

Land Policy: Pre-condition for the Success of the American Revolution

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THIS SUMMARY ARTICLE examines the effects which England's colonial land policies had upon the major economic interest groups in North America from 1763 to 1775. Completely excluded from this study is an examination of the effects which England's land policies had upon economic interest groups within the mother country. For the most part, the reaction of the colonial merchants toward changing imperial policies has been dealt with only in cursory fashion. The thesis is that Great Britain altered her land policies after the Seven Year's War and so brought the many diffused interest groups in the colonies into a configuration of opposition. The coming together of the Southern planters, Northern merchant land speculators, backwoods farmers, the fur interest, and frontiersmen was a necessary precondition for a successful revolution.

I

FROM THE BEGINNING of England's colonization of North America the Crown followed a very liberal land and immigration policy. The land charters were notable in that they contained no provisions as to the means, methods, and procedures for the distribution of the land (1). Nor was there any mention of the land rights of the aborigines. Indeed, it became common for individuals and companies to appropriate territory inequitably, with little interference from England. Inequitable appropriation was to be expected because the Crown was really doing nothing more than leasing these colonies to private companies or individuals for a payment. It was up to the proprietors and stock companies to organize their colonies into profit-making plantations (2).

Due to climate, geography, and political factors each section along the Atlantic Coast developed its own form of land tenure. The common element was that all sectors eventually turned toward private ownership of the land and away from European feudal practices. The system of land tenure which developed in the Southern section was the child of the staple crop. Stockholders of the London Company had been very disappointed in the economic remuneration which they had received from their investment in Jamestown. Therefore, it is not surprising that they did everything in their power to encourage the growth of tobacco as an export crop once a curing process had been developed. In order to increase the supply

of tobacco, land was distributed to individuals in large tracts along the navigable rivers. By 1616 the company had initiated the "head-right" system, which provided a free tract of 50 acres of land for the immigrant and each member of his family, including servants who would pay their own passage over to Virginia.

New England's land tenure differed greatly from that of Virginia, but the essential link of private ownership of the land was followed. The right of the colonies to grant land had been vested to them by the Crown through royal charters. The colonial grants were made both to individuals and to groups of individuals who desired to form a community (3). Grants made to individuals were generally small in size and carefully located so that no former grant was prejudiced. During the first 25 years of the Massachusetts Bay Colony's existence, approximately 100 of these grants were made, with the average size being 360 acres.

The major proprietary colonies, Maryland and Pennsylvania, were much slower than any of the other colonies to grant land directly to settlers. Although the concept of the quit-rent and its use was prevalent throughout all of the colonies, it was not successful in these two proprietary colonies. But even the powerful Calverts were able to maintain their proprietary system and collect their rents and fees only through compromise. They surrendered a large part of their claims by making tenancy approximate ownership in order to secure a measure of respect for their rights to the soil (4).

In later years Great Britain expanded her control over land tenure policies of the American colonies by making royal colonies of as many of them as she could. The general policy of the Crown was not to introduce any radical departures in the already-existing land policies. Instead, the royal governors were instructed to confirm the existing land patents and to follow a policy of rapid settlement and cultivation. From approximately 1660 until the Proclamation of 1763 the British Government pursued a land policy which was a part of its general overall economic policy of mercantilism (5).

II

EACH ECONOMIC INTEREST GROUP had its own particular property structure which it desired to establish and maintain. The property structure was the means to the ends for the individual group. Since most of the interest groups had different economic goals, their property structures came into conflict with one another. The goals and property structures are examined below.

The Indians and Fur Traders

The socio-economic structure of the Indian tribes in the Northwest was dominated by the Iroquois confederation. Their system of government and land tenure organization were similar in many respects to the early feudal system in England (6). The Northern tribes were the vassals of the Iroquois. The Southern tribes—Cherokees, Creeks, Choctaws, and Chickasaws—each were independent but powerful. The Iroquois operated upon the principle that all tribes which were not positively allied to them were at war with them. Thus, the history of the Iroquois was filled with wars which were waged to add new nations to the confederacy. Most of the smaller tribes eventually joined the Iroquois, but they did so with very little enthusiasm because equal membership within the league was never offered. In the long run, these weaker tribes lost their independence and their separate identity and culture (7).

The goals of the fur trading interest were similar to those of the Indians. What was a way of life to the Indians was an investment function to the shareholders of the different trading companies, as well as a way of life to the individual trappers. Preservation of the wilderness was a necessity if profit margins were to be kept at an acceptable level. It was to the interest of the fur industry to try to retard the expansion of western settlement and insure the supply of raw materials. On the demand side of the market the fur interests were quite strong and were able to get Parliament to pass measures which protected their markets (8).

Wealthy Colonial Land Speculators

The wealthy colonial land speculators can be divided into two distinct prototypes. The first prototype is based on the plantation system of the South and the manors of the middle colonies, especially Maryland. The second is the result of the New England merchants. The "style of life" exercised a great deal of influence over the actions of Southern speculators and investors, while the "Protestant Ethic" influenced the lives of the New England and Northern speculators (9). Geographic and climatic conditions also played a part in the development of each prototype but probably was more important in the South than in the North.

The plantation system of the South was an attempt to transfer the style of life of a manorial system to the New World, having been modified by time, conditions, and environment (10). The planters were actually engaging in two financial functions, investment and speculation. The planter would engross the adjoining forest land as an investment because

he knew that the existing tobacco fields would soon be exhausted by successive cropping in tobacco and new grounds would have to be used. Each estate, "if its owner expected it to last a lifetime, must comprise an area in forestry much larger than that at any one time in tillage." (11). The speculation aspect was to be found in the planters' western lands which were often uncleared, untenanted except for a few squatters, and located a hundred miles or more to the west and not connected to the actual estate. It was in these lands that the planters envisioned future fortunes.

The other type of wealthy land speculator was the Northern merchant interest group. The merchants were of a completely different breed than their counterparts of the South. They gained their funds for Western land investment and speculation through rational capitalistic ventures oriented to market opportunities. The influence of the "Protestant Ethic" over the general economic behavior of these people was very strong. The economic conduct of the Northern merchants possessed an ethical content of its own which was absent in the Southern planters. This difference partially explains the divergence between the goals of the two different interest groups (12).

Although the Northern merchants were just as interested in gaining control over Western lands as the Southern planters, the goals of the two groups differed. The planters basically hoped to make a profit from the Western lands through either selling part of them at inflated prices for speculative gains, or renting to others along the lines of a feudal manor system, and/or using these lands themselves for a plantation. The Northern configuration, on the other hand, had very little interest in building up permanent landed estates in the West. Their profit motive was dominated by two aspects, neither of which included long-run possession of the land. The first was the desire to make large spectacular gains by selling the land to settlers and smaller individual speculators. Secondly, the merchants not only expected to make a profit from selling the land, but they also planned to make a continuous profit by servicing the needs of the settlers.

Land Companies

The typical colonial land company had two sources of income with which to finance its land speculations. The internal source of funds came from the planters in the South and the merchants in the North. The external flow of funds came from influential Englishmen whose political support of such land speculation ventures was needed just as badly as their

money. The colonial leaders would try to interest politically-important Englishmen in specific land schemes, hoping that these men might be able to help them get the blessing of the Crown in the form of a land grant. At the same time that the company was trying to get royal approval of its venture, it also was taking positive action on its claims. The land would be "bought" from the Indians and surveyed as swiftly as possible. The company would then move small groups of settlers to strategic locations in the area (usually forks of rivers or other natural transportation links) and establish villages and trading posts. This last step was actually one of the most important because "squatters' rights" were a very important factor in determining the legal ownership of contested lands. Also, even if ownership right could not be maintained, the company would often benefit through the "improvement" factor.

The Squatters

The squatters were small-time opportunists who felt that all land was free for the taking to whoever squatted on it. The typical procedure was to squat on uncleared land to the west of the "equipped farmers" and to partially clear the lands. Soon the more established settlers to the east and the large private and corporate land speculators would move into the area and try to substantiate their claims to the lands on which the frontier people had squatted. At this point, these people would sell their "improvements" to the legal owners and move west to start the process over again. The concept of "squatters' rights" developed during this period as a form of compromise between the squatter and the legal owner as a means of decreasing turmoil. Two specific concepts unfolded which protected the squatter to a certain degree from the legal rights of the owner. These are known as "preemption" rights and the "improvement" factor. If a squatter had settled on, and improved a plot of land, he was given preference to purchase it from the owner at the going price. If he did not have the necessary funds to exercise his preemption rights, the improvement factor came into play. If the legal owner of the land would compensate him for the changes which he had made over the wilderness, the squatter was legally obligated to move off the land (13).

Public Interests of the Colonies

The goals of the individual colonies cannot be completely separated from those of the private groups because the latter was an influential

part of the former. The colonies were faced with two distinct types of conflict over the land question.

Six colonies (Massachusetts, Connecticut, Virginia, North Carolina, South Carolina, and Georgia) held claims to tracts of land which belted the continent. The not-so-lucky colonies could see that in the future they would become less important, economically and politically, with each passing year if these sea-to-sea claims should be sustained. This realization seems to have been one of the major influences on Benjamin Franklin's thinking at the Albany Congress and his plan for more effective administration of the English colonies in America (14).

The other area of conflict was over boundaries. In many cases, the boundary problems were brought about by the uncertainties of the language used in the original charters. The boundary controversy between William Penn and Lord Baltimore is an example. But most of the boundary disputes between the colonies were centered in the back country. In these disputes the goals of private interest configurations gave direction to the boundary policies followed by the colonial assemblies. It can be inferred that the public interest consisted primarily of disguised private interests. Quite early the colonies learned that possession of a geographical area through the establishment of settlements was more important than vague, unexercized claims.

III

WITH THE SIGNING of the Treaty of Paris on February 10, 1763, France acknowledged England's right to all of the territory east of the Mississippi River and to the province of Canada. Now that the menace of the French had been removed England needed to formulate a new policy of land tenure which would allow the economic interest groups under her political control to develop together in peace. Policies of this importance are usually very carefully thought out before they are enacted, but in this case England did not have the time. Three months after the signing of the Treaty of Paris, the frontier was aflame with Pontiac's rebellion. The Proclamation of 1763, though written in haste, is one of the more important state papers of the 18th century.

The Proclamation of 1763

The fundamental purpose of the Proclamation of 1763 was to alleviate the difficulties which England's colonies were having with the Indians along the North American frontier. The document contained three major

provisions: 1) It defined and established four new provinces and gave the residents of them the protection of English law. 2) It encouraged immigration into these new colonies by giving to the colonial governors the power to make land grants. 3) It announced a new Indian policy which contained provisions that affected the economic interest of almost every group in the American colonies. The third provision was the major one and had received the most attention from the Board of Trade. The first two were added since the document "... offered a convenient vehicle for the announcement of decisions which had been reached on several other matters" (15).

The provisions which had been added contained the seeds of future conflict which would have far-reaching consequences. The Treaty of Paris of 1763 had promised the French-Canadians the right to their own laws and religion. But the Board of Trade under the leadership of Lord Hillsborough mistakenly revised the proclamation so that the province of Quebec was included in the first provision of the document in such a way that British law supplanted French law.

The Proclamation of 1763 did not settle the real question of what was to be done with the Indian lands in the long run. Lord Shelburne, the writer of the Indian policy section of the proclamation, looked upon the Proclamation Line of 1763 as a temporary boundary between the white man and the Indian. He was more in favor of creating new colonies west of the mountains along the lines set down by his good friend and advisor on colonial affairs, Benjamin Franklin (16). Others like Lord Hillsborough felt that England, with the issuing of the proclamation, had established a permanent boundary line between her American colonies and the Indian lands, making the central section of the country a great Indian and fur reservation.

The attitudes of the different economic interest groups toward the Proclamation Line varied according to how it affected their profit opportunities. The large land speculators were against the Proclamation Line because it restricted their western advance but was ineffective against the migration of the frontiersmen. Also, many of the wealthier land speculators feared that the act was an indication that the mother country desired to favor English land speculators in western lands rather than colonial speculators. The squatters were opposed to it because it denied them military protection from the Indians and occasionally they would be thrown off the land on which they had squatted by colonial officials acting under the authority of the act. The individual colonies had ac-

cepted the proclamation with mixed feelings. Colonies with extensive claims and unfixed western boundaries were opposed to the proclamation from the very start. The colonies with fixed boundaries were in favor of the line at first because they thought this meant that England was going to establish new colonies in the West. But when this was not done these colonies began to look upon the restriction of western movement as a clash between imperial and colonial rights.

Though the provision of the proclamation dealing with the management of Indian affairs was universally disliked by the landed interests, it was not even wholeheartedly approved by the Indians and the fur traders. The reorganization was pleasing to the New York faction but completely unacceptable to the Canadian group. The different Indian tribes were unimpressed by the whole situation for two reasons. First, the removal of the French meant that the Indians could no longer play one side against the other in an effort to get higher prices for their pelts. Second, the line had been ineffective in keeping the frontiersmen out of the Indian territory. England soon realized that the proclamation needed to be revised and authorized Sir William Johnson to negotiate a new boundary line with the Indians.

The Treaties of Fort Stanwix, Hard Labor and Lochabar

The eventual results of this conference between Johnson and the Indians was the Treaty of Fort Stanwix in 1768 which instigated the eventual signing of two other treaties, Hard Labor and Lochabar. Under the agreement made at Fort Stanwix the Iroquois consented to surrender their claim to the land south of the Ohio River as far down as the Tennessee River for the sum of slightly over ten thousand pounds. It was also agreed, in a separate document (17), that the traders who had lost goods in the Indian uprising of 1763 would be compensated for their losses by receiving from the Indians a land grant of approximately 3.5 million acres, located within the boundaries of the present state of West Virginia.

When Lord Hillsborough learned of the treaty he felt that Johnson had gone too far, but the rest of the British ministry felt that Hillsborough's position on the treaty was unfounded. Therefore, he was obliged to inform Johnson that the boundary line as constructed in the treaty was acceptable. But Hillsborough's initial position was partially supported by the Crown because settlement west of the Great Kanawha River was forbidden until sometime in the future and the grant made to the Indian

traders of 1763 was not confirmed. Instead, this land was appropriated by the Crown and persons interested in acquiring title to it could "make application to His Majesty" for it (18). The principal parties affected by the Treaty of Fort Stanwix were the Iroquois, the land interests from the North (including the traders of 1763), and the land interests from the South. The three groups joined forces to work directly against the interests of the fur trading industry and certain Indian tribes, especially the Shawnee and Delaware, and indirectly against those groups residing in England who wanted to keep the colonists from expanding westward across the mountains.

At the same time Johnson was conducting the conference at Fort Stanwix, John Stuart of the Southern Department was engaged in a similar type of conference with the Cherokees at Hard Labor. The Southern land interest group used the Treaty of Fort Stanwix to add weight to their shadowy claims along the upper branches of the Tennessee River. The conference at Fort Stanwix had been set to start before the one at Hard Labor, so the interim was used by the different factions to gain their own particular goals.

At a later meeting the Cherokees made it known to Stuart that they were willing, as the Iroquois had been, to sell more of their land located between the Tennessee and Great Kanawha rivers. This land was not used by them for hunting or trapping, so selling it would bring them an economic gain and at the same time would help to channel the frontiersman's westward movement to the north of them. Stuart agreed to work out a new and more favorable boundary line for Virginia on the conditions that the colony pay the Indians for the territory out of its funds and not the Crown's and that the Crown approve the new line. The new boundary line, worked out at the Treaty of Lochabar in 1770, did not contain all of the territory which the Southern planters wanted, but it did extend Virginia's claims over all of the present West Virginia. For this concession Virginia agreed to pay to the Cherokees 2,500 pounds (19).

The English Land Reform Act of 1774 and The Quebec Act

By 1770 Great Britain had come to the realization that her previous policy of granting land no longer served her best interests. Therefore, England initiated a policy of refusing to allow new grants to any group no matter how powerful it might be until a reformed land policy was formulated. The most famous example of this was the Board's rejection of the Walpole Grant in 1772 (20). A year later the Privy Council

issued an order in council to all royal officials in the American colonies prohibiting them from making land grants of any kind at the threat of gaining "... his Majesty's higher Displeasure and of being immediately removed from the Offices" (21).

England chose to "tread water" over the distribution of her western lands because of three problems which confronted her: 1) How should the Crown most profitably dispose of the new territory which she had acquired through the Indian treaties? 2) How could the religious and political problems of Canada be solved? From the beginning the enlightened leaders of England realized that it would be impossible to gain the trust of the predominantly French-populated area without giving back to these people some degree of freedom over religious, legal, and cultural matters. Another part of the same problem was the Canadian boundary in relation to the coastal English colonies. Just how far south should Canada extend? If it was decided that Canada's southern boundary extended down to the Ohio River Valley there would be conflict between her and New York, Pennsylvania, and Virginia. 3) Finally, what should be done with the administration of the Indian fur trade?

England met the first problem in 1774 when she announced her reform of the colonial land system by revoking all of her previous unexercised charters. The royal governors and all other officials were ordered to set aside the lands in their provinces which they thought would be "most advantageous to the public interest and welfare" to have settled and improved. They were then instructed to have the better land surveyed into lots not smaller than 100 acres and not larger than 1,000 acres. The lots were to be numbered and a map made of each district showing each numbered lot. One copy of the map would remain with the Secretary of the colony and a second would be sent back to England for safekeeping by the Privy Council. The lands which had been laid off were to be offered for sale in the name of the Crown to the "best bidder". The Crown placed a minimum acceptable bid of six-pence sterling per acre; plus all the gold, silver and precious stones mined. Also, the land was sold outright; a quit-rent of one-half penny per acre was to be borne by the new owner. In general, the new system of land distribution was never put into effect because of the coming of the Revolutionary War, and its contribution in causing this war cannot be specifically singled out since the Quebec Act was passed shortly thereafter and became the focal point of complaint against England's land policy.

The Quebec Act, when it was passed in June 1774, contained within

its provisions three distinct imperial goals: 1) Redress the injustice of the Proclamation of 1763 on the French-Canadians. 2) Bring about "a regular plan for the Indian trade which was provided for by the authority of the supreme legislature" (22). 3) Bring the upper Mississippi Valley under the protection of the imperial power. The boundary of the Quebec Colony was expanded southward so that it included the territory which makes up the present-day states of Ohio, Indiana, Illinois, Michigan, Wisconsin and the eastern part of Minnesota. Roman Catholicism was legalized and the clergy of the church once more could enjoy their accustomed "dues and rights". The French system of civil law was reinstated "as a fresh proof of his Majesty's gracious intention to continue to them (French-Canadians), so far as it can be done, their ancient usages and customs" (23). The last section of the Act denied the citizens of Quebec the right of free legislative assembly until a period of tutelage and probation elapsed.

A regular plan of imperial supervision of the fur trade industry was incorporated in the boundary and legislative assembly provision. Finally, the third imperial goal of bringing the Mississippi Valley under the control of the Crown, so that revenue could be raised from the ultimate sale of land and Indian relations kept as peaceful as possible, was included in the boundary provision. The land west and north of the Ohio River to the Mississippi River belonged to Canada and was a part of the Quebec provinces.

The provisions of the Act complemented each other in their function of carrying out the goals of the British Government. Not only was the land of the Old Northwest Territory now a part of Canada, but it would also be under the influence of the French legal system, customs, traditions, and Roman Catholic religion. If the Quebec Act was enforced, the whole Northwest Territory would be land appropriated by the Crown for the fur trading industry.

IV

THE ENGLISH-SPEAKING COLONIES immediately protested against the Quebec Act, and it became known, even though it was not a part of the Intolerable Acts, as "the most intolerable act of the Intolerable Acts." The colonial attacks against the Quebec Act were along religious, political, and economic lines.

The religious attack, although centered in the North, was strong throughout all of the American colonies. The Protestant ministers thundered from their pulpits the ancient cry of "Popery" and painted horrid

visions of the things to come for their parishioners. Neither was this attack limited just to religious leaders. The New York General Assembly sent to Parliament a Remonstrance which criticized the Quebec Act on religious as well as political and economic grounds. Alexander Hamilton took up his pen and unleashed his fury against the Act on religious grounds (24). The political aspects of the Quebec Act go back to Jefferson's "Summary View." Here was an instance where the territory of one government was "parted" and attached to another. In the Declaration of Independence Jefferson charges that the Act abolishes the free system of English laws in Canada and establishes a government there which is "extending its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies." Even some members of the British Parliament were in agreement with these views. Lord Camden took the stand that the Act was "so thoroughly impolite, pernicious, and incompatible with the religion and constitution of our country (England), that no amendment, nor anything short of a total repeal of it would be sufficient" (25).

The attack upon the Quebec Act by economic interest groups was closely related to the above arguments because the concept of economic freedom was directly involved along with religious and political freedom. The English colonial fur traders, their merchant associates and the land speculators of both the North and South vigorously denounced the Act. The New York General Assembly's Remonstrance paid particular attention to the sections of the Act which placed most of the Indian trade under the control and regulation of the Quebec province. In this Remonstrance the legislative body of the colony did not attempt to hide the fact that pure economic interest was one of the main reasons why they were so opposed to the extension of Canadian control over the upper Ohio River Valley. The New York Remonstrance charged England with giving the Quebec fur interests an economic advantage over the New York traders through the passage of a discriminatory tariff which raised their costs and cut into profits. The Remonstrance further charged that the Act "diverted into another channel" the "commerce formerly carried on by this colony with the Indians" (26).

Private land speculators, land companies and the individual colonies looked upon the southern extension of Quebec as an action designed to stop them from moving westward into lands which were rightly theirs. The establishment of a civil government from Quebec over the Old Northwest Territory denied the sea-to-sea claims of Virginia, Connecticut,

Massachusetts and ended the hopes of Pennsylvania and New York of establishing inland colonies. This was a direct blow to the speculative plans of Benjamin Franklin, who had been one of the first to see the financial advantages of this type of development. Land speculators such as George Washington and Patrick Henry saw the stock of their land companies rendered worthless by the extension of the southern boundary of Quebec.

The Crown's arbitrary "parting" of the territory of one government and attaching it to another was one of the principal grievances of the Declaration of Independence:

He had endeavored to prevent the population of these States; for that purpose, obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations for lands.

Further on in the Declaration, Jefferson charged that the Crown enlarged the boundaries of a neighboring province for the purpose of bringing eventual absolute rule over the American colonies. He then indicted the King "for taking away our charters . . ." The Virginia Resolution of 1775 charged England with "extending the boundaries and changing the Government and Religion of Quebec" (27). The first Continental Congress resolved that the colonies were "entitled to life, liberty, and property" and that they had the "right to dispose of either without their (England's) consent." The Virginia Constitution in Section 21 was quite specific about that colony's claims to the lands which England had given to Quebec:

The western and northern extent of Virginia shall in all other respects, stand as fixed by the Charter of King James the First in the year one thousand six hundred and nine, and by the public treaty of peace between the courts of Britain and France, in the year one thousand seven hundred and sixty-three.

Just three months later the Pennsylvania Constitution in Section XV claimed that her citizens had "a natural inherent right . . . to form a new State in vacant countries, or in such countries as they can purchase. . . ." Once more the influence can be seen of Franklin's plan for establishing west of the mountains new colonies to be inhabited by settlers from Pennsylvania.

V

THERE WERE FIVE different and distinct land configurations which found that they had a common interest in opposing England's land policy after the Quebec Act. These groups were the Southern planters, the Northern

merchants who were engaging in western land speculation, small-scale farmers (those living in the half-settled, half-frontier sections of the country), the frontier squatters and the English-speaking fur trappers. England's changing policy of land tenure and distribution caused these groups to join together into a large configuration of opposition directed against England's policies.

By May 1775, the different land configurations had become interlaced with one another and their individual goals were compromised in an effort to strengthen the alliance against Great Britain. Most of the compromising needed to form this alliance had been made by the upper class; they had opened up the land to the soldiers and squatters in an effort to add popularity to the cause. The big land-lords looked with alarm on the gains of the small farmers, but there was nothing they could do about it. They were caught on the horns of a dilemma—without the support of the lower agrarian classes the revolution against British rule would never be able to get a good start; but to gain the support of lesser social configurations the upper class had to incorporate many of their goals into the overall philosophy of revolution. The revolutionary movement in the colonies had to become more democratic than the upper class really desired.

The major error which the English leaders made in determining colonial land policy during those fateful years was the consistent failure to examine the economic and political effects of each measure upon the different classes in the colonies. Parliament took the goals of England and English economic interest groups and acted as if these goals were the same for the colonies. The general goal of a strong and economically powerful empire seems to have been universally accepted by all parties concerned until the passage of the Intolerable Acts. The area of difficulty revolved around the correct method of achieving this goal. England felt that she had to become more imperialistic in her relationship with her colonies, while the American colonies felt that the general well-being would be achieved if they were allowed more freedom in their economic activities.

What actually was developing was a conflict between colonial capitalism and laissez faire capitalism. The leaders of England failed to realize this and were unwilling to compromise. Instead they enacted laws which emphasized the differences of the two types of capitalism, united the different colonial groups, and eventually brought about an incident which practically guaranteed a revolt by the colonies (28).

1. Aaron M. Sakoishi, *Land Tenure and Land Taxation in America* (New York: Robert Schalkenbach Foundation, 1957), p. 21.
2. Max Weber refers to this type of economic organization as "booty" capitalism by private individuals. See, *From Max Weber: Essays in Sociology*, trans. by H. H. Gerth and C. W. Mills (New York: Oxford Univ. Press, 1958), p. 67.
3. Roy H. Akagi, *The Town Proprietors of the New England Colonies* (Philadelphia: Univ. of Pennsylvania, 1924), pp. 9-10.
4. Beverly W. Bond, Jr., "The Quit-Rent System in the American Colonies," *American Historical Review*, April 1912, p. 515. Also see E. C. Kirland, *History of American Economic Life* (New York: Appleton-Century Crofts, 1951, 3rd ed.), p. 25.
5. See Max Weber, *General Economic History*, trans. by Frank H. Knight (New York: Collier Books, 1961), pp. 255-56 and Curtis P. Nettels, "British Mercantilism and the Economic Development of the Thirteen Colonies," *Journal of Economic History*, Spring, 1952, p. 107.
6. Marshall Harris, *Origin of the Land Tenure System in the United States* (Ames, Iowa: Iowa State College Press, 1953), p. 68.
7. Allen Trelease, *Indian Affairs in Colonial New York* (Ithaca, New York: Cornell Univ. Press, 1960), p. 22.
8. The English "Hat Act" of 1732 is an excellent example of an already-existing industry securing the systematic support of Parliament. The act stipulated that the American colonies could not export hats or felt, that in the future hats could be made in the colonies only by those who had served as apprentices in England for at least seven years, and that no hat maker could employ more than two apprentices at any one time.
9. The term "style of life" means more than just a social norm of a status group, because it is regarded as an indication of the social honor of the individual and the group. See, *From Max Weber: Essays in Sociology*, pp. 180-95.
10. Many of the colonists who migrated to Virginia and the other colonies were not only impressed with the position held by the aristocracy in Great Britain, but they were also an extended part of it. The early important families of the South, the Byrds, the Fairfaxes, the Lees, etc., were all English noblemen. The same was true of the Cavaliers; though exiled from England, they were still aristocrats who were eager to re-establish their old order in the New World. Possession of large landed estates was just as much an emblem of nobility in the colonies as it was in England. The style of life of the English nobility had been transplanted in a modified, but nonetheless feudal, form to the New World.
11. U. B. Phillips, *American Negro Slavery* (New York: D. Appleton & Co., 1918), p. 80.
12. The classic study of the interrelation of religious ideas and economic behavior, an elective affinity between certain interest goals and religious beliefs, was made by Max Weber. See Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. by Talcott Parsons (New York: Charles Scribner's Sons, 1958), pp. 55-56.
13. This was the concept in colonial law which recognized improvements on land as private property which could be sold even if the land belonged to someone else. See Harris, *Origin of the Land Tenure System in the United States*, p. 11.
14. Thomas Abernathy, *Western Lands and the American Revolution* (New York: D. Appleton-Century Co., 1937), pp. 14-15.
15. Clarence W. Alvord, "The Genesis of the Proclamation of 1763," *Michigan Historical Collections*, 36 (1908), p. 22.
16. *Ibid.*, pp. 30-32.
17. See, George E. Lewis, *The Indiana Company 1763-1788* (Glendale, California: Arthur H. Clarke Co., 1941), Appendix X.
18. E. B. O'Callaghan, ed., *Documents Relative to the Colonial History of the State of New York*, 15 Vols. (Albany: Weed, Parsons & Co., Printers; 1816), Vol. VIII, p. 166. Henceforth this source will be cited as *New York Colonial Documents*.
19. See, John P. Kennedy, ed., *The House of Burgess Journals, 1770-1772* (Richmond, Virginia: State press, 1915), p. xiii.
20. The Walpole Grant, or the Vandalia Company as it became known, was the most powerful and influential of all the pre-Revolutionary War land companies. Its English members were Thomas Walpole, Lord Chamberlain; Lord Camden, Lord Rochford, the

Earl of Gower, George Greenville and the Earl of Temple. The Colonial members were just as illustrious with Sir William Johnson, the two Franklins, Samuel Wharton and George Croghan heading the list.

21. *New York Colonial Documents*, Vol. VIII, pp. 357-58.

22. *Ibid.*, Vol. VIII, pp. 348-49, a letter from the Earl of Dartmouth, Secretary of State, to Johnson, February 3, 1773.

23. A letter from Cramke to Hillsborough, May 5, 1772, quoted in Victor Coffin, *The Province of Quebec and the Early American Revolution* (Madison, Wisconsin: Univ. of Wisconsin Press, 1896), p. 459.

24. See Alexander Hamilton, *The Works of Alexander Hamilton*, 12 Vols., H. C. Lodge, ed. (New York: G. P. Putnam's Sons 1885), Vol. I, pp. 184, 185 and 186.

25. William Cobbett, ed., "Remonstrance of the General Assembly of New York." *The Parliamentary History of England* (London: T. C. Hansard, 1813), Vol. 18, pp. 656-57.

26. *Ibid.*, p. 653.

27. Thomas Jefferson, *The Papers of Thomas Jefferson*, 17 Vols., Julian P. Boyd, ed. (Princeton: Princeton Univ. Press, 1950), Vol. I, p. 172.

28. This article is a summary of a monograph under the same title available on microfiche under a program of the American Society for Information Science. The monograph presents a 60,000 word report of the research carried on by the author in this area, together with the supporting documentation, and a 9-page bibliography. For this supplementary material, order Document NAPS No. 01718 from the National Auxiliary Publications Service of the American Society for Information Science; c/o CCM Information Sciences, Inc., 909 Third Avenue, New York, N.Y. 10022, U.S.A. Remit US\$4 for microfiche copy, US\$8.70 for photocopy.

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