

# MEASURING AMERICA: HOW AN UNTAMED WILDERNESS SHAPED THE UNITED STATES AND FULFILLED THE PROMISE OF DEMOCRACY,

by Andro Linklater,

(New York: Walker & Co., 2002), 310 pages, \$26.00 hardback, with a website at [www.measuringamerica.com](http://www.measuringamerica.com))

Reviewed by William Batt, Ph.D., Albany, NY

The book is mis-titled, but that doesn't detract from its value, particularly for those of us that want to know about how measures became standardized and land became privatized in the US. British journalist Andro Linklater has contributed a lot by bringing together two histories that have not usually been linked.

It may not be known that for the first two hundred years of America's settlement, every state and locality had its own system of measurements, for weights, lengths, volumes and even times. How could market exchanges ever possibly succeed! This book is the story of how that changed, both for the new world and for Europe. But it is also the story of how those measures were applied to the measurement of land, whereupon it then became possible to merchandise it as a commodity for the first time in recorded history. Other books have discussed selling western land, but none so fully, and Linklater's work should inspire lots of new attention to this history. But he goes on to suggest that it was the freehold ownership of small parcels of land by many citizens that allowed the "promise of democracy" to flourish. And this last point he never proves.

"Religious freedom might have been their prime reason for sailing to America, but once they were there, the desire to own land was too powerful to be ignored." So that "the first years after Pilgrim fathers landed in Plymouth ..., they were to work the land in common, sharing the proceeds with the investors in England. ... Yet ..., when they attempted to pool their resources and farm collectively ..., the fields were neglected and they almost starved. In desperation, Governor William Bradford responded to demands that the land be divided up. 'And so,' he noted in his history of the Plymouth Colony, '[I] assigned to every family a parcel of land according to the proportion of their number. ... This had very good success for it made all hands very industrious.'" (p.35)

In Virginia, the first colonialists were saved from starvation in 1609 by raiding the farms of the Powhatan Indians, but even with the sale of tobacco, the Virginia Company almost went bankrupt. "What kept the colony alive was a decision in 1618 by one of the shareholders, Sir Edwin Sandys, to attract immigrants by offering a 'headright' of 50 acres of good Virginia soil to anyone who cross[ed] the ocean at his own expense, and as much again for every adult he brought with him. The lure of free land brought a stream of would-be settlers, most of whom died, but by the 1630s the flow of migrants outstripped the death rate from fever, and soon land was being bought and sold at five shillings (about \$1.25) for 50 acres." (p.36)

Ironically, settler John Winthrop led the Massachusetts Bay Company to the New World in 1630 "as much [because of] the downturn in rents and farm prices as his Puritan ideals." He rejected the view that the Indians owned the land because "they inclose no Land, neither have any settled habytation, nor any tame Cattle to proue the Land by." Rhode Island founder Roger

Williams, in contrast, felt differently, i.e., that the land did belong to the Indians. (pp.27-28) "From the farming Powhatan in Virginia to the Iroquois in New York and the Six Nations in the Appalachians who were primarily hunters, they shared a pervasive understanding that a particular place belonged to a particular people only to the extent that the people belonged to the place. Rights over land were gained only by occupation, long usage, or family burial, and they were communal, not individual, rights. 'What is this you call property?' Massasoit, a leader of the Wampanaog, asked the Plymouth colonists whom he had befriended in the 1620s. 'It cannot be the earth, for the land is our mother, nourishing all her children, beasts, birds, fish, and all men. The woods, the streams, everything on it belongs to everybody and is for the use of all. How can one man say it belongs only to him?'" (pp.43-44) Quoting from a Shawnee spokesman: "We do not understand measuring out the lands. It is all ours." (p.78.)

Linklater notes that the legal term 'fee simple,' and Locke's notion of property as a right, existed only to the extent that "mixing his labour" altered what had once been held in common. But he notes further that "by the middle of the eighteenth century, the American idea of landed property had evolved beyond its English roots. Americans had begun to speculate on land. It had become a commodity." All the leading figures in the emerging colonies were involved in it -- Franklin, Jefferson's father Peter, Washington, and Supreme Court justices, and cabinet officers. Patrick Henry was the lawyer for the North American Land Company, one of the leading land speculation companies founded by one of the least scrupulous figures of the new Republic, Robert Morris. (p.44) On page 148, he comments that "everyone with spare cash invested in land. ... 'All I am now worth was gained by speculation in land,' the new secretary of state, Timothy Pickering, told his sister in 1796. 'In 1785 I purchased about twelve thousand acres in Pennsylvania which cost me about one shilling [about fifteen cents] in lawful money an acre. ... The lowest value of the worst tract is now not below two dollars an acre.'"

So it was that "[f]or good or ill, a new kind of society was evolving from the way in which the public land was being measured out. It could be seen in Congress, where a perceptible change in policies and attitudes occurred. ... It was fueled more by speculation than by the desire for liberty. ... [it had] everything to do with its acquisition of landed property." "The consequence was what D.W. Meinig, doyen of American geographers, termed 'the most basic feature of the settlement process: That it tended to be suffused in speculation.' The paradox was that most of the speculators were not big-time financiers--though there were plenty of them--but small-time republican farmers. Speculation, or, as (continued on p.8)



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the nineteenth century called it, capitalism, and democracy went together." (pp. 173-175) "[T]hroughout the seventeenth and eighteenth centuries land was the prime source of wealth--the rewards of trade were unreliable and restricted to the minority who lived in cities, while industrial wealth was so rare as to be freakish." (p.28) And "what underpinned this vision was the effectiveness of the public land survey in making ownership of the conquered land available to the U.S. citizens." (p.209)

It was no wonder that a surveyor in the mid-eighteenth century could make "an income that matched a lawyer's." (p.39) George Washington, a surveyor as well as a land speculator, boasted that he could make about \$100 a week, about what he made later as president! (p.45) Washington acknowledged in 1749 that "The greatest Estates we have in this Colony were made ... by taking up & purchasing at very low rates the rich back Lands which were thought nothing of in those days, but are now the most valuable Lands we possess." In 1752 he had title to 52,000 acres of land spread across six different states. The book is replete with how much land values increased in short periods of time and how easily titleholders, both personal and corporate, were able to reap fortunes. The October 1795 Pittsburgh Gazette noted that "as an instance of the increasing prosperity of this part of the state, land that two or three years ago was sold for ten shillings [\$2.50] per acre, will now bring upwards of three pounds [\$15]." (p.143)

There is also the faintest suggestion that tea taxes were of secondary importance to the colonists: George III had banned land purchases beyond the Appalachian mountains, which gave impetus for the Revolutionary war. The royal proclamation intended that "the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed." But this flew in the face of the strong pressure for the settlement of that territory. (p.50) Thus "it was not by chance that the first resolution the First Continental Congress agreed to was 'that they are entitled to life, liberty & property.'" (p.48)

Jefferson was of course a pivotal figure in facilitating the acquisition of lands across the Appalachian Mountains and in defining the idea of landed property. According to Linklater, "to Jefferson. . . the possession of land was the Newtonian principle that made a democratic society work. It guaranteed the independence of the individual and gave each one an interest in building a law-abiding community. All that was then needed was education to teach them how best to use their freedom. The ideal he had in mind existed in prefeudal Saxon society, with its local court and administration based on the 'hundred,' or parish, and its values derived from the stout-hearted, independent-minded yeomen farmers who worked the soil. Consequently, all the political systems he devised, for counties as for nations, shared one fundamental quality: the widest possible distribution of land." (p.57) Yet he opposed George III's prohibition of property acquisition, even

while he also opposed its concentrated ownership. (p.92)

Jefferson for 25 years waged "an ideological war with land speculators, whose interests were so diametrically opposed to his, and where the sale of the United States's land was concerned, he demonstrated that he was prepared to do everything in his power to thwart their aims. Time after time, he found himself confronting Robert Morris, the Philadelphia merchant who had profited so richly from Virginia's land sales. In the Continental Congress, Morris held the post of superintendent of finance, an influential position which helped ensure that the congressional mood remained in favor of the land companies." (p.64) In 1783, Morris acquired title to more than one million acres in Virginia, paid for in military warrants. These were further discounted in 1792 in exchange for heavily discounted Virginia treasury notes, and "the speculators descended like vultures and bought up the notes, backed by credit from brokerage houses in Boston, Philadelphia, and New York. A total of 2.5 million acres ended up in the hands of just fourteen individuals, most of whom were absentees." (p.151-152)

"Convinced as he was that working the land was the guarantee of democracy, Jefferson found it intolerable that the dispossessed had nothing while the wealthy few had so much they could afford to keep huge estates as uncultivated game parks. In the fall of 1785, as he was walking in the countryside outside Paris, he encountered one of these landless poor, a widow struggling to bring up two children on the eight cents a day she could earn as a laborer, and later that day Jefferson wrote furiously to James Madison, 'Whenever there are in any country uncultivated lands and unemployed poor, it is clear that the laws of property have been so far extended as to violate natural right. The earth is given as a common stock for man to labor and live on.'" (p. 92)

But there were powerful forces working against any idea of ownership in usufruct as Jefferson might have believed. The states had floated scrip as a means of financing the war effort, and much of it had over time fallen into the hands of speculators when it became of questionable value. At the same time the colonies also held title to extensive areas across the Appalachians, and here stood opportunities for the states to get compensation for demarcated plots from squatter farmers already moving there in hordes. Hamilton (p.115) saw the sale of land as a sound means of the nation's paying its public debts. "The trick was not to wait for demand to push up the price, but to buy, as the Ohio Company did, with the devalued paper currency. Although the Continental Congress had been responsible for the majority of notes and warrants printed during the war, the states had continued to issue their own loan and treasury certificates after peace came. In the 1780s, most could be bought on the street for twenty cents on the dollar, and by one estimate almost three-quarters of North Carolina's paper money was held by a group of speculators small enough to meet in a single room. When the states began to put their own public lands on sale, the holders of such notes could use them to pay for land at full value. It was with these state sales rather than the disposal of federal land that the (continued on page 9)



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corrosive effects of speculation really began to bite." (p.149) Furthermore, freehold ownership, or what appeared to be so, was also an irresistible force. The author cites Unitarian feminist writer Harriet Martineau's book, *Society in America*, written in 1837 after returning to the US from a life in England, that "the possession of land is the aim of all action, generally speaking and the cure for all social evils among men in the United States. If a man is disappointed in politics or love, he goes and buys land. If he disgraces himself, he betakes himself to a lot in the west. If the demand for any article of manufacture slackens, the operatives drop into the unsettled lands. If a citizen's neighbors rise above him in the towns, he betakes himself where he can be monarch of all he surveys."

English observers wrote of the same phenomena: writer John Melish, in his *Travels in the United States*, noted that "every industrious citizen of the United States has the power to become a freeholder, on paying the small sum of eighty dollars, being the first installment on the purchase of a quarter of a section of land. ... The land being purely his own, there is no setting limits to his prosperity. No proud tyrant can lord it over him--he has no rent to pay--no game laws--nor timber laws nor fishing laws to dread. He has no taxes to pay except his equal share for the support of the civil government of the country, which is but a trifle. ... Such are the blessings enjoyed by the American farmer. ..." (p.171) About that time, French writer Pierre-Joseph Proudhon offered the conclusion that "Property is theft." "But by then," concludes Linklater, "it was too late--the land had been stolen, and property was everywhere." (p.90)

Too late? Mr. Linklater here could use some help from the Georgist perspective. For he accepts the notion that "ownership of land is never simple. It includes rights not just to the soil but to the metals below, the vegetation above, the sunlight, and the air; to the use, development, access, and enjoyment of the land; and to much more that, for a fee, any lawyer will reveal. Since any or all of these may be bought, rented, leased, and distributed in different ways, landed property is usually described as a bundle of legal rights that can be split up and dealt with separately." (p.30) He also understands the historical significance of rent paid for the use of land, beginning the book by describing a tenant's duty to pay "two hennies at Christmas and two capons at Easter." (Pp.7-8) He traces instances of the practice of "quitrent" in the colonies of South and in Pennsylvania. (pp.34,41) But never thereafter appreciates that the added increments of land value are due to the accretions of rent that attach to each parcel, rent that could be collected in the form of taxes that would solve many of the problems facing the new nation, then and now.

He fails to understand that the increases in value that attach to land sites in the vicinity of railroad stations, for example, (which he describes extensively, p.185) are due not to the efforts of the titleholder/speculators but rather to the common efforts of the society. He never comes to terms with the heart of Jefferson's quandary: how to reconcile freehold title to landsites which would allow a nation of small farmers to

pursue their virtue, and the impulse of speculators to hold unused lands for their rise in price. He observes early on (p.28) that "throughout the seventeenth and eighteenth centuries land was the prime source of wealth." But fails then to see that land is not really wealth, simply a change in its market price. When he alludes to evolving practices of land surveying in other nations of the world, it never occurs to him that pricing is somehow illusory to any genuine understanding of the value of land and nature's goods.

He is confounded about the nature of wealth. His earlier insight (p.30) that "rights not just to the soil but to the metals below, the vegetation above, the sunlight, and the air; to the use, development, access, and enjoyment of the land; and to much more" can be held only as leaseholds is contradicted by his observation (p.28) that "land was the prime source of wealth" "throughout the seventeenth and eighteenth centuries." He later offers the thought (p.237) that "the fortunes acquired by Andrew Carnegie from steel and John D. Rockefeller from oil -- acquired in just twenty years, between 1879 and 1899, some thirteen billion dollars a year -- proved beyond doubt that the day had passed when land was the prime source of productive wealth." If he understood that oil is also "land" in the classical tradition, he would appreciate that "wealth"--"for good or ill"--continues to be counted by the misapplication of economic calculus, the treatment of land as a commodity.

In another sense, however, he is very Jeffersonian in his outlook. The first mention of the secondary thesis suggested in his title comes on page 83: that "it was possible that speculation and democracy might not be the natural enemies that Jefferson perceived them to be." He goes on to quote one Morris Birkbeck, writing in 1818, that "I own here a far better estate than I rented in England, and am already more attached to the soil. Here, every citizen, whether by birthright or adoption is part of the government, identified with it, not virtually but in fact ... I love this government." This the author takes as testimony to the "emotional connection ... between land ownership and democracy ... [to be] unmistakably genuine. This was the bright side of the coin called property." (p.172) He concludes (p.260) that "the United States is a democracy built upon a concept of property."

What contradicts this claim is his own recognition that property ownership is heavily skewed toward the wealthy. He quotes (p.153) a modern study that showed that "almost three-quarters of owners continue to be absentee, and over half of the 20 million acres are owned by one percent of the tax-paying population." "Power and money," he acknowledges, "still rest with giant holdings, now often in the hands of mineral, timber, and agricultural concerns, that occupy the most productive ground." His understanding of urban land values seems absent entirely. Had he pursued the question further he might have been less bold in concluding that freehold property ownership is the bulwark of democracy. <<

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