wood: *Land of Promise: A History of the United States*; Scott, Foresman and Company, Illinois, 1845.p4)

¹⁵⁸ Carol Berkin and Leonard Wood, *Land of Promise : A History of the United States* ; Scott, Foreman and Company, op.cit .2nd edition.p7

of gold in the 1620's)¹⁵⁹ to the American Revolution, the American system of land tenure presented diverse facets to the whole world while proving the dearest attachment and stakes of great interests in the later one.

The American Heritage Dictionary defines land as “ a territorial possession, property or tract of land that may be owned together with everything growing or constructed upon it”¹⁶⁰ and the Oxford Advanced Learners' Dictionary explains land as “ the area of ground that somebody owns, especially when you think of it as property that can be bought or sold”¹⁶¹. Thus, within the angle of apprehending a better grasp of the use that American peoples made of land along with time, it would be more rewarding to make a start of investigation from the place which welcomed the first successful English settlement. Looking back into two centuries of the American life experience and being quite able to analyze the specific character granted to land within that period of time, we would then be better equipped to handle the question-matter with an adequate knowledge of it.

A. About the “Boom” era in early America

From the year 1618 down to 1630 when colonists began pouring men into the colony of Virginia, when tobacco became the principal medium of exchange; the demand for servants was high and likewise the best grade of tobacco sold ,reached a dizzy height.¹⁶² From what little could be fully apprehended about the value of a man's labor in years ahead to come, it was not hard to notice that the huge profits from tobacco were enough to keep all the colonists growing as much of it as they could, in spite of every effort to turn them to other products. Virginians' life definitely seemed to be strictly limited to the cultivation of tobacco that was greatly shipped to the English markets. They indeed, didn't grow enough corn to feed themselves but they instead, grew tobacco as though their lives depended on that. A series of varied orders were issued by colonists for fear of not finding markets to unload them. Yet, tenants on both public lands and plantations paid just a fleeting attention to the prohibitions. Consequently, the amount of tobacco one man could produce in a year by his own labor varied from place to place, from year to year, and from man to man. Traders of all sorts , whether public or private were many to seize the commercial opportunities of the boom. They did engross the commodities most in demand, sold them at monopoly prices. In unison did they figure out favorable conditions in line with huge profit-making activities deriving from land cultivation and strongly banking on man's labor. It was mainly the fact of pouring men into the land that surely enriched the aggressive and enterprising traders and planters who definitely survived to make up almost the

¹⁵⁹ Edmund Morgan : *American Slavery, American Freedom: The Ordeal of Colonial Virginia*, London, 1975,p110

¹⁶⁰ American Heritage Dictionary of the English Language-New College edition-Atlanta, Dallas, Hopewell, New Jersey ; published y Houghton Mifflin Company.p82

¹⁶¹ Oxford Advanced Learners' Dictionary, Sally Wehmeier, 6th Edition, Oxford University Press, 2000.

¹⁶²

whole labor force and the vast majority of that land's population whose inflexible avidity to commerce was in no way worth being demonstrated.

Even though it could be and, with regard to the primal motivation in settling in Virginia in 1607, fairly appropriate to state that the company wanted a stable, diversified society where men would make reasonable profits and live rational lives. Instead, things went on the way of interest: only profit-making activities were initiated and interest-yielding programs were proffered in accordance with what the " Boom" engendered as profitable to both planters and traders. Man's labor then obligingly became the most required panacea to help quench the highly burning agrarian thirst of the later ones, meant to draw the maximum possible interest from land cultivating. Land that would grow tobacco was everywhere, so abundant that people frequently did not bother at first to secure patents for the amounts they were entitled to. Instead, men rushed to stake out claims to men, stole them, lured them, fought over them and bought and sold them, bidding up prices to four, five, and six times the initial cost.¹⁶³

As a result of such a mention, Virginia came to be referred to as the place of an early human bondage in America, where further initiatives and activities were taken, put in practice and well maintained for some time. The bondage of the men purposely brought to the land was of several kinds as well as the asset-oriented treatments they were submitted to.

In light of the above and to shed light on such an effect, Edmund Morgan, an eminent authority in early American history and a sterling Professor of history at Yale University argues in his book entitled *American Slavery, American Freedom: The Ordeal of Colonial Virginia* states this:

...the most advantageous status was that of tenant. Although tenants were under the supervision of agents sent by the company or by the association that founded a particular plantation, they were entitled to return on half of what they earned. Ordinary bond servants, on the other hand, belonged completely to their masters: he got everything they earned and had only to supply them with food, clothing, and shelter during their term of service. The least attractive form of servitude was apprenticeship. Apprentices, often known as " Duty Boys" from the name of the ship(the duty) on which some of them were transported, were bound as servants for seven years under any planters who would pay for ten pounds apiece for them. After their seven years service, they were to be tenants for another seven years. If, however, a Duty Boy committed a crime at any time during the first seven years, his term as a servant was to begin again for another seven years¹⁶⁴.

In one word, such a statement sufficiently depicts the living conditions of servants doomed to bondage and in the same way, unveils the truth of their being massively shipped. It fuels the debate over the great importance attached to land by both land owners and the company's own officials in the colony. A considerable value

¹⁶³ Edmund Morgan :*American Slavery, American Freedom : The Ordeal of Colonial Virginia*,1945,p115

¹⁶⁴ Edmund Morgan, op.cit.p118

that made interest-yielding plans top the bill to any other step taken even in managing the company. Many were those men who seized the opportunities and captured the labor of Virginia's immigrants. For, the purpose of man's labor that most blindly suited the taste of Virginian merchants and fully aware of the fact that their precious target would be reached only in case of purchasing servants, the later ones were subjugated to a series of diverse hard-hearted subservience.

In all cases whatsoever, the least "welcome" in store for any servant who set foot in the colony was to prevent him or her to idle and the same way, not to miss the point about the great hopes placed in land-cultivation. Seizing the right end of the stick, Professor Edmund Morgan furnishes, still in his award-winning book cited above, some significant details that pinpointed the far-fetched and inflexible determination of those merchants in subduing the land to the purpose of man:

The company's generosity to its officers combined with the high death rate to open every surviving tenant sent by the company to exploitation by any officer who claimed him as part of his quota of tenants. And if an officer did not commander him, someone else would. Whether a man came as a servant, as an apprentice, as a tenant, or on his own he was vulnerable. If death disposed of the master who could rightly claim his labor, an heir, real or fraudulent, would quickly lay hold of him....he was easy prey for anyone who could feed and shelter him. Even if he came with enough to set himself up independently, a bad harvest, insurmountable debts might force him into the service of a bigger operator or hired out to private planters.¹⁶⁵

In early America, Virginians dealt in servants the way Englishmen naturally dealt in land or chattels.¹⁶⁶Life went on the way of interest: the labor force. Big men maintained absolute personal ascendancy over servants and over all lesser men. A lot of restrictions were made and always in view to rendering docile the land, its owners and harvested products. While the Virginia company was failing in London, a number of its officers in the colony were growing rich. In order to do so, they not only rendered less than faithful service to their employers; they also reduced other Virginians to a condition which, while short of slavery, was also some distance from the freedom that Englishmen liked to consider as their birthright. The company in 1618 had inaugurated a popularly elected representative assembly, but the effective power remained in the governor and his council. Yet, by no coincidence, the council consisted almost entirely of the men holding large numbers of servants.¹⁶⁷

¹⁶⁵ Ibid

¹⁶⁶ An article of personal, movable property : A slave. According to *the American Heritage Dictionary*, second college edition, Houghton Mifflin Company, Boston .p261

¹⁶⁷ Even the assembly showed itself to be a meeting of masters, when the first session, in 1619, adopted measures to secure every man's right to his servants. As protection against servants' fraudulently claiming freedom, it ordered the establishment of a registry of all servants in the colony and of all that should come in future, with the dates of expiration of their terms. It also decreed that if a servant, before leaving England, contracted to serve one master in Virginia and then contracted to serve another(who perhaps made a more attractive offer), he should serve two full terms, one with each master.(see Edmund Morgan in *American Slavery, American Freedom: The Ordeal of Colonial Virginia* , London 1975), op.cit.p124

To a great extent, councilors guarded their authority jealously, and perhaps unconstitutionally. Not infrequently did they wield it on their own behalf, initiating and participating in decisions that highly favored their interests. In boom time Virginia, the treatment of labor proved an ugly-greed attitude, magnified by opportunities, producing fortunes for a few and misery for many. Deeply rooted in a system of labor that treated men as things and geared up by the inflexible motivation to make the most out of the high price of tobacco, Virginians thought worth getting hard work out of land cultivation, effected by servants.

B. America: Place of great Prominence to the Land

Weaving on to the preceding focus on Virginia as a soil of a rapidly succeeding labor-force and stake to land, I do not look to see effects precede causes but faithfully stick to the gist to be demonstrated in this paper. Out of a grass-root knowledge about the history of America; one can undoubtedly affirm that the average man, in all ages, was mainly occupied with making a living than any other one thing in that land of opportunities. It would be just a mere or fleeting illusion, not deeply questioning the chief impulse toward the colonization of the New World while investigating on even a slightest part of the history of America. Hard to discover a portion of American history in which one can get away from that very primary relationship, tightly linking peoples to the land.

For, as a result of a seeming economic democracy, that nation came to be noticed by political institutions of a democratic type just because it had early on come to be clearly characterized in its highly-targeted economic life by democratic arrangements and practices. From just a starting-point since it definitely serves as a tangible example in the realm of such a subject, here comes a part of the Mayflower Compact signed in the spring of 1621:

...and by virtue hereof do enact, constitute, and frame, such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meet(suitable) and convenient for the general good of the colony, unto which we promise all due submission and obedience.

From William Bradford, History of Plymouth Plantation, 1606-1646. Spelling modernized¹⁶⁸

Standing as one of the first attempts at self-government in the English colonies in general, the men on the Mayflower signed The Mayflower Compact, because fully wise of the fact that poor leadership and government would lead to a colony's downfall. A collapse that could undo the ruling system of maximum economic agricultural profits since every adult male head of household was a shareholder in the company and thus had the right to vote for governor of the colony.

The interest-guided interconnectedness was what that could help understand the Mayflower Compact's attachment to unclaimed and unexploited

¹⁶⁸ Carol Berkin, Léonard Wood (1987), *Land of Promise : A History of the United States*; Scott Foreman and Company, Glenview, Illinois. p63

territories, ripe for land cultivation. Some words or expressions of the excerpt, set in a certain order, prove the need for occasional arrangements in case interests are threatened and land tenure activities not promising. Let's then lay emphasis on the bold-faced words of this extract so as to provide evidence for that early far-fetched attentiveness to land, the American-like way but heritage from English.

By...**such just equal laws, ordinances, acts, constitutions and offices** ..., one could view a nigger under the woodpile by referring to that period in the history of Americans where agricultural commerce topped over any other issue. Ripe and fertile lands were places that welcomed Europeans looking for betterment or fleeing from religious persecution. A place where puritans, meant to purify the Anglican church became defaulters of rules of their own making by focusing on land production where demands for servants were high even in face of a food scarcity. Was it not the case where interests meet and where land barons could safely lie with no need from poor men held in agrarian bondage, it would seemingly appear evident that unjust and unequal laws, ordinances, acts, constitutions and offices would then be sharply pursued and set as colonies' ruling principles. The English land tenure manoeuvres embodied colony-officers in America with a certain wave of actions in a context that land workforce hugely mattered within a perspective of unlimited restrictions, always in line with their attachment to land with servants under rigid regulations.

In such a vein ... **from time to time**, stands for occasional opportunities to be seized in the purpose of a target to reach. Yet, how and when could such a time be apprehended? – Who were those to see it worthy and convenient? – What would it be convenient for? – Could it be set to meet in a blow, both land barons and servants interests where the later ones were voiceless? – These worthy interrogations would find adequate answers only with colonists, merchants, governors, land-policy makers, masters, land proprietors.... All of them, working under the strict control of the autocratic English power which didn't spare any effort in dictating authority to colonies under supervision in America. It was just a case of the same, for the same purpose and by the same spring of undertaking. The expression ... **for the general good of the colony** ... still brings out the duality or the antagonistic purpose to fulfill of both masters and servants: the first with the highest possible interest out of land cultivation and the second, definitely doomed to authoritarian subservience from “ Big Men ”¹⁶⁹. With regard to life in early America, to English colonies in general before and after independence, the general good in question is essentially prospected, apprehended, appreciated and subjected to the expertise of barons in order to preserve peace, sink differences but top-ranked whatever could suit their taste, meet their needs and satisfy the best of interests they aimed at. There lies in fact the gist about the Mayflower Compact which significantly paved the way to a system of rules that

¹⁶⁹ This term is mainly used to refer to colonists, land-owners, slave masters merchants, governors,...to anyone able to acquire a plot of land, value it by the means of commercial agriculture while holding men and women in bondage, depriving them from their rights every single hour of the day.

everybody must obey: orders made by a government or somebody in a position of authority toward lower classes and tightly in accordance with land-tenure and land-production regulations. In such a state of being important as the whole life in the colonies depended on, well known or quite noticeable as highly ranked with regard to the value of a man's labor, the promised land judged as a place where people expected to be happy and safe was of a very great prominence to the land with regard to all the activities developed and promoted in America.

Thus in quite many ways, series of events or mainly actions like authority to be dictated to lower-classes, land tenure practices as related to subservience toward farm-workers and land legacy policies really affected the character of American society by seriously altering the status of persons. The religious founding principles offered no room for exemplary motivations in shortening the huge gap between the two classes as highly rooted in land cultivating policies or undertakings. Slavery was in all regards the gearing factor for such excessive limits and by the same token opened avenues whereby morality was sacrificed by expediency for land-yielding advantages. The seeming but slight evidence of the analogy between freedom for whites and freedom for blacks was uttered by Patrick Henry in 1773, once immersed in the struggle against Great Britain. In a letter he wrote to one, having sent him a copy of Anthony Benet's Book on slavery, the following was plainly noticeable:

It is not amazing [he says] that at a time, when the rights of humanity are defined and understood with precision, in a country above all others fond of liberty, that in such an age and in such a country we find men professing a religion the most humane, mild, gentle and generous, adopting a principle as repugnant to humanity as it is inconsistent with the Bible and destructive to liberty?...Would anyone believe I am the master of slaves of my own purchase! I am drawn along by the general inconvenience of living here without them. I will not, I can not justify it. However, culpable my conduct, I will so far pay my devoir to virtue, as to own the excellence and rectitude of her precepts, and lament my want of conformity to them. I believe a time will come when an opportunity will be offered to abolish this lamentable evil. Everything we can do is to improve it, if it happens in our day, if not, let us transmit to our descendants, together with our slaves, a pity for their unhappy lot, and an abhorrence of slavery....It is a debt we owe to the purity of our religion, to show that it is at variance with that law which warrants slavery¹⁷⁰

The principles and practices around land tenure policies negatively impact the status of persons in an atmosphere imposing supremacy over less privileged ones forcibly submitted to land cultivation: the economic breath of all America. The subsequent freeing of communities at a given time in the history of America didn't automatically lead to the freeing of all individuals. The great stake of interest in lands held a place of prominence. For, it undoubtedly served as a leeway to enormous ill-doings with regard to the system of land holding which the American classical

¹⁷⁰ J. Francklin Jameson. *The American Revolution Considered as a Social Movement*, Princeton University Press, p28

economists called “peasant proprietorship”:¹⁷¹ the system of small holdings where land owner, capitalist or farmer , and laborer are all one, the owner of the land supplying the capital and working the field with his own labor and that of his family.

C. About Land Tenure Policies: Unveiling the Truth

Judging from the grass-root motives leading Europeans to discover the New World, to conquer territories, to promote commercial activities, it would be safe to affirm that land was the main source of the American prosperity and prospects of advancement in many respects. The territorial expansion through purchase, annexation, acts of congress stood as one of the convincing arguments in line with the above affirmation. The European land feudal age as transported into the New World as a heritage in the life of American peoples opened wide doors to a kind of land-holding aristocracy which socially expanded large changes in process of time. In accordance to private claims before and after revolution and the common good of Americans , land-laws altered, didn't remain unchanged whereby a more democratic system was installed but not neglectless to the eager and indomitable American spirit toward land-holding tradition. Any change in any respect carried in itself the seeds of a new social way of dealing with new lands on which the future hopes of American agriculture and settlement steadily rested.

There is no lack of evidence that land ordinances were many, multiple and multiform in America. Issued in different contexts and for diverse purposes, they varied from one place to another, the westward movement standing as one of the very first stake to generate such practices. When at a given time, royal restrictions on the acquisition of land fell into abeyance, the king's proclamation of 1763 which forbade settlement and the patenting of lands beyond Alleghenies¹⁷² became obsolete and those provisions of the Quebec Act of 1774 that restricted westward expansion have never been fully respected, the American Revolution seen as a social movement offered many other kinds of land restrictions.

The new wind of change was then bound to blow everyone some good by respecting popular desires for more democratic system of land law. Instilling a better way in such a case could bring to whether the land law in respect to old holdings should be altered by the Revolution or should remain unchanged while taking into account the all-time American land-based economy. Then the quit-rent¹⁷³ policy which is a rent paid by a freeman in lieu of services required of him by feudal custom. In fact, the matter of quit-rent required most of the colonies and according to the terms on which lands were granted to individual occupants to pay a certain amount of money per year to the crown or to the proprietary of the province. Very soon, it was regarded by colonists as something of a limitation upon the ready acquisition of land. Another bizarre restriction on land tenure that was removed by the new drive of change was the

¹⁷¹ Ibid

¹⁷² A low growing, shrubby plant of the southeast United States having evergreen leaves and spikes of white or purplish flowers

¹⁷³ Franck J. Jameson. *The American Revolution Considered as a Social Movement*, 1967, p33.

provision. By British statute intended to ensure an adequate supply of masts for the royal navy, that no man should cut white-pine trees on his land till the king's surveyor of woods had surveyed it and designed the trees, sometimes many in number, which were to be reserved for the king's use.¹⁷⁴ As not suiting the on-going tastes of peoples, that hard measure was then put to an end. Next were the great confiscations of Tory¹⁷⁵ estates carried out by the state legislatures, mostly in the height of the war. In such a wave of land-dealing mechanisms, the largest estate confiscated was that of the pen family, proprietary of Pennsylvania, estimated at nearly a million pounds sterling.¹⁷⁶ In fact, one of the most successful English colonies was Pennsylvania whose prosperity essentially rested on land production, the land that was granted to English Admiral William Penn in 1681 as payment for a debt owed to him by the crown¹⁷⁷: Another type of land-holding practice. Furthermore, once being granted such a huge plot of land, his dearest plan was to establish a free, self-governing colony, a "Holy Experiment" in political and religious freedom as a positive response to the persecution that his peace-loving religious sect suffered from both the Church of England and the Puritans. For, while including a representative assembly in the government he established, he skillfully granted the right to vote for any man who owned property or paid taxes. But in any sense, a property was duly owned and taxes regularly paid only in case land was held, kept and substantially cultivated. For the purpose, land could be bought or rented at low prices. There lies once again another facet of land tenure where the issue of land remains the greatest subject of discussion serving as both means of debt reimbursement and piece of wealth production.

But to return to the laws dealing with land alone, what then was the old land-law in the American colonies before revolution where nothing was more important in such a social system than relation to land? –Referring to the land-holding aristocracy measures, intrinsic methods were strictly adopted in field of land-keeping avidity and long-run property saving. The feudal ages had discovered that, if men desired to give stability to society by keeping property in the hands of the same families generation after generation, the best way to do this was to entail¹⁷⁸ the lands strictly, so that the holder could not sell them or even give them away, and to have a law of primogeniture¹⁷⁹, which, in case the father made no will, would turn over all his lands to the eldest son, to the exclusion of all the other children. Viewed in such an angle,

¹⁷⁴ Ibid.p33

¹⁷⁵ Ibid.p35, see also the American Heritage Dictionary that defines Tory as a member of a British political party founded in 1689, that was the opposition party of the Whigs and has been known as the Conservative Party since about 1832 or an American who during the period of the American Revolution favored the English side.p1280

¹⁷⁶ Ibid.p36

¹⁷⁷ Robert P.Green Jr , Laura L.Becker and Robert E. Richardson. *The American Tradition: A History of the United States* . First edition, Columbus, Ohio: A Bell & Howell Company,1984,p37

¹⁷⁸ American Heritage Dictionary of the English Language – New College edition-Atlanta, Dallas, Hopewell, New Jersey ; published by Houghton Mifflin Company.p181 which defines entail as a predestined order of succession, as to an estate or to an office. Something transmitted as if by unalterable inheritance.

¹⁷⁹ Ibid.p241(the state or condition of being the first-born or eldest child of the same parents , the right of the eldest son, to inherit the entire estate of one or both of his parents)

there could not be two better devices for forming and maintaining a land-holding aristocracy.¹⁸⁰ Descents of land inherited some plots basing on old English notions in the domain and religious heritage prerogatives in field of land-keeping regulations. The New England colonies were strict to a more democratic distribution but couldn't feel comfortable to put aside entirely the old English practices about the eldest son. Furthermore, their all-time puritanical feeling for the law of Moses was very strong and inflexibly respected. It is strictly referenced in Deuteronomy 21 as follows: ... but he shall acknowledge the firstborn, the son of the unloved, by giving him a double portion of all that he has, for he is the first fruit of his strength. The right of the firstborn is his.¹⁸¹ In such a way, they put forward that all children should inherit equally except that the eldest son should have a double share. Hard to believe that religion couldn't resist what land-tenure abusive regulations could make men of every side do for the purpose of money and property-rising initiatives. In the largest of colonies in America, electoral franchise was vastly based on land property qualification which varied in relation with the required amount of personal property.

Conclusion

The New World as being called so in the discovery age welcomed men of diverse horizons meant to reach specific targets in a territory where interest hardly meet. Europeans predominantly adapted to the earth physical features as it is plainly clear that land-hunger among the crowded inhabitants of Western Europe was the chief impulse toward America. Melting together in such an atmosphere of contingency interests, attachment to unclaimed and unexploited territories ripe for land cultivation were in one word the magnet that irresistibly attracted men and women: land was definitely the first cry of the wave-tossed mariners to America. Since the influx into any given area of men of all kinds and from all parts of the world always tend to break up existing regulations and call out for new ones, restless social changes, unceasing adaptation to new conditions became the characteristic, good to distinguish man from man. The prodigiously rapid migration of settlers into the New World brought average people to make a living than any other thing in that land: the main source of the American prosperity and prospects of advancement in any respects.

In a country so wholly given up to agriculture where men were not equally granted rights to possess land and where inequality proved unavoidable, commonly agreed-upon life regulations stood up as the panacea to social rest. That very primary relationship, strictly linking peoples to the land suffered an ugly-greed attitude magnified by a land tenure that proffered fortune for a few and misery for many. The European land-holding aristocracy expanded social changes with new regards to land-tenure policies which carried the seeds of dealing with new lands on which the future hopes of American agriculture and settlement steadfastly rested. Hard to discover a

¹⁸⁰ Franklin J, Jameson. *The American Revolution Considered as a Social Movement*, 1967.p37

¹⁸¹ Holy Bible, English Standard Version, Economy Edition, Wheaton , Illinois 60187,USA, Deuteronomy, Chapter 21 : Inheritance Rights of the Firstborn, Verse17

portion of American history in which ne can get away from the American pre-eminent connectedness to land and land tenure policies.

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