COLONIAL AND FOREIGN NEWS.

CANADA.

Sir James Whitney, Premier of Ontario, led the movement in the Ontario Parliament which defeated the Bill for giving municipalities power to tax Land Values and exempt improvements. Two hundred and seventy municipalities had petitioned in favour of this legislation. Sir James Whitney spoke of this as a Henry George measure, and used those arguments with which we are so familiar on this side about unearned increment attaching to other things than land. The Press of Ontario supported the Bill almost without exception, and papers which on other questions are supporters of the Government have almost unanimously condemned the Premier's action in this case. The OTTAWA EVENING CITIZEN of March 19th says that it has always been an admirer of Sir James Whitney, "but when the first Minister of His Majesty's Government in the leading province of Canada treats in such a superficial and prejudiced manner, the all-important question of Taxation of Land Values, the question that is vital to every man of the community, we must, in the public interest, raise our voice in protest."

AUSTRALIA.

ELECTION NOTE.

The Labour Party has won a decisive victory in the Australian Federal Elections. It has a peculiar programme. It stands for Protection, but in addition it proposes to take some of the profits made in protected industries and use them to increase the wages of the labourers. The Labour Party also stands for a tax on the capital value of land. This last step has been often proposed for the purpose of breaking up the huge estates, and it seems likely that the Labour Party will carry it through.

The manifesto of the Labour Party on the Land Question was published in the MORNING LEADER on the 18th April. The LEADER calls it Land Nationalisation, but after carefully reading the manifesto we fail to find a word of land nationalisation by purchase or any other method.

"Land monopoly," says the manifesto, "is the curse of Australia. With immense areas of fertile land within reasonable distances of great centres of population, blessed with a regular rainfall, sufficient to support 50 millions of people in comfort, a population of less than five millions cannot obtain land for its own limited requirements. The foundation of all national greatness and prosperity must rest on some form of agricultural or pastoral pursuits. In the Commonwealth nearly 80 per cent. of the people live in the towns; over 50 per cent. are crowded in the six capital cities of the several States. Such conditions are unnatural; they make healthy progress impossible. We must get the bulk of the people on the land. To do that we must kill land monopoly. If we do not d stroy land monopoly it will surely destroy us.

"Very much has been lately said about immigration and the need for a rapid increase in population. And no doubt this is very necessary. We want more people to develop Australia; we want more people to help us to defend it. But it is useless, and even dangerous, to invite people to a country unless we make preparations to receive them.

"In the overcrowded cities immigrants are a drug on the labour market, a menace to the worker, and a burden to the community. They create no new wealth, benefit no one, not even themselves, and by the reports of their misfortune give the country a bad name. But settled on the land, every white immigrant may be welcomed with open arms; he is an asset to the nation's wealth, an additional guarantee of the nation's safety.

"Land monopoly, then, bars the road to a policy of successful immigration, imperils our national safety, retards our development, threatens our very existence. But land monopoly is a upas tree; its deadly roots are firmly embedded in the earth. It is not to be uprooted by fine speeches or a rosewater policy. During the last few years it has flourished unchecked. We have only dallied and paltered with the matter. Orations by Mr. Deakin and closer settlement schemes by State Governments have been equally ineffective.

"Large estates are growing to-day faster than the closer settlement schemes are cutting them up. Their effect is like the attempting to bale the ocean with a sieve, and something much more drastic must be resorted to. There is, in our opinion, but one practical remedy, and that is a graduated tax upon unimproved land values. If returned with a majority, we shall impose a tax upon estates of the unimproved value of £5,000 and over (in the case of absentees there will be no exemption), beginning at a penny in the £, and rising by graduations necessary to make it effective.

"The future of Australia hangs upon the result of the forthcoming election. Whether land monopoly should exist and flourish safely, sheltered within the citadels of vested interests—the Legislative Councils of Australia—or be shattered at one blow, depends upon the votes of the people. To ensure the development of our great resources, the speedy peopling of our vacant lands, the effective defence of the country, land monopoly must be destroyed. Under the regime of the old parties, land monopoly has grown up, flourishes, and sleeps secure."

LAND OWNERSHIP IN NIGERIA.

DECAY OF NATIVE CUSTOM.

By a Correspondent in MORNING POST, March 14th.

At the base of all problems of development in tropical Africa lies the land question. It is the appropriation by the State of native lands which constitutes the *gravamen* of the charge against the system of administration built up in the Congo under the Leopoldian régime. In French Equatorial Africa troubles have been accumulating for some years past owing to the policy adopted, there alone among French African possessions, with regard to land ownership and the right to the products of the soil. In French West Africa and in the British Colonies and Protectorates these particular troubles have been avoided, because the native chiefs and peoples have, in the main, been confirmed in their occupation of the land and their enjoyment of its fruits. But even the most scrupulous observance of native rights by the protecting Power cannot prevent native ideas and customs from being influenced by the advent of the white man with a totally different set of ideas as to the constitution of society. In Southern Nigeria at the present time there is threatened a break-up of the native system of land tenure which is viewed with the gravest alarm by those who are most conversant with the situation, and who desire the development of the country to proceed along sound lines. In view of recent events a brief survey of the situation may serve a not unuseful purpose.

Southern Nigeria is an amalgam of the old Southern Nigeria Protectorate with the Lagos Colony and Protectorate. It is in this latter country, now constituting the Western Province of Southern Nigeria, that native civilisation is most advanced and that the land question is of most pressing importance. The distinction between the Colony and the Protectorate, though generally disregarded in estimates of the extent of British rule, is really of considerable practical importance. The Colony is under English law. In the Protectorate, on the other hand, though the Supreme Court of Lagos has jurisdiction in each native State over aliens, the chiefs exercise a large measure of authority over their own subjects, and native laws and customs still prevail. It is inevitable, however, that methods of law and procedure in the Colony should influence the development of the protected territory. Thus, in the coast towns, including Lagos, the practice of buying and selling land, the ownership of which is vested in individuals, has contributed materially to the growth of a similar practice in the interior, where private property in land cannot exist under native law and custom, and where the occupier of a farm holds it as a grant from the chief, in whom the ownership is vested as the representative of the community. So long as the grantee conducts himself loyally towards the chief he is entitled to remain in occupation, and the farm passes from father to son in the usual order of succession; but he does not own the land, and he cannot dispose of it to a third party.

A TRANSITION PERIOD.

Such, very briefly, and without reference to complicated details, is the theory. Its observance in practice varies according to the degree in which the native States have preserved their old-time customs and are still under the control of their chiefs. Even where land is still regarded as inalienable it is often pawned by occupiers who find themselves in financial difficulties, and the person to whom it is pawned is recognised as possessing certain rights. But in addition to this cases are

multiplying in which land is bought and sold outright. In an article contributed to the African Society's JOURNAL, Mr. R. E. Dennett, the Deputy Conservator of Forests in Southern Nigeria, says:—"All who have travelled about Egba-land know that this law (of holding land as an inalienable grant), an excellent one in its day, when land was abundant, is being gradually worn down by economic pressure and the demand for land. Land which at one time was worth nothing now fetches from £3 to £5 per acre, and the crime of selling is winked at by the chiefs. Nay, the chiefs in many cases are as anxious to sell now as they were at one time willing to give (and why should they give what the recipients sell?). What the ancients looked upon as a crime is in the present generation gradually becoming a custom."

In face of this situation what should be the attitude of the British Government? Native opinion itself is divided on the subject. Nothing could better illustrate the present uncertain state of affairs than the spirit of vacillation displayed by the Alake of Abeokuta, one of the most enlightened native chiefs, in the Protectorate, who rules under a special treaty with the British Government. Recently the Nigerian mail brought word that the Alake, sitting in council, had recognised the practice of the private sale of land for debt. A later mail brings word that he has since affirmed the inalienability of land. As a result he has been waited on by a deputation of natives to urge the view that land is not inalienable, but the private property of those who occupy it.

BRITISH RESPONSIBILITY.

Two courses are open to the British Government—either to encourage the transition from the native system of communal ownership of land to a system of individual ownership, or to strengthen the hands of the chiefs in maintaining the old laws and customs. Both courses have their advocates, and their is much to be said in favour of either one or the other. But it is imperative that some definite policy should be adopted. A course of drift can only lead to confusion and infinite trouble. In this connection the forthcoming report of the Commission which has been inquiring into the system of land tenure in the Northern Nigeria Protectorate will be of the greatest interest and value. It is understood that the Commission recognises the communal ownership of land and recommends the maintenance of the native land laws as being the best adapted to the progressive development of the country. Most of those who have studied the question in Southern Nigeria incline to the same view as regards the course to be pursued in that country. "The creation of a class of irresponsible landowners," says Mr. Dennett in the paper already referred to, "paying no tribute to the original owners, which is being formed in defiance of native law, will, in time to come, bring the chiefs in the protected States to the same abject level as that on which we find the White-Cap chiefs in Lagos to-day. This class of people, it seems to me, is not only becoming a danger to the very existence of the native States, but a future cause of great trouble to the protecting European Powers." At the same time it is recognised as only reasonable that the individual native should wish to be secure in the possession of his farm. Naturally he is unwilling to spend time and labour and money in developing his plantations unless he can be sure that the land will not be taken from him at the pleasure of a native despotic ruler. Some reform in the native system of land tenure is therefore necessary, by which, on the one hand, the payment of rent or tribute may be secured to the chief, and, on the other hand, stability of tenure assured to the farmer. But if matters are allowed to drift it will speedily be too late to provide for the maintenance of even a reformed system of land laws based on the principle of communal ownership. Unless the chiefs of the independent States are strongly backed by the protecting Power the people, under the influence of changing conditions, will reduce to chaos their national land laws; the basis on which the native system of society has been built up will be overthrown, and the disintegration of the States themselves will inevitably ensue.

NORTHERN NIGERIA.

LAND TENURE AND TAXATION.

There has just been published the Report of the Northern Nigeria Lands Committee (Cd. 5102) setting forth the conclusions of the Committee (1) on the land system which it is advisable to adopt, and (2) as to the legislative and administrative measures necessitated by its adoption. The report is admirable from every point of view. It marks the most wonderful advance in the efforts that have been made to establish systems of land tenure which would secure justice and freedom to all parties in our Colonies or Protectorates. The following are a few extracts:—

". . . . The first object of the Government is so to exercise its power of control of all lands as to secure to the native the undisturbed enjoyment of his occupation and use of land. No intermediate right to the land (nothing in the nature of a relation of mesne lord and tenant) is recognised. The native conception appears to be that each head of a family is entitled to the enjoyment of sufficient land within the limits of the village or other community to which he belongs for the support of his household. If the land he has occupied is exhausted he is entitled to permission to occupy fresh land. If he has no land, for instance, when he grows up and has a family of his own, he is entitled to permission to cultivate a new piece of land. It is the duty of the Government to protect the occupier from disturbance. His title to the enjoyment of land is that of a licensee of a Government, and he can only be deprived of his enjoyment by the Government. . . . The evidence shows that in practice the transfer of the right of enjoyment to a native occupier also required the assent of the Chief. For the proper protection of the native it seems necessary that the consent of the Government should be required to any transfer of occupation and enjoyment from one native to another, and it seems that for this purpose legislation is necessary.

"If anything in the nature of free alienation of the rights of enjoyment and user of land were recognised by law the whole of the land in all probability would within a very short time be heavily mortgaged.

"29. It seems probable that questions of the right to occupy definite portions of land or houses are more likely to arise in thickly populated areas. For instance, should the law make any difference in respect of the occupation of land in urban and in rural districts? We should answer this question in the negative. It is quite possible that some system of land registration may be adopted in urban districts before it can be carried out in rural districts. But it seems important that the principles that all land is under the control of the Government and that legal security for the validity of any transfer of rights of occupation and enjoymint can only be given under a contract to which the Government is a party should continue to be recognised in urban as well as in rural districts.

"In urban and in rural districts there is a risk, especially as vacant land becomes filled up, that some sort of valuable title to bequeath and transfer land may grow up and be recognised by native law and custom; and this development of something akin to a proprietary right in land is a danger against which it is important to guard. It is difficult, if not impossible, to prevent it by legislation, but the variation of the assessment of both rural and urban holdings from year to year, which is in the administrative power of the Resident, should be so employed as to prevent as far as possible land from acquiring a marketable value other than that derived from the improvements made upon it."

Criticising an earlier proclamation or law, the Committee continue:—

"We think it will be necessary to limit the terms of this Proclamation so as to exclude the application of its provisions to the law relating to the tenure of land. As has already been observed the evidence appears to us to establish that the English conception of an estate in land is wholly foreign to Nigerian customs and ideas. That a ruler should control the land, should appropriate such share of the produce as custom allows, and should deprive for sufficient reason the occupier of his enjoyment of land and grant it to some one else is well understood, and the law and methods of administration should, in our opinion, be directed rather to measures for giving security to the occupier against outside interference than attempt to create the new and strange idea of an estate or property in the land itself.

"We think, therefore, that the law of the Protectorate relating to the tenure, occupation and enjoyment of land within the

Protectorate should rest on Proclamations specially dealing with that branch of the law, and not on the general introduction of the doctrines of English law and equity contained in No. 4 of 1900. We think, further, that it will be necessary also to repeal so much of the Supreme Court and Provincial Courts Proclamations as enables the parties by an express or implied contract to submit themselves to English law in matters relating to the tenure and enjoyment of any land.

"The Lands Proclamation No. 8 of 1900 has already been quoted. This enactment prevents the acquisition of any interest in or right over land from a native by a non-native without the consent in writing of the High Commissioner first had and obtained. This, as has been already observed, is a strong assertion of the principle that the Government has the right and the duty of controlling acquisition of land within the Protectorate by non-natives. It is, in our opinion, a most useful and necessary provision. The phraseology may, perhaps, be open to criticism as recognising a form of alienation foreign to Nigerian custom, and probably the Proclamation may be superseded by a wider declaration of the law to the effect that no right of cultivation or enjoyment of land can be acquired either by a native or non-native without the assent of the Government. We think it is desirable that a declaration of this principle should be made by Proclamation as the basis of the system of land tenure.

TAXATION.

"One of the forms of wealth which is most likely to increase in value is land. All experience shows that in a progressive community the profits arising from the use of land tend constantly to increase. The construction of roads and railways, the introduction of new industries, and the general progress of Northern Nigeria, will, independently of the exertions of the cultivators, augment the profits derived from the use of land. It is desirable that taxation should be such as to aim at securing for the state this increment in value, but at the same time, while recognising this general principle, it is not clear to us that it has yet been accepted or forms any part of the indigenous scheme of taxation. The reason for this is no doubt that such an increase in the profits derived from land has not yet been experienced; there is still an abundance of good land not brought under cultivation, and rent in the economic sense, whether payable to the State or to an individual, has not yet emerged. But that, with the growth of population and the pressure upon the means of subsistence, it will shortly emerge appears probable, and it seems desirable before it has come into view and been made by native custom or legal decision the subject of private property to declare the right of the State in these expanding values. These considerations point to the imposition of a special contribution from occupiers of land which would rather be in the nature of rent than a tax upon agricultural profits. We are united in thinking that a land revenue, which would in fact be economic rent and would increase with the development of the Protectorate, should eventually form an integral part of the revenues of Northern Nigeria, but before such a land revenue can be accurately assessed the country must be surveyed; for this the Government of Northern Nigeria does not possess the necessary staff. . . . In order to carry out our recommendation it is only necessary that the payment made to the State for the use of land should be kept distinct from other taxation and be recognised by the people to be assessed upon distinct principles.

"If our recommendation is accepted, taxation in the Protectorate will fall under three heads, viz.:—

"I. Payment for the use of land, urban as well as agricultural.

"II. A tax on the trading and industrial classes.

"III. A tax on live stock:

"(*a*) Jangali.

"(*b*) On other live stock.

"This tax may perhaps ultimately be merged in one or other of the preceding heads.

". . . . The retention in Northern Nigeria of annual revisions of the assessment is desirable. It appears that the revision of the assessment provides the occasion for an annual gathering of the district headmen in the presence of the Emir and the Resident at which the rates of assessment are discussed, and if no changes are brought to notice the previously existing rates are renewed. We can well believe that these annual gatherings provide useful opportunities for discussing the condition of the province and a variety of administrative questions, and we are therefore not prepared to recommend any change in what we understand to be the recognised rule, that rates of taxation and land revenue are liable to revision every year."

GERMANY.

DEFECT OF UNEARNED INCREMENT TAX.

A Reuter message from Berlin on March 9th gives the following information about the tax on unearned increment:—

The introduction of an unearned increment tax in Berlin has produced a rush on the part of sellers of land to complete bargains before the impost comes into force. Every day large land sales are announced. Two of them to-day amounted together to 11,000,000 marks (£550,000). In many cases owners have escaped the necessity of paying hundreds of thousands of marks to the city treasury. The tax can only be collected when the property changes hands. The city fathers foresaw the present development, hence their moderate estimate of half a million marks (£25,000) as the first year's yield of the tax.

A further dispatch on April 11th states that:—

As a part of the Imperial financial settlement last year it was enacted that the Government should within a given period introduce a Bill establishing a tax on unearned increment to produce at least £1,000,000 a year. It is announced that the drafting of this Bill has been completed, and that it will be introduced in the Reichstag on its reassembly to-morrow. It provides that the tax shall apply only to real estate. It will be payable on the sale of property and is to be collected by the municipalities and rural authorities, many of whom already have local taxes on unearned increment.

Local authorities will be required to hand over 6 per cent. of the yield of the tax to the Imperial Treasury, which expects to net £1,500,000 yearly from the impost. All forms of property other than real estate are exempted from the operation of the tax on the ground that the inclusion of securities, &c., would impose an intolerable burden on trade, drive capital abroad, and keep foreign capital out of Germany, with a resultant depreciation of German State and other securities and loss of revenue from stamp duties. It is hoped that the measure will pass the Reichstag this session, and, as last year all Parties accepted in principle an unearned increment tax on real property, the hope will probably be realised. The Federal Council gave its assent to the Bill at to-day's sitting.

THE LAND QUESTION IN HUNGARY.

By ROBERT BRAUN, Ph.D.

The history of landholding in Hungary begins—as it does in every other country—with common property in land. When the Hungarians conquered their country, the whole nation was divided into seven tribes, each tribe getting its share of the land. With the introduction of the Christian religion (in 1000 A.D.) and the creation of a new central power, that of a king, the ownership of these tribal lands was transferred to the Crown. With the establishment of western law feudalism appeared, and in the course of centuries—as in other European countries—nearly all the land fell into the hands of large landlords, with tenants and landless peasants under them. But still there were some exceptions, and there were places where the cultivators of the soil had no individual landlord, but were tenants of the crown. In the earliest period of its history the kings, anxious to strengthen their newly created power, looked for support in foreign countries, and to that end encouraged Germans to migrate to Hungary. As an inducement the Germans were promised the maintenance of their own law, the free election of their judges and priests, and exemption from all intermediate ecclesiastical and temporal power. The colonisation of Hungary went on, and many thousands of western Europeans settled, finding relief from the oppression of the land system in their own countries. The descendants of such settlers are the Germans in Transylvania, generally called Saxons. Other citizens of Hungary had similar privileges conferred on them for special services.

The year 1878 put an end to feudalism in Hungary. The peasants became freeholders of the land they had cultivated, the landlords being paid rich compensation for their rights. But only a small fraction of the whole land was under cultivation. The greater part consisted of woods and pastures, up to that time held in common by peasants and landlords, and this had also to be divided. In this division the landlords used their greater political influence in order to secure for themselves the best and richest areas; nevertheless the peasants obtained, in the vicinity of the villages where they lived, their smaller or larger