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# *Rufus Putnam's Ghost*

## An Essay on Maine's Public Lands, 1783–1820

by *Lloyd C. Irland*

On the plans of towns sold in the District of Maine after 1783, the signature of Rufus Putnam, surveyor, frequently appears. Putnam spent weeks in the wild lands locating corners and mapping lots as a field man for the largest land sales operation in Maine's history. In thirty-seven years he and his associates surveyed and sold a land area twice the size of Connecticut. They struggled with practical problems that still confront later generations of foresters: boundary disputes, political pressures, unruly logging contractors, timber estimates, and mapmaking.<sup>1</sup> The work of Rufus Putnam, not only as an individual but as an agent of the early public lands policies applied to Maine, left durable marks on the state's history. The historian of Maine's public lands faces two major questions in assessing the overall impact of this disposal program: What did the Maine land policy issues faced by Massachusetts and by the United States as a whole have in common, if anything? And what were the key bequests to Maine and U.S. land policy from this period?

It took two and a half centuries to dispose of Maine's public domain. It began with the first land grants by Louis XIV in 1603 and ended with the last land sales in 1878. Until Maine became a state in 1820, the Commonwealth

of Massachusetts held all of Maine's public lands except those already held by towns<sup>2</sup> or as commons by existing proprietors. There were no federal lands in the new state aside from a few coastal forts and lighthouses. At statehood, Maine and Massachusetts split the public lands. Between 1820 and 1853 Massachusetts sold off millions of acres within the state of Maine, without directly consulting Maine's citizens or government. In 1853 the state of Maine fully took the reins of its own public lands policy by purchasing Massachusetts's remaining holdings.<sup>3</sup>

The major issues for land policy in Maine reflected the economic and social ferment released in New England after 1783, which led to wide-scale migration into northern New England and eastward along Maine's coast. Land speculation spread and markets for timber and its products expanded. Table 1 summarizes the population estimates for Maine made by Moses Greenleaf in 1829. Greenleaf was a mapmaker who enthusiastically promoted Maine's land boom. He made the best early maps of Maine and wrote several books promoting settlement in the state.

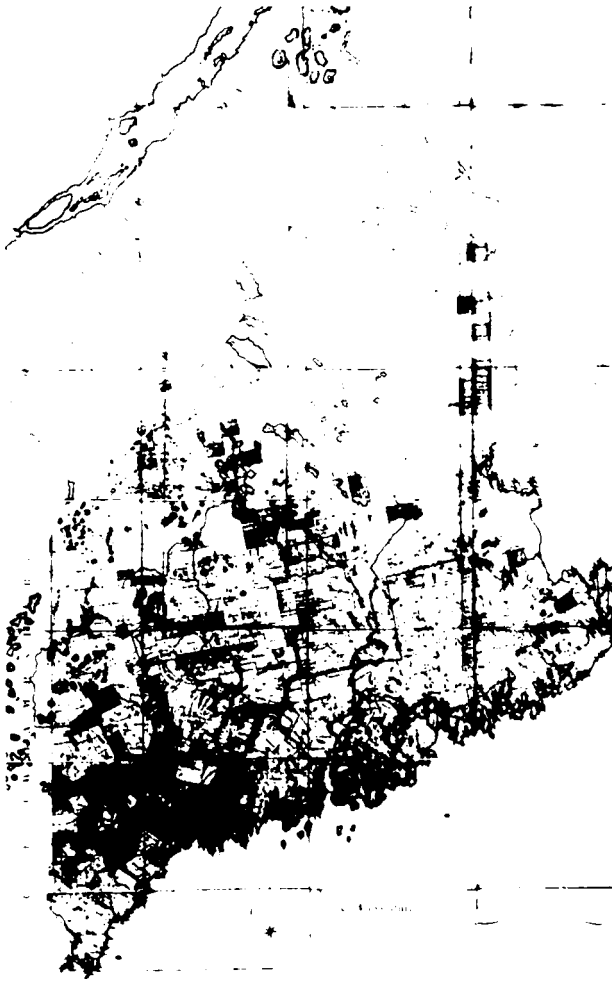
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2. Following Maine usage, this paper uses the term "towns" in the same sense that most people would use "townships."

3. Statistics on land disposals are drawn from the Maine Forestry Department's *Report on Public Reserved Lots* (Augusta: 1963). This report summarizes land survey designations and gives an overall view of the public lots and their management, with excellent maps. See also Austin H. Wilkins, *Ten Million Acres of Timber* (Woolrich, Maine: TBW Books, 1978).

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1. See Rowena Buell, ed., *The Memoirs of Rufus Putnam* (Boston: Houghton Mifflin, 1903), and the article on Putnam in the *Dictionary of American Biography*.

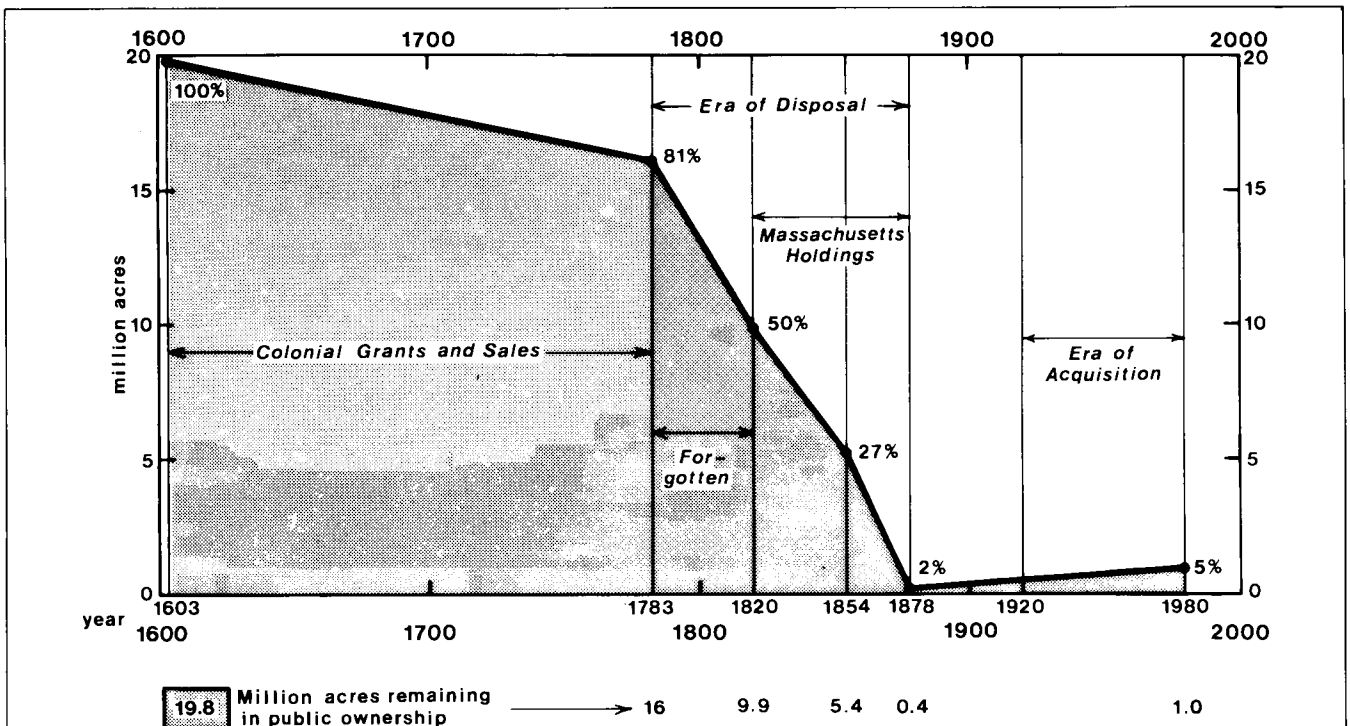


Moses Greenleaf's 1815 map of the District of Maine. He identified the territory's western and northern boundaries as "supposed"—they were not settled until the 1842 Webster-Ashburton Treaty. From the Maine State Archives.

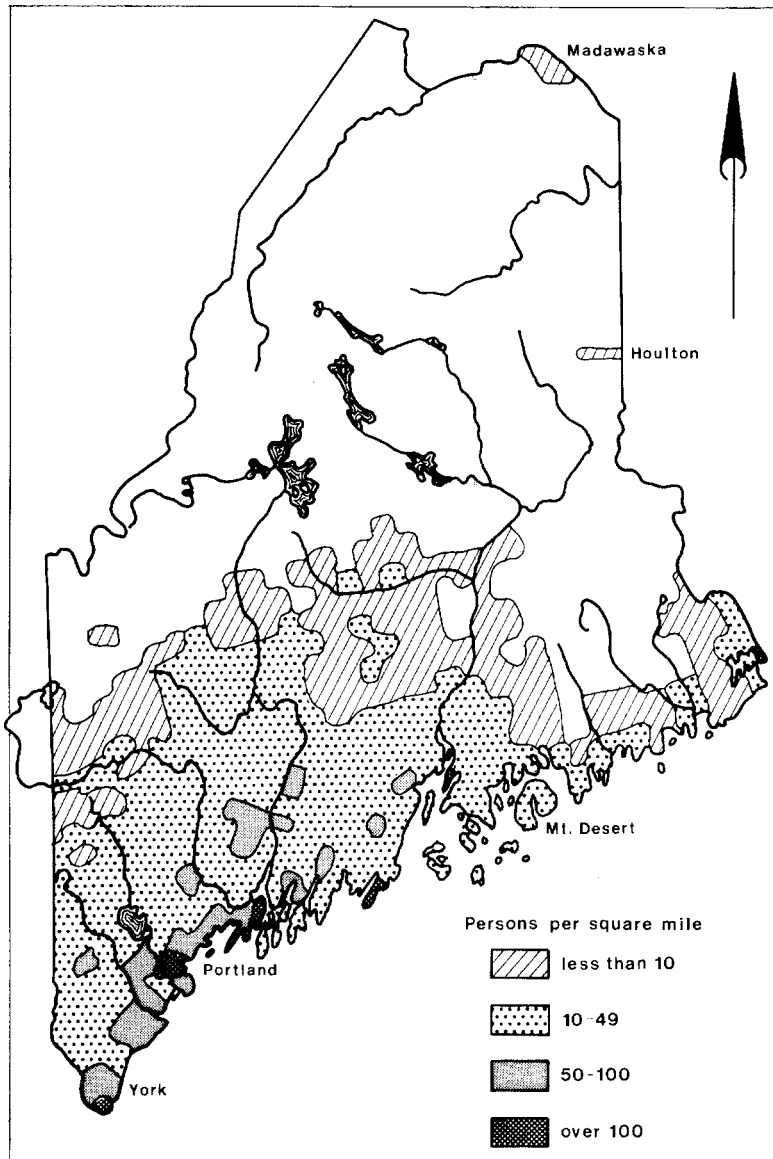
Table 1  
The Population of Maine<sup>1</sup>

Year	Population
1772	29,080
1784	56,321
1790	96,308
1800	150,939
1810	228,767
1820	298,335

1. Adapted from Moses Greenleaf, Esq., *A Statistical View of the District of Maine* (Boston: Cummings and Hilliard, 1816), p. 38. A later 1829 edition was reprinted in 1970 by the Maine State Museum.



Historical progress of Maine land disposals and acquisitions, from 1603 to the present. From statistics in Moses Greenleaf (*A Statistical View of the District of Maine*, 1816), Austin Wilkins (*Ten Million Acres of Timber*, 1978), and the Maine State Planning Office. Drawn by Richard D. Kelly, Jr.



The settled portion of Maine in 1820, by population density. From the Maine State Planning Office. Map by Richard D. Kelly, Jr.

From 1783 to 1820 Maine's population increased more than fivefold, but acreage actually used for agriculture and farmsteads was relatively small. Organized towns and plantations included roughly 5 million acres (one fourth of the state) in 1820.<sup>4</sup> The demand for land came not only from settlers, but also from speculative purchasers looking to resell homestead lots and from lumber operators.

Considering Maine's modest population in 1783, much was already privately owned: 3.8 million acres (19 percent of the district). Yet Massachusetts still owned four-fifths of the District of Maine. The commonwealth's leaders recognized the financial, social, and political significance of this asset. They established the Massachusetts Land Committee

4. Moses Greenleaf, Esq., *A Statistical View of the District of Maine* (Boston: Cummings and Hilliard, 1816), p. 72.

to develop policy for the sale and settlement of the public lands and for providing schools and churches.<sup>5</sup>

### The Commonwealth's Land Policy

The Land Committee hired Rufus Putnam, a Massachusetts native, to conduct a land survey in eastern Maine in 1784. Putnam had left the Continental Army as a brigadier general at the end of the revolution. When the Massachusetts committee contacted him, he was involved in hatching land schemes in the Ohio country—the Ohio and Scioto land companies. He took on the assignment in Maine because he was momentarily stymied in his Ohio efforts due to congressional inaction on a bill authorizing a large land sale there. In 1788 he departed for Ohio.

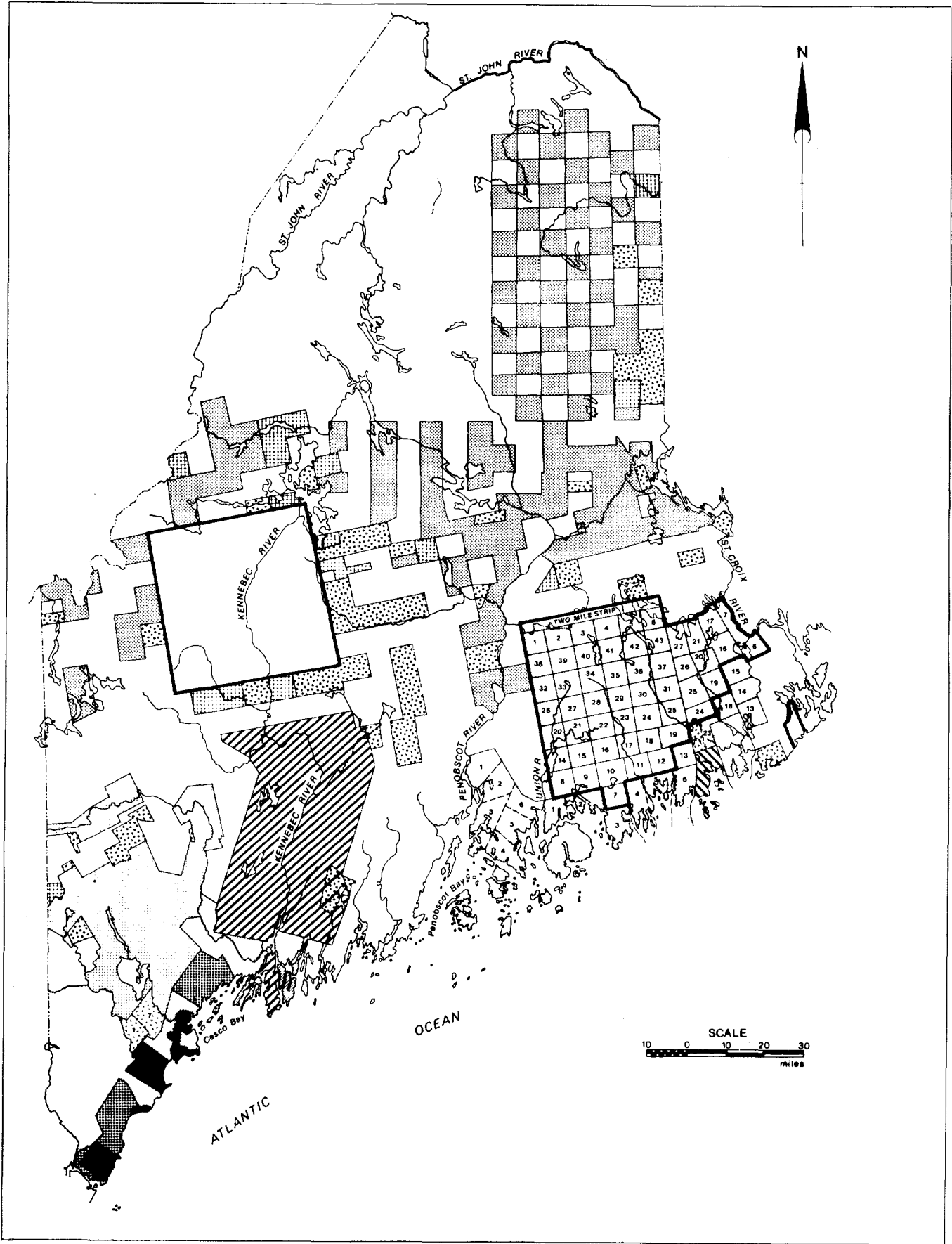
When Putnam reported for duty, he found that the government was experimenting with solutions to new problems but still relying heavily on colonial precedents. Continuing old English tradition, as well as to conserve cash, the commonwealth endowed worthy individuals and institutions with land. The recipients usually sold the grants quickly for whatever they would bring. George III had granted lands to soldiers who served in the French and Indian War, and the commonwealth continued this traditional veteran's benefit.<sup>6</sup> In all, 1.7 million acres were granted to institutions and veterans from 1783 to 1820. These grants expressed no land policy as such, beyond using plentiful land in lieu of scarce cash.

Following precedents that were well developed in colonial times, towns were sold to proprietors who undertook to provide for settlement.<sup>7</sup> Because of the initial costs of settling forestland, chronic shortages of capital, inadequate roads, and a fluctuating land market, proprietors were continually in arrears and pressing the General Court (the early

5. Major items of committee business were trespass and boundary disputes, matters outside the scope of this article. Standard sources on the commonwealth's land policy are Lawrence D. Bridgham, "Maine Public Lands, 1781-1795: Claims, Trespassers, and Sales," Ph.D. diss. (Boston University, 1959); Richard G. Wood, *A History of Lumbering in Maine, 1820-1861* (Orono: University of Maine Press, 1961 reprint), especially ch. 3; Philip T. Coolidge, *History of the Maine Woods* (Bangor, Maine: Furbush-Roberts Printing Company, Inc., 1963); David C. Smith, *A History of Lumbering in Maine, 1861-1960* (Orono: University of Maine Press, 1972); Charles E. Clark, *The Eastern Frontier: The Settlement of Northern New England, 1610-1763* (New York: Alfred A. Knopf, 1970); and chapters 1 and 2 of Oscar Handlin and Mary Flug Handlin, *Commonwealth: A Study of the Role of Government in the American Economy 1774-1861* (New York: New York University Press, 1944). Focusing on the disposals after statehood but highly relevant here is David C. Smith, "Maine and its Public Domain," in *The Frontier in American Development: Essays in Honor of Paul Wallace Gates*, edited by David M. Ellis (Ithaca: Cornell University Press, 1969), pp. 113-37. Henry Tatter, "State and Federal Land Policy During the Confederation Period," *Agricultural History* 9 (October 1935): 176-86, provides useful perspective.

6. Sara J. Conan, "Revolutionary Bounty Lands in Maine," M.A. thesis (Columbia University, 1954). Smith, *History of Lumbering*, p. 193, notes that the last revolutionary land warrants were not cleared up until 1889.

7. Douglas R. McManis, *Colonial New England: A Historical Geography* (New York: Oxford University Press, 1975), ch. 3, gives an excellent summary of colonial land disposal practices. See also Clark, *Eastern Frontier*, chs. 12 and 13. William Cronon provides an excellent summary of the relevant literatures (*Changes in the Land* [New York: Hill and Wang, 1983], pp. 228-35).



Principal Maine land grants to 1829, showing the patchwork pattern of official township boundaries. From the Maine Historical Society's Maine Bicentennial Atlas (1976).

Massachusetts legislature) for extensions. On the whole, the results of this approach were not spectacular. By about 1812 Moses Greenleaf noted that of 1.9 million acres sold to proprietors for establishing settlements, towns totaling more than half a million acres had no settlers at all.

The committee experimented with placing land directly in the settlers' hands. Building on common colonial practice, they held a lottery.<sup>8</sup> The survey of these towns was Putnam's final assignment. In 1787 the committee auctioned off tickets for lands in fifty eastern Maine towns. Only 16 percent of the tickets were sold, however, representing about 160,000 acres (the equivalent of seven towns). This experience led the General Court to turn to other methods. It also left scattered and isolated holdings throughout a million-acre block of wild lands, a pattern not conducive to settlement or to providing roads and schools.

Following the failure of the lottery, and considering the irregular results of selling single towns, the committee made the biggest single land sale in the district's history. It sold to William Bingham a total of 2.1 million acres, including a huge block straddling the Kennebec River and the leavings from the lottery. Unfortunately from the committee's point of view, this effort at large-scale land wholesaling promoted settlement no more successfully than had any of the other methods.<sup>9</sup>

The commonwealth inadvertently set the stage for conserving Maine's resources by reserving from sale the public lots.<sup>10</sup> Such land reservations were the best available leverage to assure that each new community provided for a school and a church; they expressed a broad social policy in an age of scant revenues. The act of 1786 reserved from sale in every town a total of 1,280 acres in four such public lots. Usually the lots were set off in two parcels of 640 acres each. The purpose for each lot was to be:

- one for the first settled minister,
- one for the support of the ministry,
- one for the support of a grammar school,
- one for the later use of the General Court.

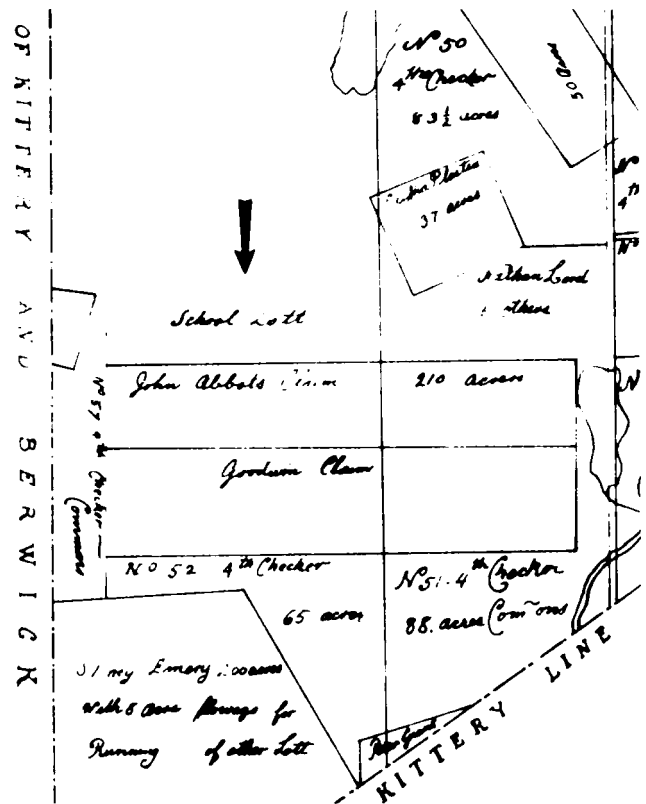
The last, the so-called state lot, was often sold. Where settlements arose, the minister's lot probably went quickly. After statehood, Maine provided that organized towns (but not plantations) could assume title to the lots—when this occurred most were subsequently sold.

Maine's later land policy and land tenure pattern was largely set during the period between the end of the revolu-

8. Details of the lottery are given in Bridgman, "Maine Public Lands," pp. 297-307.

9. Fredrick S. Allis, Jr., ed., *William Bingham's Maine Lands, 1790-1820*, Publications, Colonial Society of Massachusetts, Collections, vols. 36 and 37 (Boston, 1954).

10. The legal history of the public lots is in Lee M. Schepps, "Maine's Public Lots: Emergence of a Public Trust," *Maine Law Review* 26 (Spring 1974): 271-72. The state's brief for one of the timber and grass court cases, *Cushing, Charles R., et al. vs. Richard S. Cohen, et al.* (brief for the Appeal from the Judgement of the Superior Court, Supreme Judicial Court sitting as the Law Court, Docket No. Ken-79-81 [14 June 1980]), provides valuable additional legal and historical detail. This case was finally settled in the state's favor in 1982: *Cushing vs. State of Maine*, 434 A.2d 486 (ME 1981).



School lots long predated the postrevolutionary land sales program in the wild lands of Maine. This copy of a seventeenth-century map shows a "School Lot" in Berwick, Maine, one of the oldest settled communities in the state. From the Maine State Archives.

tion in 1783 and statehood for Maine in 1820.<sup>11</sup> By 1853 Massachusetts had disposed of 12.2 million acres of Maine lands—more than 8 million after 1783. Thus, 62 percent of Maine's land was sold by the commonwealth and never became part of the state's public domain. Most of Maine's wild land was disposed of with minimal opportunity for Maine citizens to be actively involved.

### Policy Themes: Some Hypotheses

What goals were Rufus Putnam's employers seeking? Five competing themes, drawn from secondary accounts and from the whole history of public lands policy, illustrate the complexity of this question. Exactly how these concerns ruled the thoughts of the principal actors and how they shifted in relative weight over time remain open questions, awaiting further primary research. Four of the themes dictated the positive goals of land policy: "the garden of the north and the yeoman ideal," "geopolitics," "privatization," and "land as a fiscal asset." The fifth theme is conspicuous by its absence—"conservation."

The myth of the garden of the north was present in Maine land policy from the beginning. Promoter-experts like Moses Greenleaf obviously believed that Maine's wild lands had an agricultural future. Like others of

11. Clark, *Eastern Frontier*, ch. 3, traces the rise of the Massachusetts Bay colony's control over the territory in Maine, accomplished by 1658.

his time, Greenleaf never considered the possibility that timber growing could be a major, sustained resource use. It is difficult to tell how seriously the myth of the garden was taken; from an early time there were many doubters. The fervor of Greenleaf's and other promoters' descriptions of Maine's fertility suggests that they knew they dealt with a skeptical audience and that the ferocity of winters in the Maine wild lands was well known in Massachusetts. The opening of the Erie Canal in 1825 and later of the mid-western cornbelt finally ended the dream of the garden of the north except in eastern Aroostook, where potato farming continued to expand even after the 1860s.

Interwoven with the ecological myth of the garden was a more specifically social ideal—the yeoman ideal—expressing the Puritan social vision of a republic of freeholding small farmers. Such a society was held to be the best guarantee of true religion, of a stable polity, and of a productive economy.<sup>12</sup> As a region importing many foodstuffs, New England was keenly aware of the economic importance of agriculture. But more importantly, the ideal of freehold tenure recognized private ownership as a key bulwark against economic oppression and political tyranny. From Winthrop to Thoreau, these ideals resonate in New England thought. The ideals of New England's democratic land policy were obviously taken seriously by the Massachusetts General Court and Land Committee. Even the huge Bingham sales had settlement provisions.

As early as the 1780s, the settled towns of southern New England were running out of suitable land and feeling the effects of population pressure. Studies of Concord, Andover, and Dedham, Massachusetts, and of Kent, Connecticut, confirm this.<sup>13</sup> To the leaders of Massachusetts, young men who left eastern Massachusetts were lost to the community unless they could be induced to settle in the District of Maine. During the revolution, many young soldiers saw a wider world in southern Vermont and the Mohawk Valley. Federal land warrants were available to these veterans—exercisable in the fertile Ohio Valley and beyond. There is a hint that discouragement had set in by Greenleaf's time. The suspicions of the time about the evils of "land monopoly" were strong; the land policy was criticized at times for failing to prevent large holdings from accumulating. But there were reasons other than social ideals for being concerned about promoting settlement.

Geopolitics as a theme in Maine land policy had largely to do with military strategy. The events of 1776–83—during which British troops occupied and harried the Maine coast—must have been much on the minds of the Massachusetts General Court as it contemplated its land

policy. Sparse settlement made Maine especially vulnerable to invasion: the location of Maine's St. Croix River border with Canada was settled by treaty in 1798; its northern border not until 1842. Americans were at swords' points or in actual hostilities with foreign powers several times in this period, so the geopolitical importance of settlement must have been plain to all. How and in what way this consideration influenced specific events is not clear, but it supplied an additional spur to settle rather than simply to sell land without regard for its use.

Another geopolitical factor was the periodic local agitation for Maine statehood. The political struggles between settlers and landowners over trespass, squatting, and the terms of land distribution provided a steady stream of grievances. These were exploited by those who favored separation. Framers of the commonwealth's land policy saw that a liberal land policy might help forestall these statehood movements.<sup>14</sup> The best approach would administer squatter tenures leniently and continue sales to individuals on easy terms.

In addition to the myths of the garden and the yeoman and the needs of geopolitics, the General Court placed a high value on simply conveying land into private hands. There were several interrelated reasons. The first was the yeoman ideal itself. The idea of government retaining vast manorial domains was all too familiar and was a distasteful reminder of British rule.

Second, private land would be on the tax rolls, at least potentially, for wider sharing of the costs of government, the common defense, and the late war. The commonwealth's burdensome debt, large public works needs, and scanty revenues all argued for every effort to enlarge the economy and the tax base.

Third, the public's timber was being plundered, but none of the possible solutions for guarding timber in the public domain was palatable at the time. Maintaining a bureaucracy to administer the land was viewed as an unpleasant interim necessity, to be ended as soon as possible. At the time, state governments maintained only minimal functions while towns and cities operated most public services. Americans had no experience in the long-term management of timberlands. The colonial system of royal timber agents and land agents had spawned corruption, tyranny, and waste. There could have been little enthusiasm for perpetuating such a system. These sentiments persisted well into the nineteenth century. Maine's own legislature was impatient to abolish its land office in the 1870s.

Although much of Massachusetts' interest in its Maine empire focused on the benefits of settlement, the northern lands also presented the General Court with an attractive tool for solving the commonwealth's financial

12. The cultural significance of the yeoman ideal and the myth of the garden (of the West in this case) are described in Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (New York: Vintage, 1950).

13. See McManis, *Colonial New England*, p. 71; Robert A. Gross, *The Minutemen and Their World* (New York: Hill and Wang, 1976), p. 74; and C. S. Grant, *Democracy in the Connecticut Frontier Town of Kent* (New York: W. W. Norton, 1972), pp. 98–103.

14. I owe this point to James E. Leamon, "Revolution and Separation: Maine's First Effort at Statehood" presented at the symposium on "Maine in the Early Republic," Portland, Maine, 3 December 1983. On separation, see Ronald F. Banks, *Maine Becomes a State: The Movement to Separate Maine from Massachusetts, 1785–1820* (Middletown, Connecticut: Wesleyan University Press, 1970).

problems. At times after 1783, half the commonwealth's budget went for debt service. In the 1786 land lottery, Massachusetts' bonds and notes were legal tender for buying the tickets. Land sales would produce revenue without directly burdening taxpayers.

The hope of using the land to retire debt and ease taxpayer burdens foundered repeatedly on a weak and fluctuating land market. Before long, the commonwealth was in competition with its own proprietors and with owners in the settled Maine towns. Maine lands also competed with adjacent states and provinces. As long as the state had not invested the capital needed to provide roads and water transport, selling inland lots proved difficult. Early buyers quickly learned that there was almost no secondary market. The unlucky found that they had unwittingly bought swamp or lake bottom.

No full reckoning of the commonwealth's "bottom line" on land sales for this period is available. Handlin asserts that until 1790 the program costs exceeded revenues, but Bridgham suggests otherwise. From 1785 to 1820, the gross was \$696,281. In 1853 Maine paid the commonwealth \$362,500 for the remaining 1.2 million acres Massachusetts held in the former district, an average of 30.3 cents per acre.<sup>15</sup>

### The Absent Theme: Conservation

There is little evidence that the General Court ever viewed Maine public land in this period as an explicit tool of a conservation policy, or that anyone proposed any positive public conservation program to retain land in public ownership. The concept was alien to the culture of the time.

Even the initial land surveys of this period reflect social and political policies and a lack of interest in conservation. Neither government committees nor private buyers knew much about the lands' resources. Detailed knowledge had

to wait for later surveys.<sup>16</sup> Perhaps the best evidence that conservation concerns were not important is the arbitrary location of public lots. Frequently, the lots were laid out "on plan only" and the ground was never visited. Public lots commonly contained large areas of lake bottom, which was already state-owned under the colonial ordinances. Lakes, streams, and features of obvious land use significance were ignored. In most of northern Maine, public lots were never set off at all, but remained "unlocated" until the 1980s. They remained in the form of a common and undivided interest in the town but were never surveyed on the ground. These arbitrary locations implied that the policy makers and surveyors did not have even a rudimentary interest in adapting uses of the land to existing natural features.

The commonwealth's land sales system, then, did not support sound land use. The arbitrary rectangular survey, under which most of the land was sold, was designed to produce quick sales to absentees, not to promote a sound farm economy.

Nonetheless, without a full investigation of primary sources, the possibility cannot be excluded that some members of the public or government officials were concerned about conservation. Bridgham refers to occasional recommendations that the commonwealth hold land for naval timber supplies.<sup>17</sup> Although local settlers did not articulate conservation as a goal, some of them recognized it as a practical need. Towns settled by close-knit groups, for example, generally did not employ arbitrary land divisions, ignoring topography. Repeatedly, across New England, small parties of proprietors divided up a town's lands with

15. Handlin and Handlin, *Commonwealth*, p. 87; Bridgham, "Maine's Public Lands," pp. 70, 330.

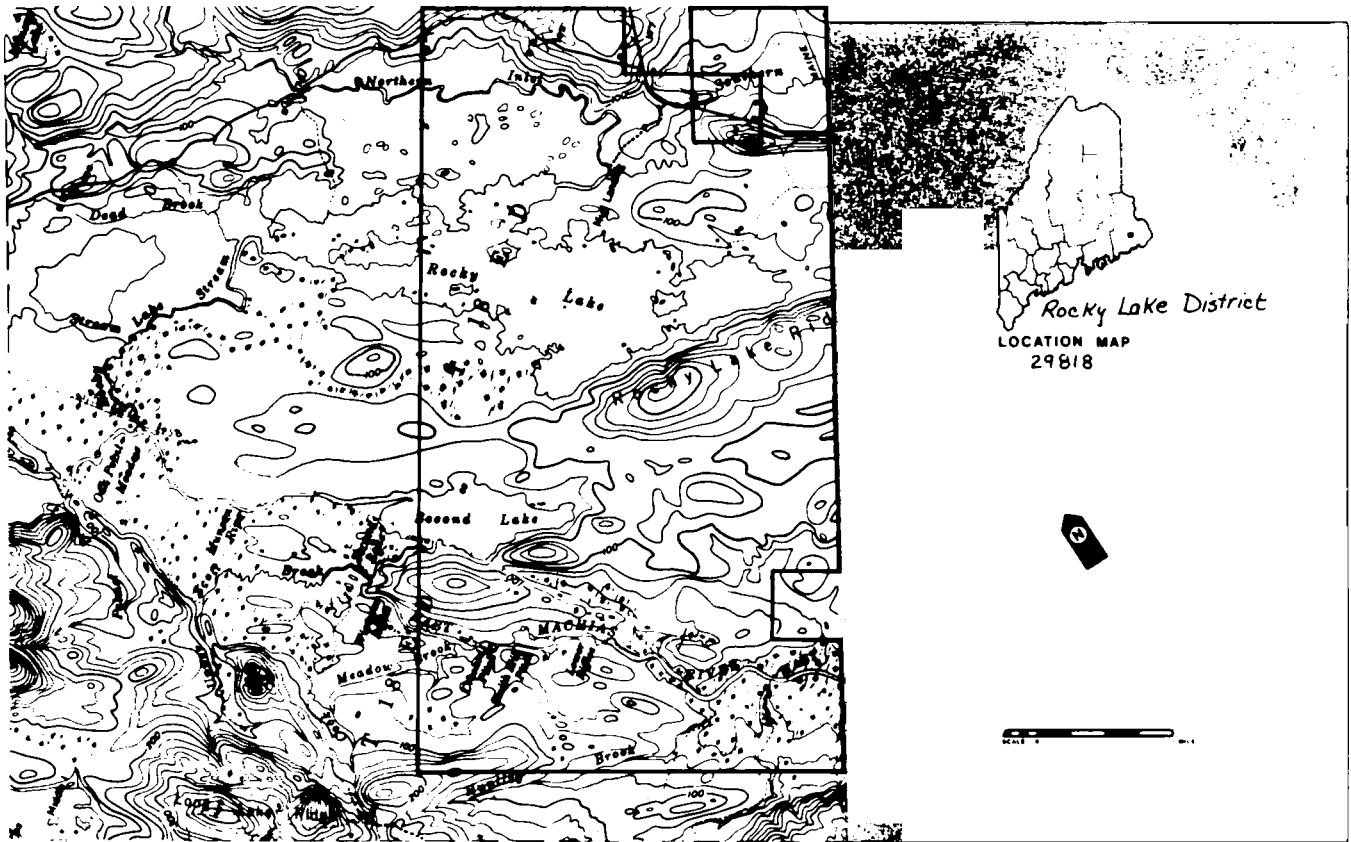
16. The remaining public lands were first surveyed for minerals in the late 1830s. Charles T. Jackson, *First and Second Reports on the Geology of the Public Lands of the State of Maine*, [Maine State] Senate no. 89 (Boston: Dutton and Wentworth, Printers, 2 vols. printed in 1837 and 1838). This report displays Jackson's fervent desire to convince readers that northern Maine had high potential economic value, so that the United States should negotiate for the northernmost possible boundary with Britain's Canadian territories.

17. Bridgham, "Maine's Public Lands," pp. 35, 357-61.

No. 5 320 a	No. 6 320 a	No. 7 320 a	No. 8 320 a	No. 9 320 a	No. 10 640 a
	No. 11 320 a	No. 12 320 a	No. 13 320 a	No. 14 320 a	789
	1862				
No. 15 320 a	No. 16 160 a	No. 17 160 a	Unlocated lot 320 a	Hereditary 320 a	No. 18 320 a
	40				
No. 20 320 a 1877	No. 21 160 a	No. 22 160 a	No. 23 160 a	No. 24 160 a	No. 25 160 a
No. 15 B. D.				No. 27 160 a	No. 28 160 a
					No. 29 320 a

A portion of Rufus Putnam's map of Township 18, Eastern Division, located northeast of Machias. Note the complete absence of reference to lakes and topographic features. Fully 3,729 acres (29 percent) of the township is water and wetland. From the Maine State Archives.





The state of Maine's current holdings of 8,724 acres in Township 18, Eastern Division, managed by the Bureau of Public Lands, acquired in a land exchange with the International Paper Company in the late 1970s. Provided by the Maine Department of Conservation, Bureau of Public Lands.

careful consideration of each household's needs for a town lot, for water access, mowing, woodlot, and plowland. This system sacrificed the unity of the individual farm to preserve the unity of distinct landforms. The individual farmer had to travel among scattered parcels to care for his one farm and in the process was forced to recognize or adapt to several different ecological systems.

By the end of the period under review, the commonwealth's leaders had reason to perceive several major frustrations. The land sold had produced relatively little net revenue; the inadequate supply of settlers meant that the yeoman ideal was poorly fulfilled, and in thirty-seven years only 40 percent of the initial endowment had been sold. Despite or perhaps because of the gap between the policy makers' intentions and the policies' effects, however, patterns of land use had been created that persisted for the next century and a half.

### Maine's Policy Heritage from the Commonwealth

The commonwealth bequeathed to the new state in 1820 a vast *domain of wild land*, 5.5 million acres of forest. Maine quickly went into the land business on its own. Since Massachusetts retained lands in Maine until 1853, the two land offices operated side by side, competing for customers, selling stumpage, cooperating on practical

matters, but with intermittent friction.<sup>18</sup> So the first heritage was 9.9 million acres of wild land—roughly a third of it in 1820 still owned by the commonwealth.

A second bequest was the tradition of *reserving land for public uses*. This policy was clearly expressed in the Articles of Separation and in the Maine Constitution. Following a long, complex history, these lands were transformed in the 1970s into a major tool of conservation policy. By law, in 1975 the original purposes of the Public Reserved Lands were expanded to include conservation and recreation.

Corresponding to the 6.1 million acres disposed of during 1783–1820, roughly 340,000 acres of Public Reserved Lands were retained by the state. Only a portion of that reserved acreage was ever alienated. By 1973 the lots in most of the lottery towns remained in state hands, since local governments never were formed in them and most remained unsettled, owned by large paper companies, which began acquiring Maine lands in the 1890s.

Other state and federal acquisitions since the 1920s have brought the state's public estate to nearly one million acres. The largest single component is the four hundred thousand

18. This joint action is noted in Smith, "Maine and its Public Domain," p. 130. A Massachusetts law of 1850 allowed land agents to sell timber rights separately from full title to the land and the state of Maine sold timber rights as such to some public lands from 1850 to 1875; Coolidge, *History of the Maine Woods*, pp. 566, 570.

acres of remaining public lots, arising from colonial precedent embodied in the Massachusetts legislation authorizing the 1787 lottery. These lands have since been forged into a system of larger units by a series of large land trades.

A final bequest of the period before 1820 was a tradition of *minimal administration*. Extreme financial stringency plagued the commonwealth throughout this period. Relying almost entirely on private investors for investments in infrastructure and facing a fluctuating land market with minimal staff, the Land Committee surveyed lands, held auctions, dealt with squatters and recalcitrant proprietors, and sold standing timber. Considering the magnitude of the task and its own limited administrative resources, the committee accomplished much.

Antibureaucratic attitudes, which characterized the nineteenth century as a whole, and the absence of any conservation ideal were both clear in land policies before 1820. In one sense, Rufus Putnam and his associates were pioneers, enduring cold nights in the woods to expand knowledge of Maine's natural resources. Yet in the end, they were engaged in a standard land sales operation. They laid out boundary lines for the auctioneer and the absentee investor, not for a conservation program or for well-planned farms.

Finally, this period set a pattern of *absentee ownership* that remains a feature of Maine's society and land tenure pattern today. Because of the conflicts between policy themes in a limited land market, Massachusetts sold heavily to absentee investors and retained substantial acreages in Maine after statehood. As early as 1816, Moses Greenleaf decried this situation, noting that perhaps one-fifth of the land in the organized towns and plantations was owned by nonresidents. He further estimated that of 4.2 million private acres in the wild lands, Maine residents owned only one-half.

Considering the realities of the land market during this period and the scant prospects for farming, this situation can hardly be blamed on the Land Committee. Maine's soils, geography, and previous land tenure history all contributed and still contribute to land use patterns that stray far from the yeoman ideal. Land in Maine is 85 percent forest, only 2.5 percent farmland, and still to a large extent owned by nonresidents.

### Federal Land Programs: Contrasts and Similarities

As the Massachusetts Land Committee was sending Putnam into the woods, the U.S. Congress groped toward a land policy on a far larger scale. Considerable debate ensued before the western land claims of the former colonies were resolved by the state cessions.

Through the person of Rufus Putnam as well as the actions of the federal government, however, Maine's public lands experience influenced the practices used in the west. After completing his work in Maine, Putnam left for the Ohio Valley in 1788 to work for his own company, a major land speculation scheme. He became a founder of Marietta, Ohio, and in 1790 a territorial judge. George Washington appointed him surveyor general for Ohio in

1796. While in that office, Rufus Putnam administered a land policy built squarely on his previous New England experience. His staff and funds were similarly minimal compared to scale of the task. He was removed by Thomas Jefferson in 1804, as early federal administrations began to perceive the possibilities for patronage offered by Washington's ownership of lands on the expanding frontier. Putnam's enemies charged him with mismanagement, while he and his supporters claimed that his replacement was motivated solely by patronage politics.<sup>19</sup> This personal connection between Maine's public lands and those of the federal government well symbolizes the common policy themes and contradictory goals that faced state and federal public land administrators in the early nineteenth century.

The young nation faced the same competing policy goals as did the Commonwealth of Massachusetts. Many of the practical experiences of New England land policy as well as its policy ideals found expression in the federal land ordinances of 1785 and 1787, which were the building blocks for a national public land system. A rectangular survey prior to sale, six-mile-square towns, reservations for schools and for the federal and state governments, and efforts to serve the yeoman ideal were obvious common points. The continual struggle against a fluctuating land market, speculation, and land monopoly was a constant theme, as was the desire for revenue. One way or another, states held land within the boundaries of others; Maine's position was not unique in that regard.<sup>20</sup>

Congress also improvised policy. Squatters and timber thieves always seemed to be one county beyond the survey crews. The land offices had to deal with title problems caused by squatters, trespassers, and claim clubs formed by those who had settled on unsurveyed land. These clubs defended the settlers' claims both against claim jumpers and against sale by the government when surveys were finally completed. Sales on credit frequently went into default. Land companies grabbed empires, then collapsed. Congress used land grants to try to suborn His Majesty's troops and to reward its own—7 million acres went to veterans of the revolution and of the War of 1812. Vast grants went to states for schools and public works. In the last half of the nineteenth century, while Maine experimented with railroad land grants, the U.S. granted 129 million acres—equivalent to seven Maines—to states and corporations in aid of railroad construction.<sup>21</sup>

The history of federal land policy from the great 1787 ordinance to the Homestead Act of 1862 is one of continual improvising in a tension among democratic and

19. Malcolm J. Rohrbough, *The Land Office—The Settlement and Administration of American Public Lands, 1789–1837* (New York: Oxford University Press, 1968), provides a lively and detailed account and mentions Putnam's career in Ohio.

20. Statistics cited in this section are drawn from the most recent history, Paul Wallace Gates, *History of Public Land Law Development* (Washington: Government Printing Office, 1968), and from Benjamin Horace Hibbard, *A History of the Public Land Policies*, first published in 1924 (Madison: University of Wisconsin Press, 1965).

21. See Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1776–1936* (Lincoln: University of Nebraska Press, 1962), p. 224.

sectional goals, administrative practicalities, the pressure for free land, the need for revenue, the claims of squatters, and the forces of speculation and monopoly. In some cases, as in administering mineral rights, the federal government had to solve problems that never arose in Maine.

Congress continued with a vengeance in the west the established eastern tradition of minimal administration. It did this for the same reasons as did Maine. The accuracy and dispatch with which lands were surveyed and auctioned and revenues accounted for were chronically hindered by insufficient and at times incompetent staffing.

In contrast to Maine and Massachusetts, however, Congress never arranged for commercial sales of timber on the public lands until the 1890s. Until then, the only way timber companies could obtain federal stumpage was to file land claims for other purposes, under the various acts designed to promote settlement, mining, and railroad building. They could purchase land explicitly for timber only secondhand from others who had received it from the government directly. It was not until well after the state lands in New England were sold and virtually forgotten that the federal government set about erecting an administrative structure for ongoing public land administration.

Federal land disposals from 1783 to 1820 were modest in relation to the vast public domain. By 1820 the federal government had acquired 798 million acres of land. During the Confederation, the U.S. sold and granted 1.3 million acres. Of the 19.4 million acres sold on credit from the 1790s through 1820, only 13.8 million were actually conveyed, because defaults resulted in the government retaining title to the balance. Military bounties (7 million acres) were in addition to this. So roughly 22 million acres of federal land were alienated by 1820.

Apart from the bounties, however, the federal lands typically were priced higher than Maine's. The federal lands were no better provided with roads and transport and, if beyond the surveyed frontier, probably offered less security of title. In fact, the extensive sales by Massachusetts in Maine were cited in Congress by foes of the high prices being asked for federal lands. The federal government's higher land prices therefore may have kept it from being a major competitor to the commonwealth's land sales program during this period.<sup>22</sup> In addition, the natural market for most of the federal land was the population of the mid-Atlantic states and the southern coastal plain, people much closer to the Ohio Valley.

The low demand for Maine lands was probably due more to geography and climate than to competition from federal sales. Free federal homestead land did not come until 1862, when farm settlement in most of Maine's wild land was a lost dream, most of Maine's public land was gone, and the garden of the north was forgotten. The harsh winters of central and northern Maine were known to southern New Englanders and must have had an effect of their own in dampening the demand.

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22. David C. Smith addresses this question for the period after statehood in "Maine and its Public Domain," pp. 125–26. Allis, *Bingham's Maine Lands*, discusses the problem briefly on p. 1,252.

In marked contrast to the Maine wild lands, federal land policy and administration were being pulled along by squatters, settlement pressures, sectional suspicions, and speculation. If Uncle Sam's policy was unable to keep up with demand, Massachusetts' problem before 1820 was an insufficient demand, which repeatedly frustrated each successive scheme for speedy sale and settlement.

## Conclusion

To return to the questions posed at the beginning of this paper, the Maine land program before 1820 was a microcosm of the problems later faced by the federal land program. Virtually all of the same competing policy themes were encountered: the Maine program's administrators struggled with the same inadequate resources in meeting their goals. The Maine land sales experience of the Massachusetts Land Committee did provide some of the basis for later federal policy, not least in the person of Putnam himself. But Putnam was not the lone pioneer, considering the many roots of the 1785 and 1787 ordinances and their subsequent implementation. Certainly, the state of Maine has inherited many specific features of landownership and use from the land programs set up by the Commonwealth of Massachusetts.

One-half of Maine—the wild lands—still lacks local government. Away from roads, this region is rarely visited other than by hunters and timber cruisers. If Rufus Putnam could tag along today with a Bureau of Public Lands line crew, he might think, "Sure, I never thought we'd find enough people crazy enough to farm this ground—why that was clear long ago . . . to everyone but that promoter Greenleaf, anyway . . . that's why I moved to Ohio." But Putnam would notice that the state continued its determination to get the land into private ownership. Though it took time, this policy succeeded to the extent that Maine still contains less public land in proportion to its area than any other forested state—roughly 5 percent. Paradoxically, Maine's most successful public land policy was its decision to get that land out of public ownership.

Putnam would find much of the surveyors' day-to-day activity familiar. He would see that public land management continues to be torn between competing objectives and interest groups. Putnam would have difficulty, however, with the concepts and vocabulary of modern forestry and multiple use management. Campsites, tree plantings, and fancy rhetoric about "a people's heritage of wild land" might puzzle him a bit. He would surely notice how hard it is to get rid of a bureaucracy. The notion of public land ownership as a conservation tool, of nondevelopment as a policy goal, would be as strange to him as a helicopter. Yet he would find that many of the business practices of the Massachusetts Land Committee have survived in the land systems of Maine and other states and were later spread across a wide continent by the federal government, following his own work in Ohio. The map of the state lands of Utah, one of the last states settled, shows the same pattern of scattered school lots that appears on the map of Maine's unorganized territory. ▲