

Record Groups EA

Eastern Lands

Repository:
Massachusetts Archives
220 Morrissey Blvd
Boston, MA 02125

Reviewed 2020-08-04

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Record Group Descriptions and Related Series:

Record Group Number: EA1

Record Group Name: Committee for the Sale of Eastern Lands

Historical Note:

The Committee for the Sale of Eastern Lands originated in an effort to ease the financial distress in which Massachusetts found itself immediately after the Revolutionary War. Public leaders anticipated that the sale and settlement of land as well as the exploitation of timber in the District of Maine would provide a source of revenue and economic growth sufficient to improve the financial status of the Commonwealth. This committee, or, more accurately, a succession of committees that coalesced into this one, was created to transform that land resource into a fiscal asset.

Initially the General Court appointed committees for the purpose of examining and correcting "trespasses and illegal entries" on the unappropriated lands in Maine (Resolves 1780, Apr 1781 Sess, c 113; Resolves 1783, May Sess, c 99; Resolves 1783, Sept Sess, c 102). The last of these was initially responsible only for investigating trespasses in Lincoln County. Consisting of several notable figures, including Samuel Phillips, Jr., Nathaniel Wells, and Nathan Dane, this committee quickly found its responsibilities expanding. --In March 1785 the commission of this committee was extended to include Cumberland County (Resolves 1784, Jan 1785 Sess, c 111). In 1788 (Resolves 1787, Feb 1788 Sess, c 80) York County was added to its roster of duties. In the meantime a number of new members, including Rufus Putnam, Leonard Jarvis, John Brooks, John Read, and Daniel Coney, had joined the committee. By the mid-1780s, reflecting a change in emphasis and an expanded geographic area of responsibility, the committee came to be referred to routinely as the Committee for the Sale of Eastern Lands (Resolves 1785, Oct Sess, c 149).

Several additional responsibilities augmented the original investigative duty. By 1784 the committee had been authorized to conduct surveys, lay out townships, and make sale of available land (Resolves 1783, Jan 1784 Sess, c 169; Resolves 1784, Oct Sess, c 84). The administrative functions of the committee were routinized by legislation (Resolves 1784, Oct Sess, c 45) that included an obligation to open and maintain an office in Boston. Lands confiscated from Loyalists also became subject to sale by this committee (Resolves 1788, May Sess, c 90). The committee was also authorized from time to time to settle disputes over land among settlers (Resolves 1790, Jan 1791 Sess, c 76). Additionally the committee was empowered to receive applications from lottery land holders for the exchange of lands drawn in the lottery (St 1788, c 17). --Receipts from the sale of lands in Maine lagged far

behind the expectations of the General Court. Despite legislative efforts to expand the geographic and functional duties of the committee and to liberalize the terms of purchase, the yield from the work of the committee failed to satisfy the legislature. (See 1836 S 4, p. 10-11). In 1795 the legislature directed the committee to suspend its sale of lands in Maine and to prepare a report on its activities from the time of its first appointment (Resolves 1794, Jan 1795 Sess, c 131).

While the committee continued to exist until 1801, its core function, the sale and settlement of land, was effectively brought to an end with this action. Land sales were transacted directly by the General Court for the next several years, while the committee fulfilled a more limited role. --In 1801 the Committee for the Sale of Eastern Lands was discharged from further service (Resolves 1801, c 46). Some of the duties formerly performed by the committee were vested in the newly created office of Land Agent, eventually known as the Land Office.

Additional Description: <http://www.worldcat.org/oclc/145429229>

Related Series:

Reports of committee business, 1795-1801

Restriction: Original restricted as fragile. Access by permission of state archivist or curator of the Massachusetts Archives only

Identifier: EA1/73X

Extent: 1 folder

Arranged: Arranged by tables depicting committee activities.

Additional Description: <http://www.worldcat.org/oclc/80775294>

Applications to exchange lottery lands, 1787-1790

Identifier: EA1/689X

Extent: 2 file folders (partial document box)

Arranged: Arranged chronologically by date of application

Additional Description: <http://www.worldcat.org/oclc/122520722>

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Record Group Number: EA2

Record Group Name: Land Office

Historical Note:

The abolition of the Committee for the Sale of Eastern Lands did not signify a lack of interest in the development of Maine lands on the part of the Commonwealth. When the committee was abolished in June 1801, the General Court authorized the appointment of two land agents (Resolves 1801, c 46), who were directed to complete all contracts undertaken by the original committee, and to perform all other duties characteristic of it. With this action the legislature gave form to a land agency which, through several incarnations, continued to operate until the period of the Civil War.

Initially the activities of the agents (known as Agents for the Sale of Eastern Lands) were supervised closely by the legislature. Most sales could be executed only after passage of a specific resolve of the General Court. By 1803 the legislature had arranged for the settlement of some land disputes by the agents (Resolves 1803, c 44, c 49). After the final separation of Maine in 1819, however, activities of the agents became increasingly the responsibility of the governor. Moreover, once Maine achieved statehood, the agents from Massachusetts interacted with their counterparts in Maine. --A deviation in the administrative form of the land agency occurred in 1816. In February of that year, the General Court passed legislation that sought to improve the way in which Maine lands were managed (St 1815, c 131). This enactment provided for the replacement of the two land agents by a three-member commission, subject to appointment by the governor and known as the Land Office.

The functions of the Land Office were described in detail in this legislation. While it was charged with the general care and management of public lands in Maine, its specific duties included conducting surveys of the bounds of such lands, examinations to determine the quality of soil and to identify lakes, rivers, mountains, and other natural features in the public domain, contracting the laying out and opening of roads in the area, designating lots for public sale in each township, and overseeing and instructing a surveyor. The office was also directed to maintain itself in Boston. This array of duties and responsibilities continued to characterize the Land Office for the balance of its existence. --Originally established for a period of three years, the office's life was extended by one year in 1819 (St 1818, c 116). The three commissioners (Edward Robbins, Lewis Lathrop, and Joseph Lee) were succeeded in 1820 by their clerk, George W. Coffin, who served as land agent (Resolves 1820, c 24) when the charge of the commissioners lapsed. During this period the legislature continued to have a standing committee on the Eastern Lands, even though the Land Office increasingly bore an administrative relationship to the governor.

During the 1830s and 1840s, the work of the Land Office became focused on the sale of timber permits, the construction of roads, and the surveying of land. Intermittently the land agent (more usually referred to in legislation than the office itself), like the legislature,

became involved in matters relating to the boundary disputes with Britain (Resolves 1831, c 24)

By mid-century the legislature again began to consider changing the arrangement by which public lands were managed. In 1850 the land agent was instructed to sell no lands in Maine without the approval of a new commission consisting of the treasurer, the auditor, and the secretary of the Commonwealth (St 1850, c 307). Left to the discretion of the land agent was the sale of permits for cutting and removing timber.

In 1851 the land management duties of the agent were respecified. Again they included the sale of land and timber permits. At the same time, however, the secretary, treasurer, and auditor were redesignated as commissioners for the purposes of the act (St 1851, c 190). Two years later the agent was authorized to sell all the timber and land then unsold in Maine, on whatever terms were to the advantage of the Commonwealth (St 1853, c 409).

After a brief abolition in 1858 (St 1858, c 85), the activities of the Land Office were resumed (St 1859, c 91). A subsequent resolve in 1859 (c 52) empowered the land agent to deal with lands that had been forfeited for unpaid notes. The agent also continued to have the authority to execute and deliver deeds.

This resumption of activity was short-lived. In 1861 the Land Office was finally abolished (St 1861, c 85) and its powers transferred to the Commissioners on Public Lands (formerly the Commissioners on the Back Bay).

After the dissolution of the Land Office, the records concerning Maine lands were held successively by the Commissioners on Public Lands, the Board of Land Commissioners, and the Board of Harbor and Land Commissioners. In 1873 the Commissioners on Public Lands were directed to transfer a limited portion of this body of records to the land agent of Maine (Resolves 1873, c 58). Eventually the balance of the records concerning lands in Maine was conveyed to the secretary of the Commonwealth (St 1883, c 99).

Additional Description: <http://www.worldcat.org/oclc/145429241>

Related Series:

Correspondence, 1783-1859

Identifier: EA2/72X

Extent: 7.35 cubic feet (21 record center cartons)

Arranged: Arranged chronologically.

Transcripts of deeds for lands sold in Maine, 1783-1861

Identifier: EA2/74X
Extent: 1.5 cubic feet (7 volumes)
Copies: 3 microfilm reels; 35 mm
Index: 0.48 cubic ft. (ca. 2000 cards; in 3 boxes)
Arranged: Arranged chronologically by date of deed instrument.

Administrative files relating to the eastern boundary of the United States, 1782-1849

Identifier: EA2/76X
Extent: 0.7 cubic feet (2 document boxes)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122419768>

Report of the Land Commissioners, 1820

Identifier: EA2/77X
Extent: 1 file folder (partial document box)
Additional Description: <http://www.worldcat.org/oclc/122469384>

Memorandum of claims to land in the town of Penobscot, 1819

Identifier: EA2/78X
Extent: 1 file folder (partial document box)
Notes: Cover title: Minutes of claims.
Additional Description: <http://www.worldcat.org/oclc/122556532>

Transcripts of deeds for lands in dispute between Great Britain and the United States, 1845

Identifier: EA2/79X
Extent: 0.25 cubic feet (1 volume)
Notes: Spine title: Madawaska deeds.
Additional Description: <http://www.worldcat.org/oclc/122656190>

Report concerning lands mortgaged by Leonard Jarvis, 1818

Identifier: EA2/87X
Extent: 1 file folder (partial document box)
Notes: The location of the report in the Land Office was the result of Resolves 1818, c 258.
Additional Description: <http://www.worldcat.org/oclc/122469375>

Receipts and expenditures, 1784-1860

Identifier: EA2/691X

Extent: 2.1 cubic feet (6 document boxes)
Arranged: Arranged chronologically.
Notes: Transferred to: Massachusetts. Commissioners of Public Lands.
Receipts ((M-Ar)1074X)
Additional Description: <http://www.worldcat.org/oclc/82211121>

Journals, 1784-1858

Identifier: EA2/692X
Extent: 0.25 cubic feet (2 volumes)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122590822>

Applications for land, 1786-1853

Identifier: EA2/693X
Extent: 0.35 cubic feet (1 document box)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122419775>

Instructions to surveyors, 1774-1820 (bulk 1784-1820)

Identifier: EA2/694X
Extent: 0.35 cubic feet (1 document box)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122656193>

Reports to the Land Office, 1786-1854

Identifier: EA2/695X
Extent: 1.05 cubic feet (3 document boxes)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122609667>

Administrative files relating to the apprehended insurrection in Kennebec County, 1809-1811

Identifier: EA2/696X
Extent: 0.35 cubic feet (1 document box)
Arranged: In six subseries:
(1) Correspondence
(2) Copies of correspondence
(3) Depositions
(4) Militia returns
(5) Orders and receipts for payment of soldiers

(6) Payrolls of militia units;
Notes: While not created by it, this series came to be deposited with other materials from the Land Office as a result of the bearing the matter had upon land management.

Additional Description: <http://www.worldcat.org/oclc/122581437>

Legal file of the Land Office, 1784-1853 (bulk 1849-1853)

Identifier: EA2/697X

Extent: 0.35 cubic feet (1 document box)

Arranged: Arranged chronologically.

Additional Description: <http://www.worldcat.org/oclc/122575217>

Administrative files pertaining to land disputes and development, 1717-1853 (bulk 1784-1853)

Identifier: EA2/698X

Extent: 1.75 cubic feet (5 document boxes)

Arranged: Arranged by place, thereunder chronologically.

Additional Description: <http://www.worldcat.org/oclc/122469394>

Administrative files of the land agent, 1817-1845)

Identifier: EA2/2026X

Extent: 8 volumes

Arranged: In three subseries:

(1) Copy book/journal, 1817-1825

(2) Letterbook, 1817-1834

(3) Travel journals, 1825-1845;

Arranged within each subseries chronologically.

Additional Description: <http://www.worldcat.org/oclc/122520803>

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Record Group Number: EA3

Record Group Name: Committee on Eastern Claims and Settlements

Historical Note:

Resolves 1714, c 102 authorized formation of a committee on eastern claims and settlements, charged with promoting a rapid resettlement of the frontier towns in York County in the Province of Maine, largely abandoned after repeated Indian attacks. Two

members of the Council and six representatives of the General Court were named in the resolve: John Wheelwright, Ichabod Plaisted, Oliver Noyes, Edward Hutchinson, Adam Winthrop, Samuel Phipps, Lewis Bane, and John Leighton.

The committee was responsible for facilitating resettlement of the area with townships "regularly planted and settled in the most defensible manner" following the Peace of Utrecht in 1713, receiving and recording claims for lands with titles predating 1713 along with those received by an earlier committee; records were to be maintained by Phipps, acting committee clerk. The committee was also charged with overseeing the resettlement of several towns along the frontier; surveying lands at Black Point, Saco, Papooduck, North Yarmouth, and land near the mouth of the Kennebec River; and receiving additional proposals for new settlements. Except for property in York, Berwick, Kittery, Wells, and Arrowsick Island, no one was allowed to settle new townships without the permission of the committee and the governor and council.

The committee, required to report to the General Court in the May 1715 session, was similar in function to two earlier committees authorized by the General Court per Resolves 1700-1, c 73 and Resolves 1713-14, c 165. Resolves 1715-16, c 25 established a committee on eastern settlements which appears to have assumed the resettlement responsibilities of the 1714 committee. Although there are no further references to such a committee in the General Court or Council, Phipps continued to keep records until 1720.

Additional Description: <http://www.worldcat.org/oclc/122297700>

Related Series:

Transcript of Eastern claims, 1648-1720 (bulk 1674-1714)

Restriction: Original transcripts are restricted as fragile. Access by permission of state archivist or curator of Massachusetts Archives only

Identifier: EA3/1705X

Extent: 0.17 cubic feet (1 document box)

Arranged: Arranged by location, thereunder by claimant.

Notes: Surrendered with related papers in 1724 by Clerk Samuel Phipps to Council committee on Eastern Indians.

Has cover title: Eastern claims, 1674-1720. T.p.: Copy of the ancient book of Eastern claims.

Additional Description: <http://www.worldcat.org/oclc/79359044>

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Record Group Number: EA4

Record Group Name: Land Lottery

Historical Note:

As part of an effort to obtain revenues from the holdings of public lands in the District of Maine, the General Court established a land lottery in 1786 (St 1786, c 40). Anticipating the interest of land speculators and resorting to the popular fund-raising expedient of a lottery, the legislature sought to relieve the tax burden of the Commonwealth by the "speedy sale" and settlement of the Eastern Lands.

The legislature directed that 2,720 tickets be prepared. Each ticket was to represent a certain quantity of prize lots or land. The tickets were to be sold at the rate of sixty pounds apiece. Land for the lottery was allotted in that part of the Lincoln County area between the Penobscot and Schoodic Rivers. A five-member committee was appointed by the General Court to serve as the managers of the lottery. Including Samuel Phillips, Jr., Nathaniel Wells, John Brooks, Leonard Jarvis, and Rufus Putnam, the management group contained the same members as the Committee for the Sale of Eastern Lands. In administering the lottery, the managers were authorized to sell tickets, hold a drawing, and make a return to the secretary of the Commonwealth of the prize lots and those to whom they were awarded. Proceeds were to be turned over to the treasurer.

Ultimately only several hundred tickets were sold. The drawing took place in the fall of 1787. The financial outcome was disappointing. To benefit those who had purchased tickets and drawn lots, the General Court authorized the Committee for the Sale of Eastern Lands to receive applications for the exchange of prize lots by lottery participants with the Commonwealth to the end that individuals be able to consolidate their holdings (St 1788, c 17). By the early 1790s the managers of the Land Lottery had slipped into obscurity as the business of selling land in the area of Maine became more focused in the Committee for the Sale of Eastern Lands.

Additional Description: <http://www.worldcat.org/oclc/145429230>

Related Series:

Lists of lottery lands drawn, 1786-1787

Identifier: EA4/81X
Extent: 0.5 cubic feet (1 volume)
Copies: 1 microfilm reel; 35 mm

Arranged: Arranged principally by township, thereunder by lot number.
Notes: Spine title: Lottery lands.
Additional Description: <http://www.worldcat.org/oclc/122297724>

Lottery stub books, 1786

Identifier: EA4/82X
Extent: 0.39 cubic feet (2 volumes in 1 box)
Arranged: Arranged numerically.
Additional Description: <http://www.worldcat.org/oclc/86123305>

Lottery tickets, 1787-1789

Identifier: EA4/688X
Extent: 3 file folders (partial document box)
Arranged: Arranged chronologically by date of certification.
Notes: Presented to Cambridge (Mass.) Historical Society by Mrs. William Durant, 1917; transferred to Archives, July 16, 2004.
Additional Description: <http://www.worldcat.org/oclc/77594552>

Correspondence, 1786-1830

Identifier: EA4/690X
Extent: 3 file folders (partial document box)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/122581531>

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Record Group Number: EA5

Record Group Name: Commissioners to Quiet Settlers on the Waldo Claim

Historical Note:

The Waldo Patent (Waldo Claim), situated between the east side of the Muscongus River and the Penobscot Bay in the District of Maine, was originally granted to Beauchamp and Leverett in 1629 by the Council of Plymouth, later settled by the Lincolnshire Company under its principal shareholder, Brigadier General Samuel Waldo. Resolves 1785, May Sess, c 136A confirmed the bounds of the grant to the heirs of Waldo, notably General Henry Knox. After the Revolution, Knox made repeated attempts to force settlers without title to secure deeds from him, thus acknowledging the claims of the proprietors. Recent

arrivals refused to deal with Knox, hoping instead to be quieted by the Commonwealth under more lenient terms. Ensuing settler violence during the winter of 1795-1796 quickly collapsed, and by 1799 most reluctantly came to terms with Knox. --By Resolves 1796, Jan 1797 Sess, c 60, the General Court named Nathan Dane, John Sprague, and Enoch Titcomb commissioners to fix terms of 100-acre awards including best improvements to settlers not yet reaching agreement with Knox, dependent on whether their claim came prior to, during, or after the Revolution.

The commissioners went to the patent in 1797, received references from settlers, and appointed James Malcolm, John Harkness, and Robert Huston as surveyors to identify settler lots and note land conditions. Resolves 1798, c 176 (Mar. 1, 1799) continued the charge of the commissioners, who returned to the patent, viewed lots, and discussed land prices. Their awards were made the following year.

Additional Description: <http://www.worldcat.org/oclc/122521133>

Related Series:

Certificates of agreement for quieting settlers, 1797-1800

Identifier: EA5/83X
Extent: 0.5 cubic feet (2 volumes)
Copies (series) _1 microfilm reel ; 35 mm
Copies (reading room) 2 microfilm reels ; 35 mm
Arranged: In four subseries:
(1) References
(2) Awards
(3) Powers of attorney
(4) Surveyor field notes
Arranged within each volume by locality.
Notes: Resolves 1796, Jan 1797 Sess, c 60 provided that report of the commissioners be filed with the state secretary.
Title page: Submission of settlers--Waldo Claim, v. 1-2.
Additional Description: <http://www.worldcat.org/oclc/80717756>

Commission files, 1763-1799

Identifier: EA5/854X
Extent: 8 file folders (partial document boxes)
Arranged: In two subseries:
(1) Working papers
(2) Background files;

Arranged within each subseries chronologically.
Additional Description: <http://www.worldcat.org/oclc/122575236>

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Record Group Number: EA6

Record Group Name: Commissioners to Quiet Settlers on the Kennebec Purchase

Historical Note:

Boundaries and land disputes were the basis of long-standing controversy between Massachusetts and the proprietors of the Kennebec Purchase (acquired from the Plymouth Company) in Maine. As settlement began to press into the middle region of the Kennebec River during and after the Revolution, conflict also intensified between squatting settlers and the proprietors.

In 1802 the General Court authorized the governor to appoint a three-member commission to settle disputes between the proprietors of the Kennebec Purchase and those who had settled, without sanction, on the land of the proprietors (Resolves 1801, c 84). Earlier the legislature had acted to adjust the boundaries of the Kennebec Purchase with the proviso that the proprietors would settle the claims of certain settlers (Resolves 1788, Oct Sess, c 37). The commissioners of 1802 served to continue this process of adjustment. --The governor appointed Elijah Brigham, Peleg Coffin, and Thomas Dwight to undertake the negotiation of land disputes in the Kennebec Purchase. Later Dwight Foster and Holborne Whitman became commissioners. Correspondingly, Charles Vaughan was designated by the proprietors to serve as their agent. Expenses of the commissioners were to be borne equally by the Commonwealth and the Kennebec proprietors.

The commissioners acted as arbitrators in reviewing the circumstances of each land dispute. All settlers who sought the assistance of the commissioners in the settlement of claims had to agree in advance to submit to the authority of the commission. In examining each case, the commissioners considered improvements made to the property, as well as the point in time (before, during, or after the Revolution) when the lot was settled. -- Generally the process enabled settlers to purchase 100 acres of land, along with the improvements, for a nominal amount. The report of the commissioners was to be lodged with the secretary of the Commonwealth upon completion. On the basis of that report the agent of the Kennebec proprietors was to make and execute deeds of conveyance to

individual settlers. The work of the commissioners was completed by 1804. Despite the number of claims processed by them, disputes continued to plague the area.

Additional Description: <http://www.worldcat.org/oclc/145429227>

Related Series:

Certificates of agreement for quieting settlers, 1802-1804

Restriction: Volume 3, page 803 restricted as fragile. Access by permission of state archivist or curator of Massachusetts Archives only

Identifier: EA6/84X

Extent: 1.5 cubic feet (5 volumes)

Vol. 3, p. 803: 1 folder;

Copies (series) 1 microfilm reel; 35 mm

Copies (reading room) 1 microfilm reel; 35 mm

Arranged: Arranged by town or plantation.

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Record Group Number: EA7

Record Group Name: Commissioners to Quiet Settlers on the Pejepscot Claim

Historical Note:

The controversy between the Commonwealth and the Pejepscot Proprietors concerned the bounds of the Pejepscot Claim in the District of Maine (lands sold to Richard Wharton in 1684) near the Androscoggin River, as recorded in an ancient Indian deed. The General Court first became involved in 1792 when a petition of inhabitants of the area asked for clarification on the bounds of the grant. A committee was appointed (Resolves 1791, Jan 1792 Sess, c 134) to establish the boundaries and exchange deeds with the proprietors, but the matter was reconsidered the following year after the first resolve was "mislaidd." In 1793 the General Court directed the attorney general to initiate a suit against the proprietors legally to establish the northern boundaries of the Pejepscot Claim (Resolves 1792, Jan 1793 Sess, c 124). The case was heard in 1796 and 1797, but a verdict was not handed down. Resolves 1798, c 64 authorized the attorney general to submit the controversy to the Supreme Judicial Court. The resolve also provided for the appointment of referees to award lands as necessary to the proprietors and to obtain from them a deed of release for Commonwealth lands; and for the appointment of three commissioners to

quiet claims of any settlers remaining on the undivided lands awarded to the proprietors. Settlers were allowed to purchase 100 acres, including best improvements.

Levi Lincoln, Samuel Dexter, Jr., and Thomas Dwight were appointed referees by the attorney general and the agent for the Pejepscot Proprietors. They completed their work in 1799; however, the attorney general later ruled that the deed of release filed by the agent for the proprietors did not satisfactorily extinguish their claim to the disputed lands.

Resolves 1800, c 143 reprised previous actions of the General Court and stipulated that settlers be quieted on the lands which had already been divided by the proprietors. Nathaniel Dummer, John Lord, and Ichabod Goodwin were appointed by Governor Strong as commissioners to quiet the settlers in June 1803 as provided by the 1798 and 1800 resolves, presenting their report in 1804. The proprietors refused to accept the provisions for divided lands. Resolves 1806, Jan 1807 Sess, c 60 and Resolves 1811, c 42 initiated another court case against the proprietors and directed the attorney general to report on lack of progress in settling the dispute, which he did in Jan. 1812. A final settlement was made by the Supreme Judicial Court in May 1813, severely limiting the Pejepscot Claim's boundaries.

Additional Description: <http://www.worldcat.org/oclc/145429434>

Related Series:

Report of the commissioners, 1804

Identifier: EA7/85X
Extent: Originals: Partial volume
Copies: Partial microfilm reel; 35 mm
Arranged: Arranged by location of settler lot.
Notes: Report was submitted to the General Court in 1804. Resolves 1806, Jan Sess 1807, c 60 indicates that it was later transferred to the state secretary's office.
Bound with: Massachusetts. Commissioners Appointed to Give Deeds to Settlers in Lincoln County. Return of deeds given ((M-Ar)93X).
Volume t.p: Settlers on Lincoln County and Pejepscot lands.

Additional Description: <http://www.worldcat.org/oclc/122521169>

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Record Group Number: EA9

Record Group Name: Commissioners to Investigate Disturbances in Lincoln County

Historical Note:

Unrest in Lincoln County near the Damariscotta River, District of Maine, over conflicting land claims of nonresident proprietors and town settlers was brought to a head in 1810 by a Supreme Judicial Court order for a survey of the bounds of the Brown Claim. Judge George Thacher proposed the use of militia (per St 1809, c 122) to suppress settler opposition to the survey, but threats of armed resistance led to its suspension by county authorities.

Governor Elbridge Gerry, alerted by Thacher in October, reported to the General Court on Lincoln County in his Jan. 25, 1811 inaugural message, and forwarded relevant documents with a Jan. 29 message. The General Court, which had already received petitions and memorials from Nobleborough and Bristol, passed a Feb. 27 order authorizing Gerry to appoint three commissioners to investigate the Lincoln County unrest and to recommend remedies. Appointees Attorney General Perez Morton, Jonathan Smith, Jr., and Thomas B. Adams (see June 7 message) met at affected towns Bristol, Newcastle, and Nobleborough, as well as Wiscasset, May 1-10, receiving evidence, taking depositions, and interviewing witnesses on both sides.

Their report, written just before their resignation in Portland on May 20, was submitted by the governor in a June 10 message to the General Court, both being printed with Resolves 1811, c 34. The report was accompanied by an agreement by nonresident proprietors to surrender Lincoln County claims, and recommended that commissioners be appointed to award compensatory land elsewhere in Maine, as was then authorized by the resolve.

Additional Description: <http://www.worldcat.org/oclc/145429440>

Related Series:

Report of the commissioners, 1811

Identifier: EA9/88X
Extent: Originals: 1 volume (1 phase box)
Copies: 1 microfilm reel; 35 mm

Proceedings of hearings, 1811

Identifier: EA9/89X
Extent: Originals: 1 volume

Copies (series): 1 microfilm reel; 35 mm
Copies (reading room): 1 microfilm reel; 35 mm
Arranged: Arranged chronologically by date of hearing.
Notes: Spine title: Records of commissioners on Lincoln Co. land titles.
Additional Description: <http://www.worldcat.org/oclc/122556567>

Evidence presented to the commissioners, 1803-1811 (bulk 1810-1811)

Identifier: EA9/90X
Extent: 0.17 cubic feet (1 document box)
Arranged: In three subseries:
(1) Documents transmitted by the governor
(2) Exhibits introduced before the commissioners
(3) Copies of legislation;
Arranged by alpha code.
Notes: Formerly part of state secretary's: Miscellaneous collection, boxes 23-24.
Original documents retained by commissioners removed in 1885-1886 to: Massachusetts. Office of the Secretary of State. Massachusetts archives collection ((M-Ar)45X)
Additional Description: <http://www.worldcat.org/oclc/86132254>

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Record Group Number: EA10

Record Group Name: Commissioners for Determining Rights of Claimants to Lands in Lincoln County

Historical Note:

Resolves 1811, c 34 authorized the governor to appoint three commissioners to review claims surrendered to the Commonwealth by nonresident proprietors in Lincoln County, District of Maine, and to determine compensatory grants elsewhere in Maine, pursuant to the agreement by the proprietors included with the report of the previous commissioners. (See: Massachusetts. Commissioners to Investigate Disturbances in Lincoln County.)

Governor Elbridge Gerry appointed commissioners Jeremiah Smith (Exeter, N.H.), William H. Woodward (Hanover, N.H.), and David Howell (Providence, R.I.) in the fall of 1811. Along with Attorney General Perez Morton, representing the Commonwealth per the resolve, the commissioners met in Portland on Nov. 20 and then traveled in Lincoln County. They authorized a survey showing nonresident claims; received testimony from

nonresident proprietors and town settlers; received submission, deeds of release, and accompanying powers of attorney from nonresident proprietors; and filed a final report with the General Court, Jan. 26, 1813, stating compensatory awards to nonresident proprietors. --Resolves 1812, c 183, with which the report was printed, authorized appointment of commissioners ("agents") to examine land claims and give deeds from the Commonwealth to town settlers in Lincoln County. (See: Massachusetts. Commissioners Appointed to Give Deeds to Settlers in Lincoln County.) Resolves 1812, c 184, c 185, and c 186 granted compensatory lands to nonresident proprietors, affirming the awards of the commissioners reported in c 183.

Additional Description: <http://www.worldcat.org/oclc/145429443>

Related Series:

Administrative files, 1810-1813 (bulk 1812-1813)

Identifier: EA10/91X

Extent: 0.34 cubic feet (2 document boxes)

Arranged: In four subseries:

(1) Working papers

(2) Claims of the Commonwealth

(3) Claims of nonresident proprietors

(4) Claims of settlers

Notes: Formerly part of state secretary's: Miscellaneous collection, box 25.

Additional Description: <http://www.worldcat.org/oclc/122469537>

Deeds of release to the Commonwealth, 1812

Identifier: EA10/92X

Extent: 0.17 cubic feet (1 document boxes)

Notes: Formerly part of state secretary's: Miscellaneous collection, box 26.

Additional Description: <http://www.worldcat.org/oclc/122405528>

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Record Group Number: EA11

Record Group Name: Commissioners Appointed to Give Deeds to Settlers in Lincoln County

Historical Note:

Resolves 1812, c 183 (Feb. 25, 1813) authorized appointment of two commissioners ("agents") to examine land claims and give deeds from the Commonwealth to town settlers in Lincoln County, District of Maine, following submission of a report by previous commissioners who had reviewed claims surrendered by nonresident proprietors there and had determined compensatory grants to them elsewhere in Maine. (See: Massachusetts. Commissioners for Determining Rights of Claimants to Lands in Lincoln County.) In line with previous Eastern Lands settlements, settlers were to receive title for up to 200 acres including best improvements: pre-1789 settlers were to pay five dollars per 100 acres; later settlers thirty cents per acre. Deeds were to be released only after selectmen certified an accurate survey showing settler lots.

Governor Caleb Strong appointed commissioners Jeremiah Bailey and Silas Lee on Mar. 2, 1813, who were to complete their work by Feb. 1814. Resolves 1813, c 185 extended the time to Jan. 1, 1816, as they reported on Jan. 1, 1814 that no surveys had been produced. Surveys could be directed by the commissioners with costs borne by those receiving deeds if towns could not fund them. Surveys were to be placed in the Land Office as completed, along with schedules of deeds. Trustees of Lincoln Academy were to quiet settlers in Waldoborough in the same manner as the commissioners elsewhere.

Benjamin Orr replaced Silas Lee on May 26, 1814. Resolves 1815, c 156 extended the commissioners' charge to May 1817. Resolves 1815, c 164 acknowledged a report of Jan. 1816. Resolves 1817, c 30 followed yet another report (June 1817), extending the commissioners' charge to May 20, 1818. (In each case surveys deposited in the Land Office were allowed to be withdrawn for continued work by the commissioners.) In fact the final report was not submitted until May 1819.

Additional Description: <http://www.worldcat.org/oclc/145429445>

Related Series:

Returns of deeds given, 1815-1819

Identifier: EA11/93X
Extent: Originals: Partial volume
Copies: Partial microfilm reel; 35 mm
Arranged: Arranged by town.

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Record Group Number: EA12

Record Group Name: Brunswick Convention (1816)

Historical Note:

St 1816, c 41, an act to provide for separation of the District of Maine from Massachusetts as a state, stipulated a Sept. 2, 1816 election (the fifth such vote authorized by the General Court) in which each Maine town, plantation, or district would elect delegates (from one up to the number of representatives it had in the General Court) to a constitutional convention. A vote on separation was also included, results to be sent to the president of the convention; a five-to-four pro-separation majority would allow the convention to proceed to draft a constitution.

The convention met in Brunswick on Sept. 30 with 185 delegates from 137 localities, a slight majority favoring separation. The vote on the Sept. 2 question had been 11,969 to 10,347, short of the required five-to-four pro-separation majority. After lobbying on both sides to eliminate incorrect or illegal votes (finally only those of Lyman were disqualified), the Committee to Examine the Returns found the five-to-four majority as met if defined as a "corporate majority," and also found the simple majority of Maine residents favoring separation reason enough to proceed.

The convention adjourned Oct. 9, after which delegates sent majority and minority reports ("memorials") to the General Court. On Nov. 16 the General Court committee on separation declared the convention majority had "misconstrued" the enabling act. Resolves 1816, c 111 (Dec. 4), including the committee's report, dissolved the convention and declared the separation process at an end.

Additional Description: <http://www.worldcat.org/oclc/86144133>

Related Series:

Transcript of proceedings, 1816

Identifier: EA12/101X
Extent: 1 file folder (partial document box)
Arranged: Arranged chronologically by date of meeting.
Notes: Formerly part of state secretary's: Miscellaneous collection, box 17.
Cover title: A copy of the record of the Brunswick Convention.

Additional Description: <http://www.worldcat.org/oclc/122419977>

Memorials, 1816

Identifier: EA12/102X

Extent: 1 file folder (partial document box)
Arranged: In two subseries:
(1) Memorial of committee of the convention
(2) Memorial of a minority of delegates.
Notes: Formerly part of state secretary's: Miscellaneous collection, box 17.
Additional Description: <http://www.worldcat.org/oclc/122469655>

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Record Group Number: EA13

Record Group Name: Commissioners to Quiet Settlers in Waldoborough

Historical Note:

Although commissioners appointed by the General Court in 1797 (see: Massachusetts. Commissioners to Quiet Settlers on the Waldo Claim) quieted claims of settlers without title in the Waldo Patent (Waldo Claim), District of Maine; settlers in the border township of Waldoborough were not included. In response to an 1803 petition on their behalf by Waterman Thomas, Resolves 1802, c 123 provided that settlers there within the boundaries of the patent compile a list of their number whose families had arrived prior to the Revolution. If the list as submitted to the governor by June 1, 1803 included at least fifty parties, the governor would designate commissioners already appointed to quiet settlers on lands of the Plymouth Company, to fix terms of awards to settlers in Waldoborough from patent principal proprietor Henry Knox.

Elijah Brigham, Dwight Foster, and Hilborne Whitman were appointed by the governor on Aug. 30 as commissioners; they travelled to Waldoborough in Oct. 1803, and issued final awards in Jan. 1804.

Additional Description: <http://www.worldcat.org/oclc/145429437>

Related Series:

Certificates of agreement for quieting settlers, 1803-1804

Identifier: EA13/86X
Extent: 0.25 cubic feet (1 volume)
Arranged: In two subseries:
(1) Awards
(2) Surveyor field notes.

Notes: Title page: Submission of settlers – Waldo Claim, v. 3.
Additional Description: <http://www.worldcat.org/oclc/122357390>

Commission files, 1803-1804

Identifier: EA13/853X
Extent: 1 file folder (partial document box)
Arranged: Arranged chronologically.
Additional Description: <http://www.worldcat.org/oclc/86123291>

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Record Group Number: EA14

Record Group Name: Maine – Constitutional Convention (1819)

Historical Note:

St 1819, c 161, an act to provide for separation of the District of Maine from Massachusetts as a state, stipulated a July 26, 1819 election in which inhabitants of each Maine town, plantation, or district would vote on separation, results to be sent to the state secretary. (A previous attempt at separation under St 1816, c 41 had failed.)

If a majority of 1500 or more supported separation, Maine would become a state on Mar. 15, 1820. In the meantime the governor would call for election of delegates to a constitutional convention, whose drafted constitution would be presented to Maine inhabitants by Jan.1, 1820 for ratification. If accepted, the constitution would be effective on statehood; otherwise the Massachusetts constitution would remain in force. Also required was Congressional admission of Maine to statehood by Mar. 4, 1820.

The July election backed separation, 17,091 to 7,132. After election of 274 delegates on Sept. 20, the convention opened in Portland on Oct. 11. William King and Robert C. Vose were chosen president and secretary. Constitution articles were debated Oct. 18-29, after which the convention adjourned while the proposed constitution and a document comparing it to that of Massachusetts were circulated. The convention reopened Jan. 5, 1820, to record Dec. 6, 1819 ratification, then adjourned finally on Jan. 7.

Since the Mar. 4, 1820 deadline for federal ratification could not be met, St 1819, c 287 (Feb. 25, 1820) extended it for two years. In fact Maine was admitted as the twenty-third state on Mar. 15, 1820.

Additional Description: <http://www.worldcat.org/oclc/122575213>

Related Series:

Transcript of proceedings, 1819-1820

Identifier: EA14/103X

Extent: 1 volume

Arranged: Arranged chronologically by date of meeting.

Notes: Sent by convention president William King per order of Jan. 7, 1820 to Governor John Brooks. At his request placed in Archives (state secretary's office) by General Court per order of Feb. 4, 1820.
Formerly part of state secretary's: Miscellaneous collection, box 18.

Additional Description: <http://www.worldcat.org/oclc/77833118>

Transcript of Maine state constitution, 1819

Identifier: EA14/104X

Extent: 1 file folder (partial document box)

Notes: Sent by convention president William King per order of Jan. 7, 1820 to Governor John Brooks. At his request placed in Archives (state secretary's office) by General Court per order of Feb. 4, 1820.
Formerly part of state secretary's: Miscellaneous collection, box 18.

Additional Description: <http://www.worldcat.org/oclc/122564502>

Transcript of returns of vote on Maine state constitution, 1819-1820

Identifier: EA14/105X

Extent: 1 file folder (partial document box)

Arranged: Arranged alphabetically by county, thereunder alphabetically by town.

Notes: Sent by convention president William King per order of Jan. 7, 1820 to Governor John Brooks. At his request placed in Archives (state secretary's office) by General Court per order of Feb. 4, 1820.
Formerly part of state secretary's: Miscellaneous collection, box 18.

Additional Description: <http://www.worldcat.org/oclc/122403045>

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Record Group Number: EA15

Record Group Name: Commissioners Appointed under the Act of Separation

Historical Note:

Pursuant to St 1819, c 161, an act to provide for separation of the District of Maine from Massachusetts as a state, commissioners were to be appointed after separation, two each by the governors of Massachusetts and Maine, and two additional by those commissioners. They were to divide public lands in Maine equally between the two states, within ten years; to assign a just portion of certain remaining Commonwealth property in Maine to the Commonwealth as indemnification for outstanding debts, annuities, and Indian claims, with the remainder divided two to one between Massachusetts and Maine, within two years; and to compensate Maine with \$30,000 of Commonwealth public lands or proceeds from the sale thereof, for assuming obligations to the Indians. Authenticated copies of commissioner surveys and other records were to be placed with the archives of each state.

Levi Lincoln and Timothy Bigelow were appointed from Massachusetts, Oct. 14, 1820; James Bridge and Benjamin Porter were appointed from Maine; Silas Holman and Lothrop Lewis were commissioned at the first meeting, Oct. 31, 1820. Lincoln resigned in 1823, replaced by Charles Turner; Bigelow died in 1821, replaced by George Bliss; Bridge was replaced by Remuel Williams; Lewis died in 1822, replaced by Daniel Rose.

The commissioners' work was delayed because St 1819, c 161 did not provide them with compensation or budget; and because a Winter 1821 agreement by a committee of Massachusetts and Maine legislators would have turned over all public lands in Maine to the state for \$180,000, superseding the commissioners' charge. As the agreement was ratified by Maine only, the Massachusetts General Court reauthorized the commissioners in January 1822 by St 1821, c 41, which provided compensation and an account for surveys.

The commissioners submitted reports to the General Court and governor irregularly through 1828. Three reports enclosed agreements signed by the commissioners dividing productive property (May 25, 1822), establishing lands equivalent to \$30,000 (December 28, 1822), and dividing public lands (May 21, 1823). Additional surveys were conducted through 1827 to open up lands for division and subsequent sale. Much of the commission's later work related to lands within the disputed northeastern boundary of Maine. In a report of January 1828, the commissioners asked the General Court to specify their remaining duties. Resolves 1827, c 69 declined that request, ending the work of the commissioners.

Additional Description: <http://www.worldcat.org/oclc/122556524>

Related Series:

Administrative files, 1821-1828

Identifier: EA15/107X
Extent: 10 file folders (partial document box)
Arranged: In two subseries:
(1) Correspondence received
(2) Working papers
Additional Description: <http://www.worldcat.org/oclc/122581610>

Report to divide military stores, 1822

Identifier: EA15/187X
Extent: 1 volume
Notes: Formerly part of state secretary's miscellaneous collection, box 18
Additional Description: <http://www.worldcat.org/oclc/122521225>

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