

Who were the Kennebec and Pejepscot Proprietors?

Essay by Ian Saxine, Fall 2022

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The Kennebec Proprietors and Pejepscot Proprietors were two of the largest land companies formed in colonial Massachusetts to colonize present-day Maine. Boasting membership that included some of the wealthiest, best-connected families in the colony, the companies played an outsized role in eighteenth-century Maine history. They influenced the location of towns in Maine, their layout, and often, in various ways, the quality of life within those communities.

The proprietors shaped the composition of Maine communities by recruiting Scots-Irish, Huguenot, and German settlers when New Englanders did not find their terms inviting. The proprietors also shaped Massachusetts relations with Wabanaki Nations, both by their actions on the Maine frontier, and their influence within Massachusetts government itself. Two founders of the Pejepscot Proprietors, **Adam Winthrop and Thomas Hutchinson**, sat on the Governor's Council. Kennebec Proprietors included Massachusetts governors **James Bowdoin** and, secretly, British governor of Massachusetts, **William Shirley**.

This political influence translated into Massachusetts taxpayers funding fortifications to protect company towns, and the creation of **Lincoln County in 1760**, where the Kennebec Proprietors hoped juries in company towns would be more favorable to their legal arguments. A full understanding of the course of Maine history before its 1820 statehood requires grappling with the vast legacy of the great land companies like the Pejepscot and Kennebec Proprietors. Both companies formed to legitimize and take advantage of titles to vast tracts of Wabanaki Homelands, but the different origins of their claims both led to conflicts between the companies, and contributed to the chaotic process of colonization in Maine, distinguished by its litigiousness.

The Kennebec Proprietors traced their title back to a 1629 grant by the Council of New England (granting land from King Charles I under a royal charter) to a vague, poorly defined area on both sides of the Kennebec River. Originally awarded to Plymouth Colony, which used the land to engage in fur trade with the Wabanaki, until four Boston Merchants bought it in 1661 for £400. During the wars of 1675-1678 and 1688-1699, the Wabanaki, who had only conditionally authorized English traders to operate in the area, destroyed the trading posts and drove away the small number of English settler colonists there.

The original four shareholders and their descendants gradually sold off portions of their shares into ever smaller pieces, while the original patent was lost. In addition, ongoing eighteenth-century wars on the Maine frontier discouraged investors from what appeared to be a risky venture. What became the Kennebec claim lay "dormant" until a minor shareholder named **Samuel Goodwin** found a copy of the Plymouth Colony Patent in 1744. The major shareholders began attempting to make the company claim a reality in 1749.

The Pejepscot Proprietors formed in 1714 after purchasing a claim tracing back to a deed signed by speculator **Richard Wharton** in 1684 with six Wabanaki sagamores to land around Merrymeeting Bay, the Androscoggin and Kennebec Rivers. The eight original Pejepscot Proprietors quickly founded Brunswick and Topsham, and spent the next few decades struggling to recruit settler-colonialists willing to move to what they viewed as a dangerous frontier. Most New Englanders did not change their view of Maine until the decisive defeat of the Wabanaki's French allies in the Seven Years War (1756–1763) ended the possibility of credible Indigenous military resistance to colonization.

The Kennebec and Pejepscot Proprietors, like most settler-colonialist, agreed that their king had a right, as a Christian monarch, to claim and grant away land already within Native jurisdiction under the doctrine of *vacuum domicilium*, a legal doctrine used to argue that an absence of English-style

houses and agriculture in an area meant an absence of any legal ownership. Seventeenth-century English, confronted by the reality of powerful Indigenous Nations on this supposedly vacant land, paid annuities associated with the privilege of staying out of necessity. After being forced to pay the locals for this land, some New Englanders said that “Indian deeds” were a valid form of title on their own, rather than a necessary addition to the all-important royal grant. Holding title from a Wabanaki deed, Pejepscot Proprietors like **Adam Winthrop** argued that, as “the custom of the country,” deeds from the Wabanakis stood on equal footing to those from the crown. Without acknowledged Indian deeds of their own, the Kennebec Company came to the opposite conclusion.

While claiming ownership to hundreds of thousands of acres in Maine, most of the presiding members of the **Kennebec and Pejepscot Proprietors lived in and around Boston**. Both companies conducted major business in the city, often in taverns like the Royal Exchange. At meetings, the companies weighted votes according to shares held, so a handful of individuals set company policy. **Sale and division to heirs of the original proprietors meant that by 1750, both the Kennebec and Pejepscot Proprietors consisted of numerous men and women holding fractions of a share.** Although female heirs voted and affixed their signatures to decisions requiring all shareholders’ approval, they do not appear to have attended most meetings where company policies were hammered out. Boston women actively participated in other financial ventures in the eighteenth century, but the evidence of whether the female shareholders sought a greater role in company affairs or not is unclear.

In the Kennebec Proprietors, someone who held eight out of the available 192 portions was considered to have a single share, worth approximately £216 during the 1750s, at a time when an artisan in Massachusetts could feed a family on £50 per year. When the companies surveyed and parceled out portions of their “undivided” land, acreage was assigned according to shares. Proprietors who held onto their company shares long enough—however small—received significant landholdings. Even the smallest Kennebec shareholders received 1,600 acres by 1795. Neither company called general meetings to handle routine business, rather handling it through small standing committees. These committees, comprised of at least one major shareholder and the company clerk, made most of the decisions about managing the new, unincorporated towns on proprietary lands.

Although the title may sound humble, clerks managed the books and, as they were privy to sensitive information, wielded considerable power in company affairs. **Belcher Noyes, clerk for the Pejepscot Proprietors** for almost a half century beginning in the mid 1730s, and **Samuel Goodwin**, an early clerk for the Kennebec Proprietors, not only organized meetings, but also took the lead in company negotiations with often recalcitrant colonists on the frontier, who had their own ideas about how land should be allotted. Both companies also employed agents who lived on the frontier to represent the proprietors’ interests. The Pejepscot Proprietors relied on **Benjamin Larrabee and Enoch Freeman** to collect payments, sell additional lots, and to deal with squatters or colonists cutting down timber on unsold company lands. Effective agents needed a familiarity with the law, as the proprietors frequently resorted to filing suits of ejectment or trespass against residents. In the early years of the Kennebec Proprietors’ operations in the 1740s and 1750s, Samuel Goodwin operated as an agent for the company in their first town, present-day Dresden.

At times, company agents clashed with their employers, disobeying directives from Boston. After Goodwin repeatedly sold lands without company permission the Kennebec Proprietors fired him as agent in 1761. By that time, Goodwin had bought a full company share and moved with his family into the Lincoln County Courthouse (built at the proprietors’ expense) where, despite several efforts by the proprietors to evict them, the Goodwins remained

The Pejepscot Proprietors granted a limited number of free plots of land in Brunswick and Topsham between 1715 and 1722, and continued a policy of selling initial plots of 100 acres for £5, to entice colonists to move in. Different goals of residents and the proprietors soon led to clashes. The proprietors hoped to retain most “undivided” land until its value rose because of growth in Brunswick, Topsham, and other company towns. Residents in those communities wanted the proprietors to grant away more land to attract more settlers, with greater numbers enabling schools, prosperity, and, on a still-contested frontier, safety in times of war. Residents also levelled frequent complaints about the

quality of their existing plots of land, pointing out that the proprietors hoarded choice lots for their own use, hindering community prosperity.

In 1719, Brunswick residents took matters into their own hands, declaring in their own “Leagual Town Meeting” that the (still unincorporated) town would assume the power to revoke grants to anyone who “neglect[ed]” to build on the land” for the space of halfe a year.” Later that year, residents discussed expanding the meadowland attached to each grant by vote of the town, yet another measure that they lacked the legal authority to do. The Pejepscot Proprietors spent the next half century struggling with Brunswick and Topsham residents who squatted on unsold land, stalled on payments, or helped themselves to timber on company land, while arguing that, by assuming the risk of moving to Maine, and making the company claim valuable, they deserved a greater share of it. Writing about Topsham residents to Enoch Freeman in 1762, Belcher Noyes grumbled that “there is not one of them but what think their Right superior to the Proprietors and have a long time bid Defiance.”

Residents on company lands also complained, with considerable justification, about suffering as a result of rivalries between the Great Proprietors (as the speculators became known after the American Revolution) over vague, overlapping claims. Fearing that an adverse decision in court would jeopardize their company’s entire claim, the Pejepscot and Kennebec Proprietors preferred to issue unwarranted “quitclaim” deeds to residents. Ordinary homesteaders buying from one company often faced threats and lawsuits from rivals, and some even paid multiple sets of proprietors for their land to avoid eviction.

As agent for the Kennebec company, Samuel Goodwin alone delivered notice to several hundred families between 1749 and 1751, in nineteen communities from North Yarmouth to Newcastle that they should either ask the Kennebec Proprietors for a grant to land these families already lived on or face a lawsuit. At least 319 individuals complied, paying the company over £6000 for lands they had occupied before the company had dispatched its first agent. Frontier residents retaliated by vandalizing the property of company agents, threatening them, and on several occasions, physically assaulting them on the road or even in their homes.

Clashes between the Great Proprietors and frontier residents climaxed in the years around 1800. But in 1808, the Massachusetts General Court passed the Betterment Act, finding that the speculators would have to compensate residents for the value of “improved” land. Squatters’ murder of a surveyor named Paul Chadwick in 1809 along the Kennebec River sapped popular support for continued resistance, convincing most residents to finally settle with the proprietors. Both the Pejepscot and Kennebec Proprietors sold off their remaining claims and wound up their business within a few years of the Betterment Act, bringing the great era of land speculation in Maine to a close.

Pejepscot Proprietors Biographies

The Original Eight Proprietors

Thomas Hutchinson

Thomas Hutchinson was a wealthy merchant who had interest in Maine lands because of familial ties. His grandfather purchased lands near Saco in 1673 and his father married into land ownership in Maine. Both were councilors in the state.

Hutchinson’s political ties were crucial during the early days of the company. His brother, Edward was a member of the General Court’s Committee of Eastern Claims when the petition for the confirmation of title was originally received, and when it came before the house, Thomas was on the council, along with his father and uncle. Hutchinson sold his share to Colonel **Thomas Westbrook** in the late 1720’s.

John Wentworth

John Wentworth was Born in Portsmouth New Hampshire, was a Surveyor of the Kings Woods and served as Lieutenant Governor from 1717-1730. His son Benning bought John Ruck's shares in 1727. Wentworth's grandson **David Jeffries** became a member and clerk of the rival Kennebec Purchase Proprietors.

Wentworth's name is mentioned many times in both the Pejepscot and Kennebec Proprietors records. Notably, the Kennebec Proprietors pled with him to be reimbursed for the Crown appropriating large amounts of timber for the Royal Navy, which he seemingly had no interest in helping with.

Adam Winthrop

was the great-grandson of the first Massachusetts governor and arguably one of the most distinguished of the original proprietors. Until elected a Boston delegate to the house of the Representatives in 1714, his interests had centered on his mercantile career, the Artillery Company of Boston, and the town's militia regiment.

Oliver Noyes

Oliver Noyes (1699-1720) was a physician and merchant by profession. Noyes graduated from Harvard in 1695 and was very active in Boston politics and infrastructure. He served as an officer in the Boston Militia, was selectmen for several years, and represented Boston in the General court 1714-6, 1719, and 1720. **Oliver married Anne Belcher**, sister of Massachusetts Governor Jonathan Belcher. **Oliver's son Belcher** became the clerk of the Pejepscot Proprietors, giving him a tremendous amount of power within the company and New England politics as a whole.

John Ruck

John Ruck was the brother in law of **Thomas Hutchinson and the father in law of Benning Wentworth**. Like David Jeffries, a big part of his contribution to the company was financial. He was also a member of the executive committee for the proprietorship.

David Jefferies

David Jeffries was a wealthy Boston merchant who emigrated from England to Boston in 1677. Jeffries was adept in business and financial management, and in the years leading up to the Pejepscot Purchase managed a thriving waterfront business which was built on complex systems of credit and personnel management. Much of his waterfront business centered around the representation of London firms in the colonies. Because of his success, Jefferies role in the Pejepscot proprietors was most likely as a banker and investor.

Oliver Noyes, fellow proprietor, married the widow of Jefferies son David and his grandson David III went on to become an integral part of the rival Kennebec Proprietors.

John Watts

John Watts was the only Pejepscot Proprietor that actually seemed interested in living and settling on the company's Maine property. Watts focused his attention on Arrowsic Island and the improvement and fortification of the land. He died in 1717 in Maine. He accomplished the settlement of twenty families on the island.

Stephen Minot

Stephen Minot started from perhaps the most humble beginnings from work as a tailor, then as a Captain in the militia. He was responsible for the upkeep of the Wells-Brunswick road and helped transport soldiers to the Brunswick fort.

Later Proprietors, Heirs and Assignees

Colonel Moses Little

Moses Little was born on May 8, 1724, the son of Moses and Sarah Little of Newbury, Massachusetts. He was the Surveyor of the King's Woods in the 1750s. Moses was a colonel in the Revolutionary army and fought at Bunker hill and in New York.

Colonel Josiah Little

Josiah Little was the son of Colonel Moses and Abigail Little and born on February 16, 1747. He married Sarah Toppan, the daughter of Edward and Sarah Toppan of Newbury, on March 23, 1770. Josiah went into business with his father, and later took control of his father's real estate.

Josiah lost a hand in an explosion while supervising the blasting of a passage through the rapids in the Androscoggin river.

He remained active in overseeing his property until he was past eighty years old. Josiah was also involved in shipping in Newburyport with his cousin Jacob Little.

Josiah served as a representative to the Massachusetts General Court for twenty-five years & was a Trustee of Bowdoin College, where his son Josiah attended. He died on December 26, 1830 as a result of complications from a broken thigh.

Belcher Noyes

Belcher Noyes was the son of original Proprietor Oliver Noyes and Ann Belcher. While still very young his father died, and he was placed under the guardianship of his uncle Jonathan Belcher, who was an influential Boston merchant and Governor of Massachusetts (1730-1741.) Noyes graduated from Harvard College and also studied medicine after graduation. Once in office, his uncle appointed him to the official expedition to inspect the fortifications to the east.

Noyes owned a mansion in Dock Square, opposite the south side of Faneuil Hall, the Pejepscot lands left to him by his father, as well as other dubious land titles on Roanoke Island in North Carolina and the Bedford Plantation in Connecticut. In Boston, he was elected to the office of scavenger, clerk of the market, and hogreeve (hog constable) several times. He also served as assessor and justice of the peace for Suffolk County and the inferior court.

The greater part of his time, however, was spent as executive officer for the Pejepscot Proprietors. Over his active years within the company he served as its clerk, secretary, treasurer, and collector of taxes. Noyes is responsible for the creation of the majority of proprietor records within the Pejepscot collection.