

.. SAM ELY ..

MAINE LAND ADVOCATE

Vol. 1 No. 5

Price 25¢

May 25, 1973

FIRST LAND IN TRUST

Acquiring our first piece of land has changed us. Our thoughts are on more concrete things now. Some of us had been wondering if we would ever get beyond the talking stages, but then, Robbie Wilson came with his gift of land.

Robbie called me several months ago saying that he was looking for some way to place his land in perpetual trust. He hadn't heard of Sam Ely until a mutual friend mentioned it to him a day before his call to me. Rob had been seriously ill and was trying to think of ways to protect the land he loved and worked. He had thought of giving it to the town of Detroit, Maine but there was so much involved and there were no guarantees that the land would be used as he wished. He told me that he could see spectres of speculators waiting to "make a buck" on his homestead. (In fact, when I called the real estate agent when clearing up the title for Rob, the agent asked me to "tell Mr. Wilson that we know of someone who would give him a good price for his land!") Rob had drawn up an agreement, stated simply and clearly:

"The land will be used by a homesteader agreeable to the Sam Ely Community Land Trust. The land can be cleared for pasture for organic hearing and farming. The twenty-eight acres will be included in the Land Trust grant but building

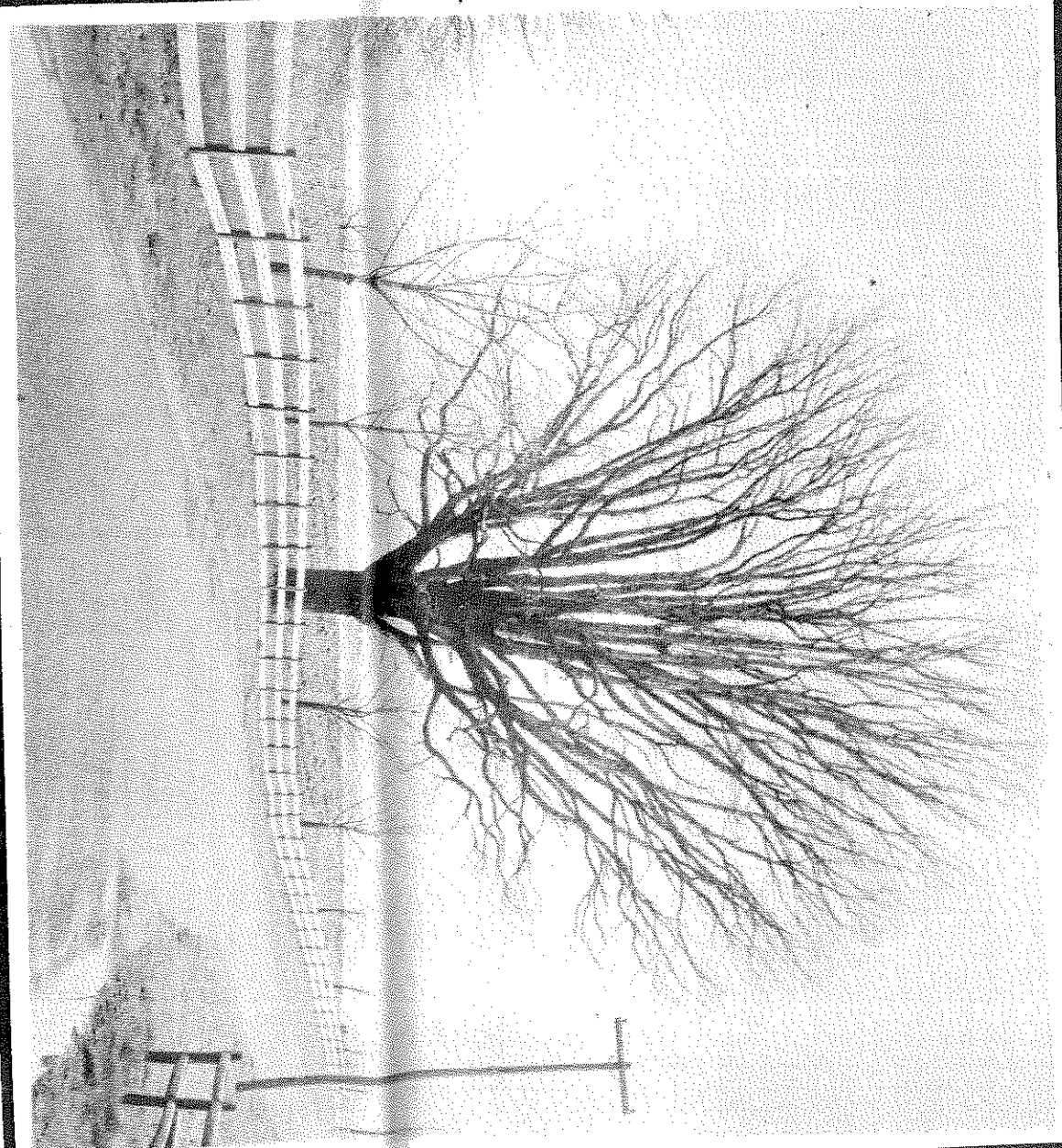


photo by Kay Lucas

will be limited to the three acres surrounding the area where the house and barn now stand."

I was immediately impressed by the directness of this procedure. Here was a homesteader wishing to protect the land he loved. The homesteader drew up his own contract; spelling out his concerns and wishes. The Trust was ready to advocate for and hold the land. A trust relationship was established at the next Trustees meeting and

the gift was accepted.

In addition to accepting Rob's gift the Trustees proposed that:

*A careful evaluation be made of how the land could be nurtured by homesteaders, calling on our technical advisory committee to help us.

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COALITION CONFERENCE REPORT

The central theme coming out of the recent Conference on Land Reform held April 14 in Bangor was: control and ownership of land and resources in this state. Who owns the land? Who controls the resources? And how do we return that control, and the benefits, to Maine people? Ideas ranged from Community Fishing Corporations, working for reform of law to aid fishermen in holding on to their shoreline property, to tax reform bills and Public Power.

Geoffrey Faux in his address to the group outlined the problem:

"America's land is more and more owned and controlled by a concentration of private corporate powers. Pulp and paper companies directly own 65 million acres of land. (In Maine a dozen timber and pulp companies own more than half the state.) The top eight oil companies own another 65 million acres of land. And the potential profits from recreation and second home development have lured companies like Chrysler, Gulf & Western, ITT, CBS, Eastman-Kodak and others to buy up huge chunks of real estate all across the country."

Including Maine. As John Ren-senbrink points out in his article on the Land Struggle, and as Mr. Bagley's situation shows, individuals are very vulnerable and powerless in the face of such a concentration of power. The people involved at the Conference realize that the only way open for us is to work together. By building a representative group through which we can speak collectively, we can perhaps influence the legislature which is one place to start in order to change some of the laws that foster the situation we are now in. Equally important though, is working to build alternative institutions such as Community Development Corporations, Land Trusts and Cooperatives which would be controlled by the people they serve and through which we can regain some control over our lives. The third avenue is constantly working to get out information to people, educating ourselves and others.

The statement of purposes adopted by the Steering Committee of the Coalition reflects these goals. (The Declaration of Purposes of the Coalition is printed below.)

There are six different areas which the Coalition could work in: Public Lands and Wildlands, Forestry and Forest Products, Farming, Fishing, Taxes, and Housing Alternatives. Committees have already been set up around some of these areas, and in the near future possibly all the areas will be covered by a working committee. In order for these groups to work, they need to be local or regional in structure so that many people can be involved and information spread quickly. The Coalition hopes to achieve this by having each interest area

co-ordinated by one or two people who can work to build their group and can be part of a state-wide steering committee where information and activities would be shared and co-ordinated in joint efforts. A newsletter will also be important in keeping members of different groups informed of what others are doing and what needs to be done.

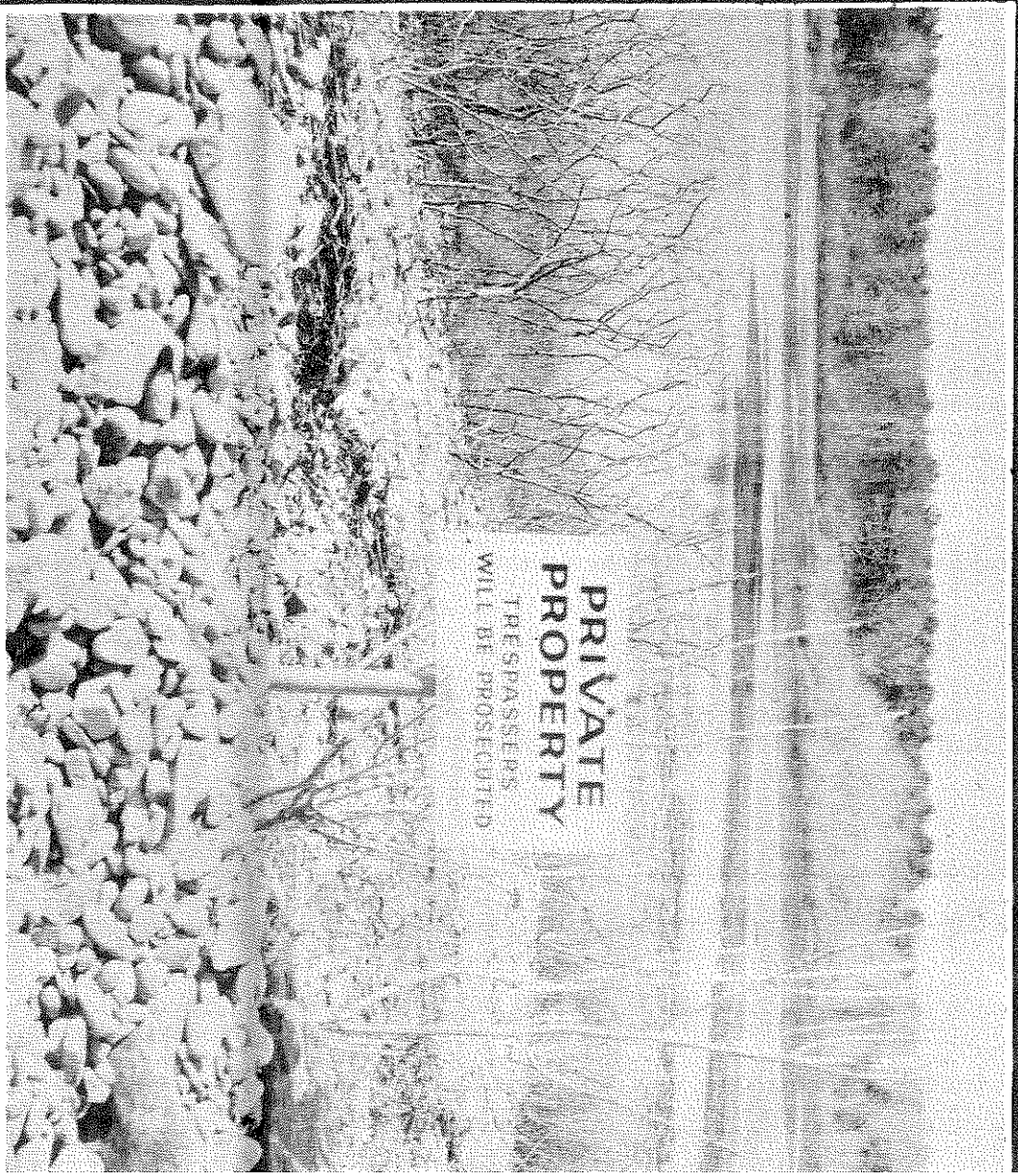
The mailing address for the Maine Coalition of Land and People

is P.O.Box 137, Bangor, Maine. Or contact: John Newton at 353-4637 in Lisbon, Randy Curtis at 725-7047 in Brunswick, Lulu Chamberland at 942-8241 in Bangor, Chalmers Hardenbergh or Meredith Malmberg at 622-4731 in Augusta.

The Maine Coalition of Land and People needs support from all quarters if it is to be effective. There's a lot to be done.

[by Lulu Chamberland]

Photo by Kay L. S.



THE MAINE COALITION OF LAND AND PEOPLE

A DECLARATION

We, people of Maine, desire a society centered on self-reliance, cooperative industry, popular ownership, and a life in harmony with the land.

We desire to end the present domination of Maine by outside corporations and unresponsive political structures, and to gain control of the resources of Maine by its people.

We will work for

Economic protection for small landholders;

Community Land Trusts and Cooperatives; balancing the needs of the land with the needs of the people;

AND, Popular control of resources suitable for public holding.

Towards these ends we have formed the Maine Coalition of Land and People. We are a coalition because our fight is one many fronts. Each demands a uniquely dedicated group of people and a unique set of tactics. Only through the efforts of many groups can we succeed in our struggle.

We ask all people of Maine to join us, for

CONTROL OF MAINE'S RESOURCES BY THE PEOPLE OF MAINE.

Atlantic States Conference on Land Trusts

Bo Yerxa, Kay Lucas, Ralph Greene, and Willy Willette of the Sam Ely Community Land Trust were asked to be resource people at a conference on land trusts held at a Quaker meeting house and school in Haddonfield New Jersey on April 14 and 15. The sponsors were people from the Philadelphia Life Center, a community of about one hundred people living in 13 West Philadelphia houses.

One might expect a two day conference in New Jersey to be a fairly dull, highly structured affair. Not so, this one. It was more like a very enjoyable two day picnic with folks who seemed like family. The weather was warm and sunny, trees and flowers in full bloom and New Jersey was being blessed with several days of "acceptable" air. Good food, good company, good conversation-- what more could one ask?

Most of the time was spend outdoors in "workshops" (small groups of people lolling in the sun), comparing notes on land trust efforts and rapping about the concept of land stewardship as opposed to land ownership. There

were many people there who wanted to know what a land trust was. The Sam Ely people and the Peacemakers (and anti-war group dedicated to "non-violence as a way and spirit of life") were presumed to be the "experts" because these two trusts were acquiring land and about to make lease-holding agreements. However when these two groups compared notes it was obvious that both were having plenty of "non-expert" experiences. Both Sam Ely and Peacemakers seemed to agree that the important thing to understand is that forming regional land trusts is and endeavor so new that discovering the process is part of the effort.

The Peacemakers were willed money recently and purchased two farms in West Virginia. They are looking for people who might want to live on the land.

Other resource people at the conference were Bob Swan and Ted Webster of International Independence Institute, Cambridge, Mass. Sunday's outdoor workshops gradually dissolved into one large group of folks gathered around Bob and

Ted with questions concerning the how and why of the legal technicalities of trusts, the possibilities for urban trusts, and the means by which property(what a person has produced and therefore can "own") and land can be separated.

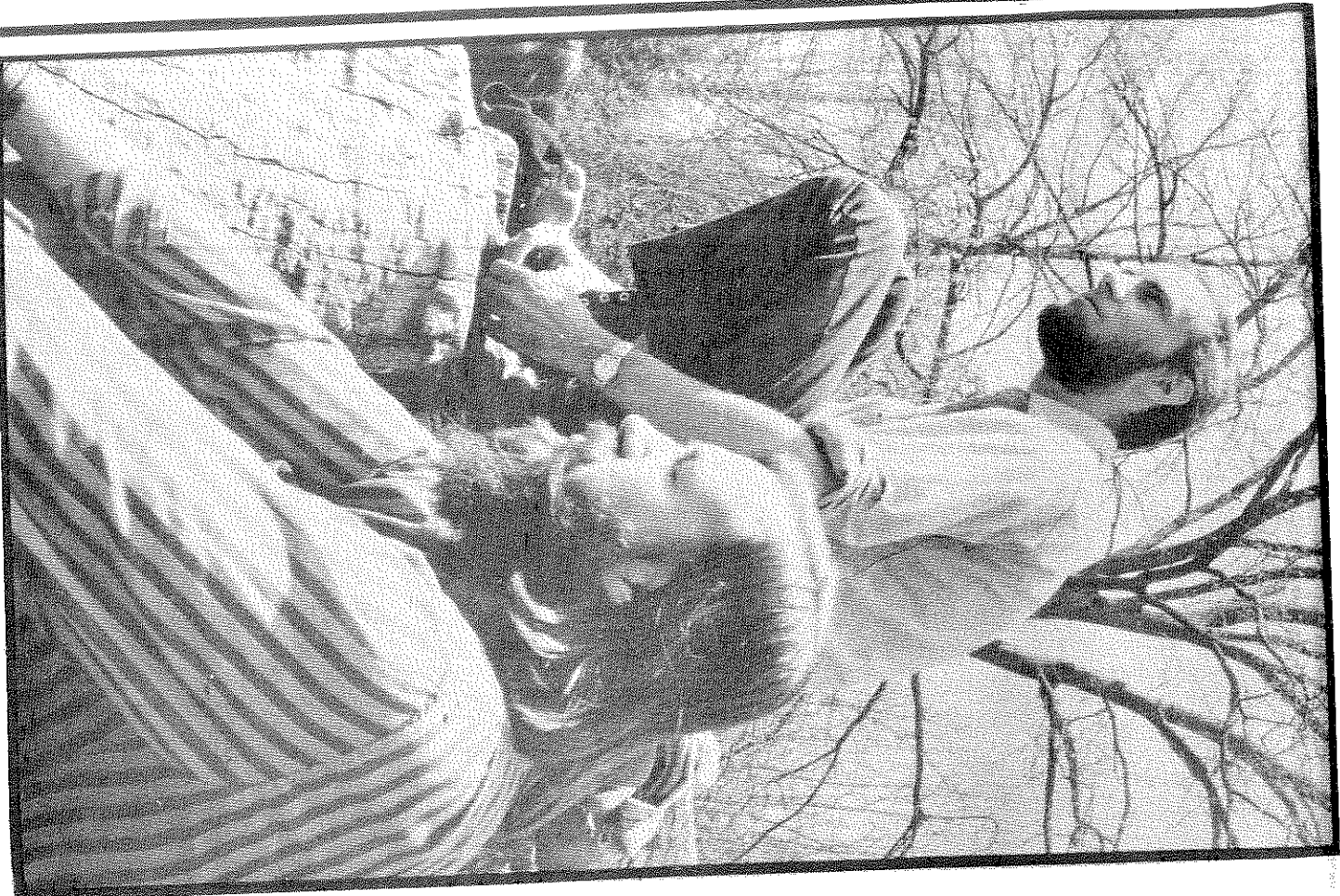
We left the conference with some new understanding of the need to protect land in trust by legal means, and some inklings of the work ahead for Sam Ely. We also had a sense of the need to record what we are learning, perhaps in a manual, or with a slide presentation, so that the land trust ideas and experiences can be shared more easily with all the people seeking this information.

For people who would like to know more about the Peacemakers and the Philadelphia Life Center here are some addresses:

PEACEMAKERS: Dianne Eckman
2027 W. Kilborne Ave.
Milwaukee, Wisc. 53233
phone: (414) 344-7768

MOVEMENT FOR A NEW SOCIETY
1006 South 46th Street
Philadelphia, PA. 19143

(Article and photographs by
Kay Lucas)



The Land Struggle IV —

Making a STAND: Action and Strategies

The Land Coalition Conference on April 14 in Bangor brought something home to me with great force: how closely the survival of our personal lives is bound up with political realities, and how little we are aware of this, or allow ourselves to be aware.

It happened in the workshop on taxes. Three brothers were there. They have 64 acres of land which they are farming, some of it extending out to the sea, though only a narrow strip of about 200 feet actually is shoreline. Their property taxes are already at \$1500.00 per year and going up. To the extent that other land in the area is being "developed" (tourism, residential and commercial growth generally), the town fathers will be pushing the rates up to a point over a number of years that will likely be too great for the three brothers to survive as farmers pursuing a certain style of life. Someone in the workshop, rather unfeelingly I thought, suggested they sell the area on or near the sea, in order to save the rest. One brother said in some anguish, "But those 15 acres are the best farm land!"

Several points came out of this. First, that this is a bitterly typical dilemma facing all kinds of homesteaders in Maine. (see the article on Hazel and Clarence Bagley in the last Advocate, and the follow-up in this issue.)

Secondly, that reforms which call for tying tax rates to market values make the dilemma even worse: it forces the homesteader and small farmer with their social and ecological values to "compete" with the narrowly economic and speculative values of intensive "market oriented" development.

Third, that as individuals owning our own private plots and farms (60% of Maine households) we are all vulnerable and all more or less helpless.

Fourth, that Sam Ely can make some difference on this problem, but not decisively because (for example) Sam could not take over ownership of the three brothers' farm with that escalating tax bill. The point is that neither Sam nor anyone should have to pay that kind of bill.

Fifth, that a strong political force is needed (independent of Sam Ely) to fight for favorable tax and land use laws that will help the small holder in general and Sam Ely in particular, a point I return to below.

Sixth, that we need a guideline, or strategy, that is firmly based in our own needs as people of various kinds trying in our lives to put into practice such values as self-reliance, enjoyment of life, autonomy and mutuality. I will also return to this shortly.

TO MAKE A STAND NOW

We need to make a stand now. I didn't say take a stand, as if a

moral resolution or a political proclamation or a vocal demonstration, or some form of "direct action" will help us. No, we need to make a stand.

I know, or know of, so many different people, both traditional farmers, homesteaders and small plot owners on the one hand; and on the other people from the cities moving on to plots and farms in the hope of finding a better life. We all have something in common. We love the land and what it means to us. And we are all individually vulnerable.

There is no use assuming or hoping that somehow one can truly retreat or get away from it all, or to act like the familiar ostrich.

Yet I see so many people doing that, traditionalists and newcomers, believing that somehow as individuals one can survive. Or that, if it doesn't work out here, it's possible to move on to somewhere else.

But even if the ax does not fall today or tomorrow or the day after that. Even if it doesn't fall for five years or ten or twenty five years, it surely will fall, whether on us or on our children, no matter how lucky we may be.

There is in our culture a falsely individualistic, supine, and deeply irresponsible attitude of doing-it-for-myself-and-I-can't-help-it-about-the-rest. It "works" for the buccaneers and con-artists (and global corporations.) But it turns back on the rest of us. By its paralyzing power over us, we get picked off one at a time, now here, now there; we are subtly (often not so subtly!) pushed to the wall and then chopped up in the name of "development" — by seemingly inscrutable forces. But they are not inscrutable at all but are perfectly obvious if one gets ones head out of ones ass and learns to look with ones own God-given eyes!

Too many good people with fine intelligence and decent values have somehow had their consciousness warped, or blunted, or emasculated — made impotent like chickens in a panic, like prisoners in a concentration camp, like okies before the winds of the dust bowl and the roar of the bull dozer. One sees them as in a surrealistic dream, moving hither and thither for cover (walking-as-if-unhurriedly, or slithering, or cowering, or strutting) knowing deep inside that their turn will come soon enough.

Are Jill's one hundred and fifty acres in Freedom invulnerable? Are Mark's 100 acres in Litchfield? My family's sixteen acres in Topsham? Bitsa's group's 160 acres in Monroe? Lulu's parents' farm in St. Agatha? Hazel and Clarence Bagley's farm in Milbridge? Sam's own thirty acres in Detroit?

One could go on and on... Ask not for whom the bell tolls, it tolls for thee!

We must turn and fight together.

Yet many of us have suffered ourselves to become non-political and

anti-political because in the sixties we were out in the name of Sir Golobad and all the saints of Right versus Wrong (or, the same thing, in the name of this or that "correct" ideology) battling for other people's lives and fortunes and sacred power. And we got fed up with that. Quite rightly.)

But can we do now for ourselves (and for others) what we so intently tried to do only for others? Do we have sufficient presence of mind, or have we waxed too cynical, too soft, inside to be bothered with even the protection of our own lives and fortunes and those of our children?

ACTIONS AND STRATEGIES TO THINK ABOUT AND RALLY 'ROUND

1. Sam Ely is needed. Sam is a vehicle or agency with which to place land for protection in perpetuity when and as Sam can absorb it. And Sam is a social reality which seeks to embody in practice a realistic alternative to land holding, land use and people's control.

2. A political force is needed — a land and people's coalition. Now in the process of formation, a Maine Land Coalition can be a real alliance of many groups and interests; including traditionalists and newcomers; including individual homesteaders and cooperatives; including conservation interests and people's economic interests such as tax payers groups, tenants, low income people, farmers, woodcutters, fishermen and so forth.

3. We need a strategy: a general guideline for taking action. We have been talking a great deal about self-reliance, enjoyment of life and land, autonomy, and mutuality. This should afford us a basis from which to elaborate a strategy. My suggested spin-off is four fold:

a) a push for laws and practices that protect existing small holdings, and push against laws and practices that threaten to allow small holdings to be eaten up by profit-making development schemes. By itself this is a narrow populist position — it must therefore be pursued together with and in the context of b, c, and d below.

b) do the same for clusters of small holdings, whether already existing or which may wish to come into existence, whose purpose it is to combine community-wide sharing with the principle of personal and household autonomy.

c) do the same for regional community land trusts whose purposes include striving for two kinds of balances: the needs of land in balance with the needs of people; and the needs of personal, household and local autonomy in balance with the need for regional level decision making and the working out of a wider mutuality of interests.

d) do the same for public control or ownership of land which is suitable for public holding, and which is held and used in a manner con-

LAND STRUGGLE

It was discussed and got favorable response from people at the Land Conference. Pat McLeague, state legislator from Brunswick, has introduced it in Augusta, though he does not expect it to pass this time.

It makes sense to rally round this proposal; and it seems to me we should be asking for a ten thousand dollar exemption instead of the five thousand Pat is cautiously asking for at this time. But it is a battle we should join and push for over the next few years. It's a holding action, but if passed it would give us some protection for a period of time in which to push for something more durable. (see point five below).

In conjunction with a homestead exemption we should press for legislation that would also give tax consistent with the principles of self-reliance, enjoyment of life, autonomy and mutuality and consistent with the spirit of a,b, and c above.

4. Homestead exemption. A short term action which flows from, or rather is consistent with, the above guideline is to push hard during the next few years for a substantial homestead tax exemption for Maine people who dwell on their own property. This was outlined in the last Advocate. relief to tenants. This is not as directly our interest, but we need their help and they need ours.

5. For the longer haul, we need to

push for legislation and administrative practice that will prevent land that is put in community land trusts from being taxed in accordance with the fluctuations and arbitrary standards of market values. We need to be able to put trust land in a special tax category. I doubt if we can somehow wriggle into one now, though the laws are wondrously porous and presumably "can be used by those as know what they're about", like the lawyers for the great corporations. But even then we'd need administrative follow through, and a community land trust is a doubtful creature to most administrators. Not that we can't try. But the point is, this is going to be a struggle and we need to engage with it over the next several years.

6. We need the Maine Land Advocate as a valuable communication link and as an interpreter of our experience.

7. We need to maintain and improve personal and democratic relations in the three vehicles we have managed to create during the past year: Sam Ely, The Land Coalition, and the Land Advocate.

8. We need to, and we can without having to wait for anyone, strive to translate into our consciousness and the shape of our lives, at deeper and deeper levels, the values of self-reliance, enjoyment of life and land, autonomy, and mutuality.

This article has of course pointed directly at Maine and our experience in Maine. However, I would imagine that it has a meaning and possible application to people and

situations all over this country and in Canada.

The next and final article in this series on the Land Struggle will deal with something I was going to do for this time, but put off because strategy and action was timely and I needed to seize the time. I'm going to explore some of the principles of a "democratic community".

This is already an important practical issue for many people in, or associated with, Sam Ely, or interested in doing something similar. How do, or should, small clusters of people in communities relate to each other? How would such communities relate to Sam, supposing they would join? Or, how well can Sam within itself mediate the needs of central leadership and personal autonomy?

All I can try to do is provide perspective on such questions; but I believe it is essential to intensify these discussions because they may help people overcome many fears that stand in the way of action. These fears seem to sift down into two kinds basically: the fear of bureaucracy and top down control matched by the fear of anarchy, drift, and "individualism".

by
John Rensenbrink

NOTE: This article is Land Struggle IV. Last time the article entitled "Coming to Terms with Theory and Practice" was not entitled Land Struggle III, but should have been.

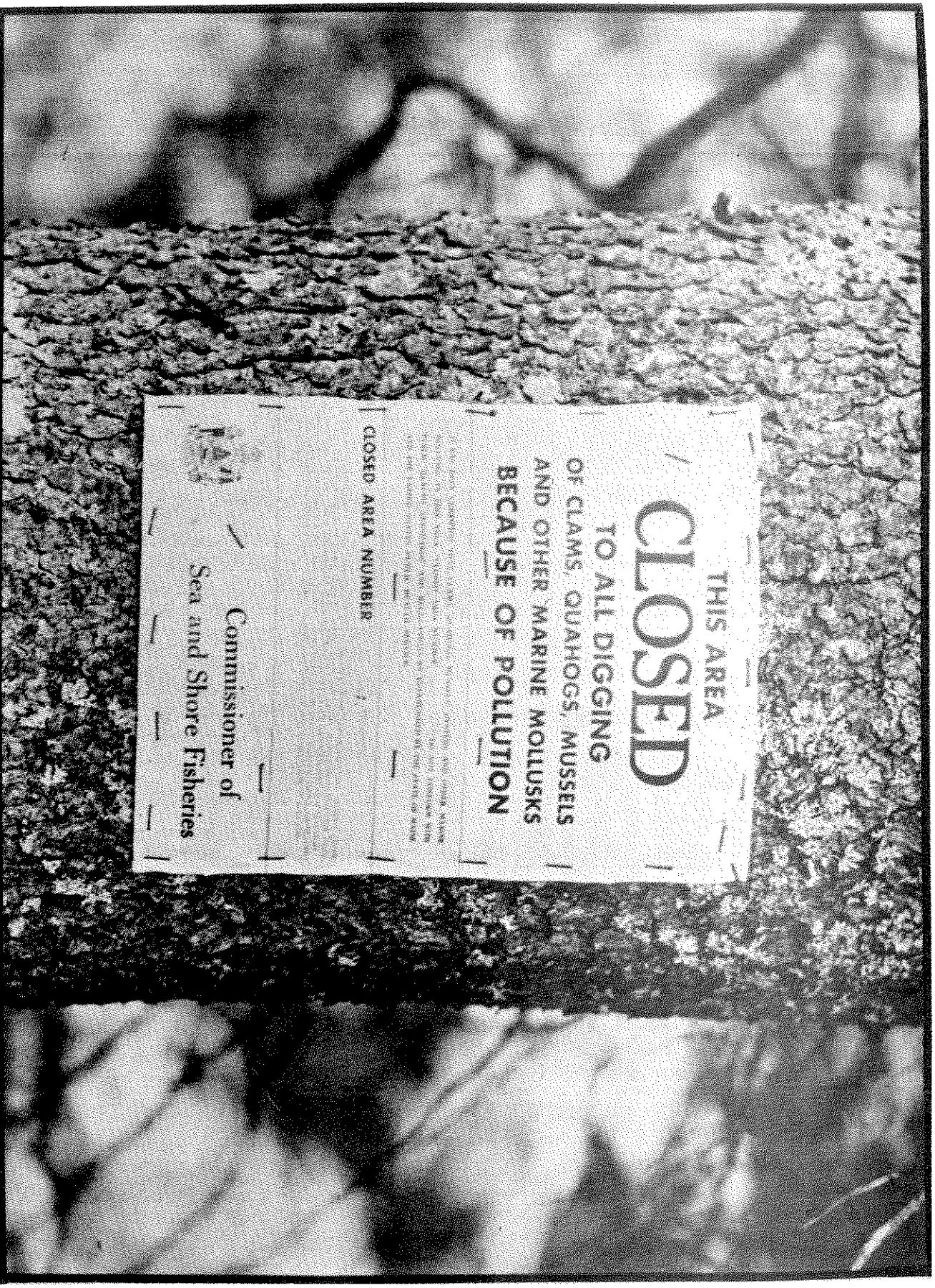


Photo by Ned Smith

"There's no use assuming or hoping that somehow one can truly retreat or get away from it all...."

American Experience with Land Trusts

It is difficult for 1970's people even to think about what we did with land and money in 1935, because things are so s-t-e-a-d-y now. No large bunches of people have lost their shirts recently.

In 1935 it was different. The Great Depression had scared the wits out of American businessmen. Their faith in an undiluted private property system had been violently jarred. Many were begging the Federal government to buy their mortgage paper for 20¢ on the dollar. Yakima County, Washington, apple land often had a mortgage of \$1,500 per acre and a productive value of \$600 per acre, giving it a negative net value of -\$900, causing thoughtful people to wonder about the basic soundness of their land and money system.

I entered that scene as a farm management and credit specialist in Dr. Rex Tugwell's Resettlement Administration in 1936, at a starting salary of \$1,900 a year...which was quite a lot, since you could rent a good modern house for \$25 a month.

Roosevelt had moved into rural America in 1933 with direct relief grants, and soon over a million farm families were on relief supports of one kind or another. He followed in 1934 with the setting up of State Rural Rehabilitation Corporations, which received Federal money and made small grants and loans to farmers. He then established the Resettlement Administration, during 1935-36, under Rex Tugwell, to launch basic reforms and services that might restore social and business solvency in U.S. farming communities.

It is noteworthy that Rexford

Guy Tugwell was not a ruralist. He was a city man...a professor of economics at Columbia University who predicted the 1929 stock market crash right on the nose in two celebrated articles in the New Republic Magazine. He thereby earned the task of teaching Franklin Roosevelt how to be President during the desperate waiting period of 1931-32.

The magnitude of this job is indicated by Walter Lippmann's statement, at that time, that "Franklin Roosevelt's only real qualification is that he wants to be President so much". One measure of FDR's earlier innocence is that he was able, when campaigning for Vice President in 1920, to make a speech in Centralia, Washington, praising the American Legion leaders of that city for hanging three I.W.O.'s from a near-by bridge. But he proved an apt pupil, and he showed soon after election his genius for encouraging innovative methods and programs in dealing with massive national problems.

Tugwell conceived the "Greenbelt" mixed community formats, and wanted to head a major program to build these across the country. "Subsistence homesteads" were to be components of well-planned new communities. However, Harold Ickes preempted these program fields, and Tugwell had to settle for setting up and running the Resettlement Administration, a strictly rural agency. Its main goal was to facilitate the movement of American people from so-called "submarginal areas" to fertile, better-watered places where viable farms could support them. Making thousands of "rehabilitation loans" by the Re-

settlement Administration was only the main, uninteresting job that Rex Tugwell decided to do with his left hand, while with his right one he explored land and money relationships.

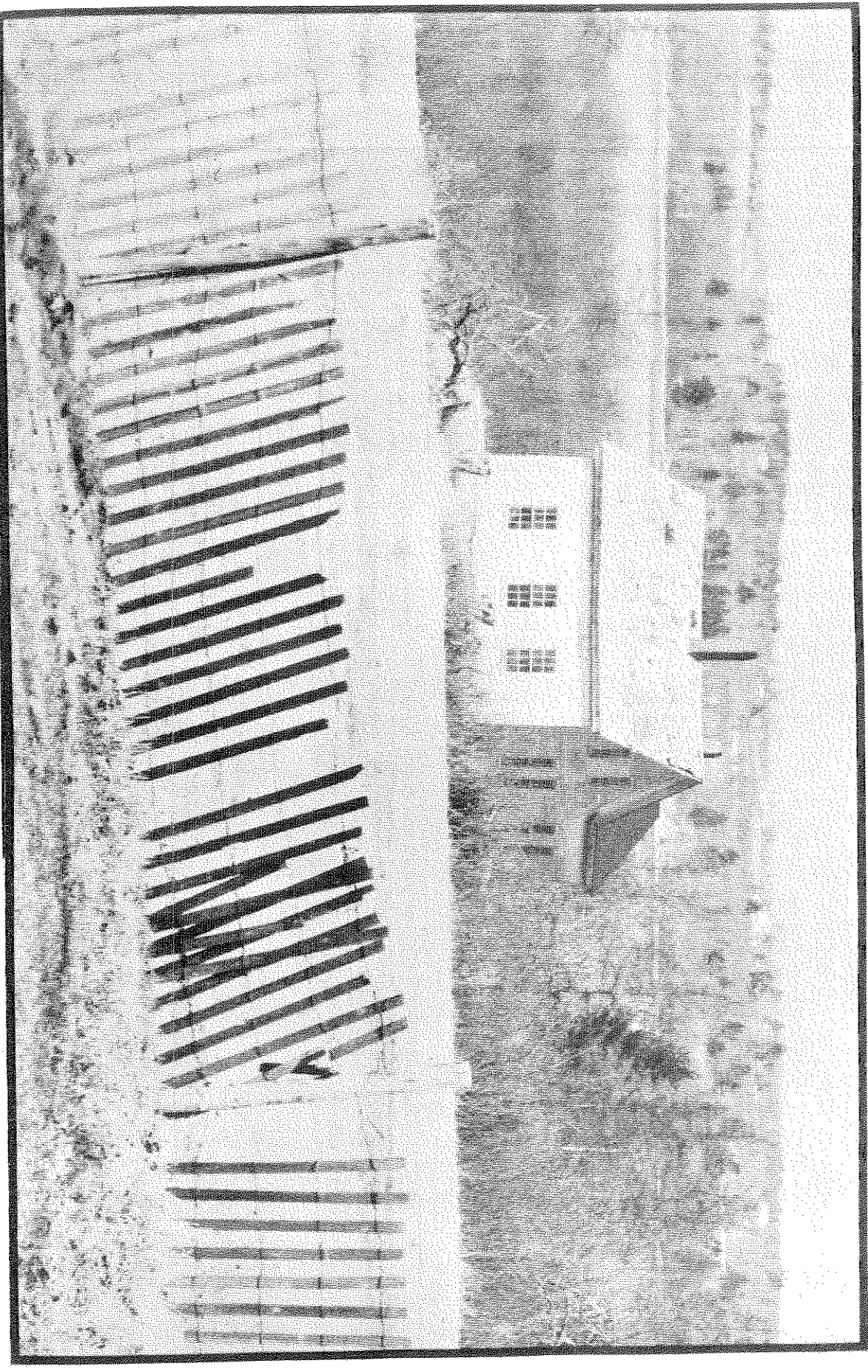
As a planner and farming specialist in our Western Region, I can give some insight into what went on during this glorious period of American travail.

We built "land trusts" right and left.

The Colville Valley, Washington, for example, had a puny, starvation-type agriculture that city-type people knew should be returned to forestry and range land uses. It was consequently declared a "submarginal land area", and several hundred farms in it were purchased by the Federal government so the families living on them might (in fact were forced to) move elsewhere. The program resembled, in this respect, the inner city urban renewal processes that are going on in many large cities today, where blighted areas are purchased and the families are moved out...to God knows where.

Under Resettlement, however, we had moderately responsible social-community awareness. The purchased lands were sometimes put into a "trust" for the benefit and administration of previous owners and/or a whole community. But the more interesting operations happened at the new sites of settlement, where the more lucky of the displaced families were provided with fertile new farms.

The ex-Coleville, Washington farm families were served by the new resettlement projects in the Kootenai



Valley, Idaho, the Snohomish Valley, Washington, and the Yamhill Valley, Oregon. These were rich soil areas as indicated by the fact that farm land in them appraised at the top approved level of the Federal Land Bank: \$100 to \$150 per acre.

In a typical situation, the Acquisition Division of the Resettlement Administration purchased farm lands in these favored valley areas, and put them into a "trust" for occupancy and use by the new settlers.

We, the planners, were encouraged to utilize technical, financial and social skills in devising the land lease and tenure patterns that would be employed to serve these families. There was no such thing as "maximum participation by the poor" in such planning. We, the elite, did it. Do not scorn us, we did fairly well, and the poor won out finally, as you will see.

Some Key Premises

Here are some of the concepts and premises that we managed to seize from the moving streams of thought of that time and incorporate into Federal land policies and regulations:

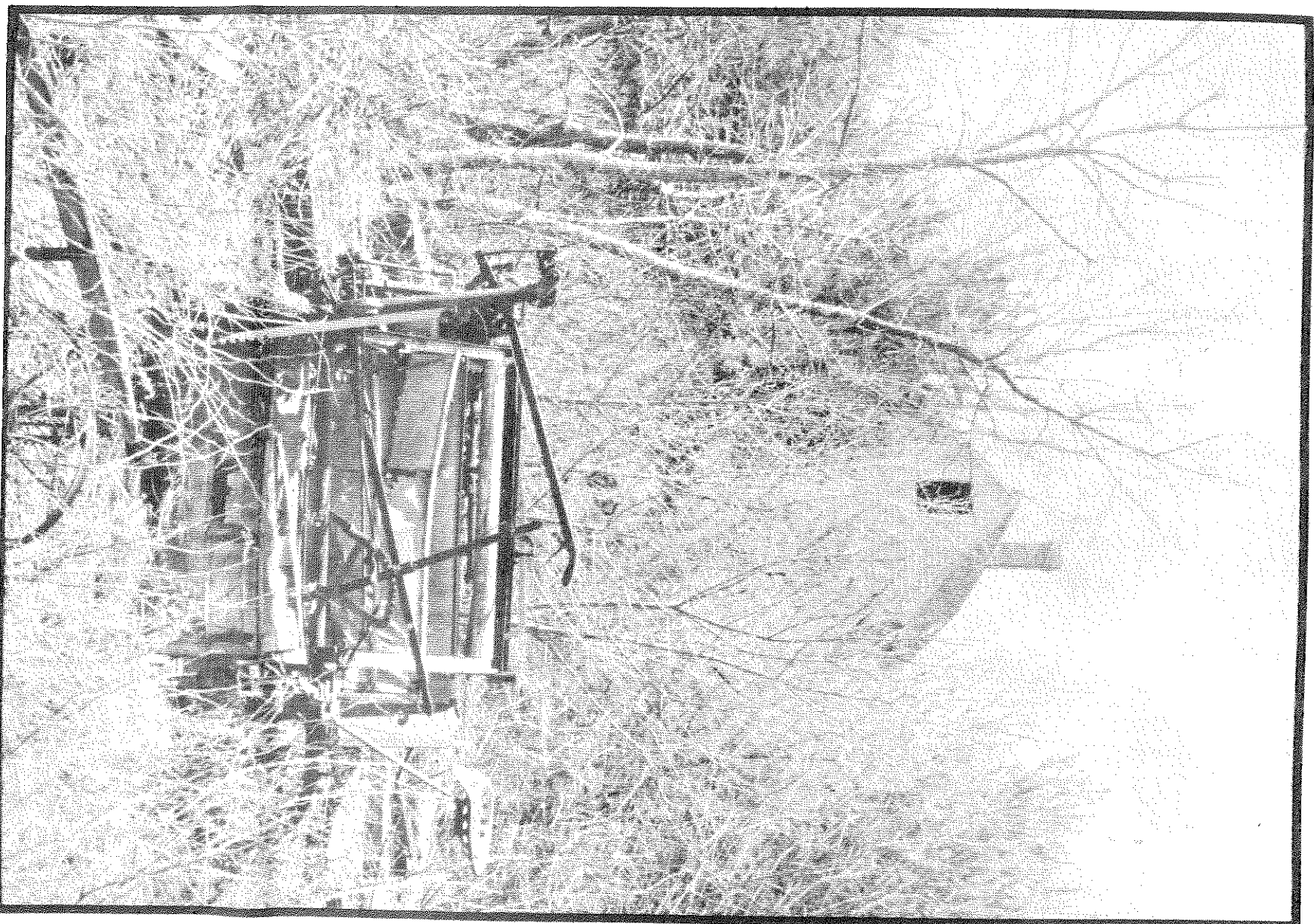
*Land ownership is an unnecessary luxury for low income farm families. Security of tenure can easily be provided without it. The annual cost difference, as a burden on the family, is 1.33% of the value of the property when the prime interest rate is 3% and the payment period is 40 years. With farms then valued at \$14,000, this amounted to \$186.20 a year, that could be much better used to improve family clothing, education, and health care rather than for the ego trip of farm ownership.

*Land ownership is a hazard to hard-pressed farm and rural families. Once ownership has passed into the hands of the farmer, he (neither experienced nor skilled in realty and financing matters) may mortgage and lose it, or use it as the basis for getting financing that adds, for years, an onerous burden on the family. It is better, therefore, to predicate occupancy on good leasehold agreements, with the community keeping the land in trust.

*Land ownership imposes hardship in the transfer of properties from aging owners to the young farmers who should succeed them. As farm units and operations increase in size, and the inevitable inflation attending social-economic growth occurs, this problem increases. (Today it stands as a \$100,000 barrier-challenge to a young family, age 22, wishing to enter farming as a vocation...and qualified, except for possession of the necessary equity funds and borrowing capacity.) When a sound community land trust is in operation, this problem becomes easier to solve. The young couple can lease the land, and be provided with security of occupancy as long as they manage well. Their lease can even provide for a full payment to them for the value of improvements, if they decide to leave.

*Land ownership enables families to gratify whims and impulses that serve only poorly their own welfare and that of the whole

people should



community. It encourages, for example, expensive scattered locations of homesteads in areas of difficult water supplies, when grouped residents can be served by good deep wells, or neighborhood water systems. And, by the same token, it may hinder the development of good school services.

Some Ways These Premises Were Explored

The following will show the range of thought and study we utilized in this land program.

The Yamhill Farms Project

This was a scattered unit project, in which land was acquired and resettled in three adjacent counties to accommodate about 120 farm families. About 12,000 acres were involved. The land was purchased from estates, elderly farmers and absentee owners, never from going concern owner-operators. Larger properties that could be subdivided were preferred. We then devised and used three different land tenure and financing patterns:

*A Full Land Trust System.

The Federal government, in this case, acquired the property, constructed the improvements, and

leased the individual units to the families on long term lease agreements. The government intended, then, to transfer its ownership to a properly established whole community co-operative for long term administration. As steps toward this objective were being taken in about 1938-39, local attacks on the project as being "communistic" enabled conservative members of Congress to compel the Resettlement Administration (via its successor, the Farm Security Administration) to modify its land trust programs. Only two dozen units were ever placed under this kind of a land trust pattern, and they were eventually sold by the government to the individual settlers, obliterating a truly fine land tenure development.

It is noteworthy, concerning this particular land trust pattern, that the Federal government came to peace with local taxing bodies concerning payments in lieu of taxes. It was a straight business negotiation, in which the effects on the county and state tax base and upon needs for public services were mea-

(con't on page 8)

MPBN To Do Series on Land Use

How do you feel about Maine? Everybody who lives in Maine has opinions and attitudes about how the land should be used and by whom. The Maine Public Broadcasting Network (MPBN) is looking for your feelings and ideas about land use.

MPBN is producing an environmental, viewer-active television series this year which will focus on the topic of land use, not by means of a film documentary or report, but by directly involving the people who live in Maine. Grayce Papps, the new environmental series' project director, said this week: "We're enthusiastic about the timeliness of this series, in view of the importance of land use in Maine today".

She said that the topic of land use for the new series was chosen because it holds many possibilities for a television series involving the audience.

"The process of deciding how land is used is a dynamic one, involving the interaction of many private and public agencies. It's perfect for a viewer-involved project

K.C. Irving, a name familiar to Maritimers, is the richest man in Canada, worth over \$600 million dollars. He owns 10% of the land in New Brunswick and employs only one out of twelve New Brunswickers. Irving's holdings included oil, steamship companies, tankers, real estate companies, all the English daily newspapers in New Brunswick, television stations, etc. etc. Irving is also one of the large land holders in the State of Maine.

Recently K.C. Irving left Canada to go to the West Indies, thus escaping some of his tax obligations. If he died, it is estimated that the death duties owed would be more than the total annual budget of New Brunswick. He is a native New Brunswicker, who worked his way to the top. J.E. Belliveau stated in an article in Maclean's magazine that "his is the story of a well-meaning man grown so powerful that he could not distinguish between the public interest and his own".

sured. New child populations and school needs were projected and contributions arranged for road and other services. Since the counties were nearly insolvent at the time, this strengthening of the tax base was welcomed.

***Lease & Purchase Contracts.** The Federal government, in this case, acquired the property, subdivided it into farms, constructed the improvements and then leased the individual units to farm families. Contracts included an option to purchase at a time when it was expected that the family was readjusted and able to undertake ownership. These contracts provided for a re-appraisal of the farms prior to their sale to occupants, in order to assure that the family was not saddled with too big a debt. The Federal government ab-

such as this one", Ms. Papps added. The new series will consist of five, hour-long programs to air this fall throughout the state, on MPBN's three TV channels and on WCBB in Augusta. Ms. Papps and Eton Churchill, who is scripting the series, are researching and planning this spring. A statewide survey they are conducting will provide input on the land use topic. Actual film and studio production will begin this summer.

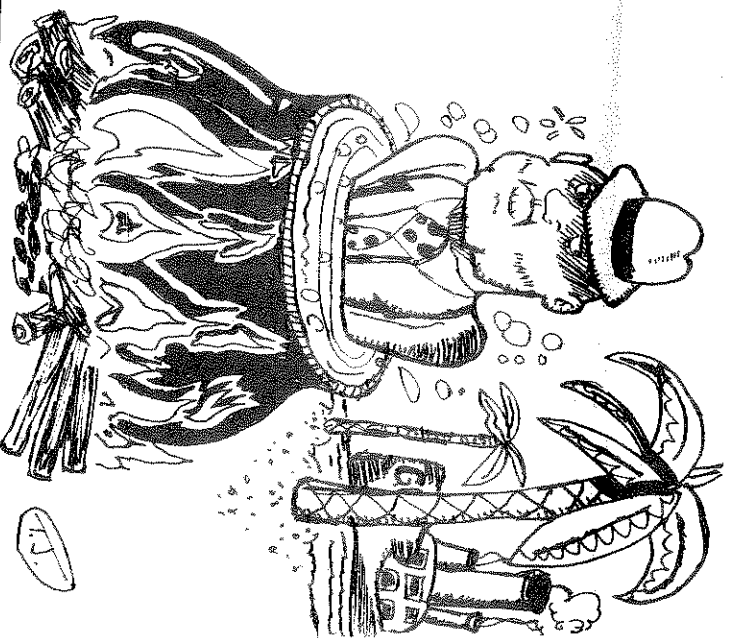
Ms. Papps is formerly affiliated with public television station WGBH-TV in Boston, and with WMW-TV in Poland Springs, Maine. She holds an M.A. from Boston University's School of Public Communications.

Mr. Churchill, a Camden, Maine, native, has experience in theatre and teaching, with an M.F.A. from Tulane University. He has done extensive research in the area of viewer-active television.

The new environmental series will involve viewers in decision-making about land use in Maine, by asking them to determine how land will be used in a simulated,

In The Maritimes

K. C. Irving



sorbed the difference, thereby subsidizing the settlement program. The sale contracts were for a term of 40 years, at 3% interest.

***A Straight Sale and Loan System.**

The government, in this case, bought and sub-divided the properties, and then sold the unimproved land units to the families. Loans were given for improvements(houses, barns, wells, etc.). Thus, the family ended up with a long term land purchase contract as well as a 40 year improvement loan, at 3%. (It is of interest, as a commentary on the times, that the full set of farm improvements was constructed with a loan of \$4,200. . .for a modern house, barn and water system.)

I had the task, as farm management and credit specialist, to explain these land and money arrange-

but realistic situation. This televised "simulation game" will involve the audience in action and will depend on their weekly votes for the progress of the series. After participating in the TV game, viewers will hopefully gain insight into the complexity and implications of how Maine's lands are used.

Ms. Papps and Churchill want to know, now, while they're planning, how people feel about their state. If you've opinions about taxes, zoning, or any aspect of how Maine's land is being used, write the environmental project staff at MPBN in Orono.

The new five-program series will be designed for the general viewing audience in the evening, and for use in school systems throughout the state.

The simulation, environmental series is being produced under MPBN's Educational Services Division, with grants from the U.S. Office of Education, through the Environmental Education Act, and from the U.S. Environmental Protection Agency.

What does it mean when this happens to a poor place like the Maritimes (the most poverty stricken area of Canada)? It means that the people and the land are vulnerable. The Maclean article observed that "governments in New Brunswick are still highly sensitive to the concentration of money, influence and power in the province. Not necessarily subservient to it but aware of it, in a different way from the government of a large province which has the ability to take on any one block of power in its jurisdiction and overwhelm it."

It is ironic, however, that the Maritimes are the home of progressive co-operative efforts such as that of the Antigonish Movement. The time is right for the people in the Maritimes to band together in the spirit of co-operative action to set up regional land trusts. This could be another way in which the people could "speak truth to power".

Cont't from page 1

ments to the families. This educational phase was handled in both home visits and group meetings. We believed in the land trust pattern, and so did many of the families when they first came to the properties. The educational force was not sustained, however, and this whole project eventually reverted to conventional farm ownership with its gambling incentives and frequent family disasters. Then, World War II bailed out the whole Project, taking the government off of the hook. Many Yambill farmers sold out for a profit; others stayed and bought out their neighbors. . .the age-old cannibalism in action.

[to be continued]

(This article was written by Lee Fryer, President, Food and Earth Services, Inc., Washington, D.C. and published by the International Independence Institute, Ashby, Mass.)

How The INDIANS Lost Marsh Island . . .

In 1652 Massachusetts Bay Colony drew up an ordinance stating that if a settler lived on a measured piece of land for five years peaceably he could acquire deed and title to that land fee simple; that is, he would own everything on it. Skirmishes with Indians did not cast doubt on acceptance of this ordinance. In 1692 this ordinance became a statute drawn and acted upon by the Massachusetts General Court. By this legal understanding of land, Indians were not considered land owners. Therefore no one could buy land from the Indians unless the province or colony had laws permitting it. No such laws appeared to exist in Maine.

Indians saw the land as something everyone could use. This use did not imply ownership, but was more communal by practice. In 1788 Penobscot chief Joseph Orono came before a representative of the Massachusetts General Court stating: "Brothers, we are all men; we don't talk of hurting one another. We live here to serve God, we all live here together... We don't mean to take any lands from you... The Almighty placed us on this land and it belongs to all of us."

When dealing with Indians the British and later the newly independent Americans saw the Indians as a power to deal with when acquiring land. They did not view Indians as owners of land, but as a group to be pushed off desired land under the assumption that they would move away peacefully. Therefore the whiteman resorted to negotiation, diplomacy, intermarriage, propaganda, threats, war and disease when confronting the Indians. Their primary objective was land and the legal control of that land.

The story of the acquisition of Marsh Island begins in 1786; after the Revolutionary War (the Penobscots sided with the Colonists) it was found that the Indian claim to the tract from the Head of the Tide toward the beginning of the river and six miles on either side was an obstacle to the settlement of the country. The white encroached upon it, and some ill-feeling was likely unless the Indian title could be extinguished; therefore the Massachusetts government commenced negotiations in order to release it. The Penobscot Valley was choice land for speculation and the Indians threatened this.

In 1786 three men were appointed commissioners to deal with the Penobscots. They were Benjamin Lincoln, Thomas Rice, and Rufus Putnam. Robert Treat and John Marsh acted as liaisons between the commissioners and the Tribe. By this time Marsh had already settled on the Island which was to bear his name. His homestead was near the Webster Park area of present day Orono.



By the Treaty the Indians would relinquish all claims and interests to all lands on the west side of the Penobscot being about forty three miles and on the east side from the Head of the Tide to the River Mantawonkuktook, being about eighty-five miles and reserving only to themselves the island on which Old Town stands, and the islands between Old Town and Passadumkeag. In return the Indians received a "present" of 350 blankets, 200 pounds of gunpowder with a proportion of flints and locks.

However, the Treaty was never ratified. Two years later Reverend Daniel Little was sent with the "presents" to complete the deal and obtain the marks of the Indians. A meeting was held on Indian Island and the Indians balked in coming to Conduskeag (Bangor). The Penobscots were represented by four chiefs: Orono, Orsong, Neptune, and Neptonbovett. The tribe announced that they could not follow through with the treat and forfeit such lands. Orono repeated the things he said before and added that "General Warren (who had presided over the ceremony when the Penobscots agreed to side with the colonists against the British) said no other person should interfere and take away our land, but that we should have them. Now why should we not hold the bounds as the Almighty God gave them to us. The General Court fixed the bounds at the Head of the Tide up to the Head of the River. The English will come on us from before and you from the otherside, so that we will have little left. Concerning our selling the land, we never sold any to our knowledge, and never will while we live."

Rev. Little replied, "At Conduskeag, General Lincoln told you in Governor Pownall's day, in

a former war against us, you lost all your lands in this part of the country." The Indians steadfastly held to their position reminding the minister that he should stick to matters of religion.

"By the Treaty of 1786 the government supposed the tribe had nothing remaining, but the islands in the river. Whereas the Indians insisted that the territory from the Head of the Tide, six miles on either side and upward indefinitely was theirs, and they were determined not to relinquish. John Marsh seems to have had no part in this claim and his role was solely that of liaison between government officials and the Penobscots.

John Marsh seems to have come to the area in 1774 and had settled on Marsh Island where the Stillwater and Penobscot Rivers joined. He made friends with the Penobscots who were willing to give him a lot on the island. When the deed went to the General Court of Massachusetts it was looked upon as a grant of the whole island. The State approved of this grant. The Indians felt that the land was still theirs because the Treaty of 1786 was never ratified. The Indians could not read and so it was easy to lie to them. Marsh was supposed to be someone to be trusted. It is easy to see why they grew angry when they discovered their loss.

The General Court in Massachusetts saw this as a way to bring about the same result as was attempted by the Treaty of 1786. They wished to establish a precedent so as to eventually wrest all of the Penobscot Valley from the Indians. To the Indians the transfer of a small piece of Amusuchwaugon (Marsh Island) was a gift to a friend. To Marsh the acquisition was the total island decided to his name.

Written by John Green
[to be continued]

LETTERS & COMMENTS

Dear Friends,

It seems a long time ago that I attended the first organizational meeting of the Maine Land Trust. I am very happy to see the progress and fortitude that has been shown. I wish I could contribute more to the group, but my unsuccessful political campaign has left me very much in the hole. Plus the "environmental" legislation that is being enforced has hurt my small real estate business, while allowing the "big boys" to do business as usual.

I will certainly attend the conference this week, and hope that I can be of more use to the group in the future.

A few comments on the various articles. Tax reform; I had spoken out in favor of Homestead exemption over 3 years ago, and believe it to be a basis for a more equitable property tax system. I am opposed to eliminating the property tax as a prime source of revenue because MOST of the property taxes in Maine are paid for by out-of-state owners who would not be liable for personal or corporate income taxes.

Various articles have from time to time espoused the cause of having large amounts of Maine's undeveloped property left "forever wild" and free of all development. The idea of turning most of Maine into one giant park is quite understandable from the point of view of Maine residents who object to the hordes of out-of-staters buying Maine land for recreational homes or for investment. But, who will the users of this ideal Mainepark be? Certainly not the people of Maine, who are lucky if they have a job in Maine, much less being able to take off large amounts of time for backpacking, wilderness camping, etc. Some few in the teaching or professional fields in Maine will have the time and the financial resources to do this, but most will be tourists from away. The residents in Maine will in effect be subsidizing the very people they wish to prevent from buying the land, by allowing them free use of it at Maine taxpayers and economic opportunities expense!

Just go to Baxter State Park in the summer and see the overwhelming amount of non-Maine license plates! There are solutions to overdevelopment, there are ways of insuring that the poorer people of Maine, both 10th generation and newcomers can share the beauty of Maine's land, and there are ways of cleaning up Maine and assuring against pollution and overcrowding. These ways are NOT being considered. In fact, the current LURC regulations, together with the "3 parcel act" have almost guaranteed that those of modest resources are forced off the land they own, and those who wish to buy are unable to.

Let's take a few typical examples from my own personal real

estate brokerage pages. Up to a

year ago I could sell for a relatively low cost a 20-50 acre parcel of land to a young couple from Maine or away, with a low down payment and reasonable terms. The costs were (1) Original cost of land, 300-500 acres usually; (2) Legal costs of clearing title, etc.

(3) Survey costs of subdividing the land into 10-15 parcels; (4) advertising and sales costs; (5) mortgage interest on original acquisition. From the time of acquisition of the property to the time it was available for sale would be 2-3 months maximum. If the property sold at a low enough price it would be sold within another 2-3 months, the income from the mortgages received from the sales would pay for the expenses and over a period of 1-2 years provide a profit. NOW the same situation in today's market and under the current laws: ADD soil engineers plus 10%, add extra legal expenses plus 10%, add 6-8 months (if you're lucky), plus 5% on interest and 10% on cost of financing expenses. The same 20-50 acre tract thus would cost at least 35% more today, without even considering the normal increase in land prices and the increase in legal and survey expenses. In addition to the burden of the 3 parcel act, as explained above, LURC has effectively put the squeeze on available land in the incorporated townships. By taking off the market all of the land in the unincorporated townships with evasive, incomprehensible and inconsistent regulations, LURC has succeeded only in increasing the pressure and raising the cost of land in the rest of Maine.

Certainly if you wish to buy a \$50,000 condominium, or vacation in a ski area at a plush hotel or motel you can. But, for the average person who wants a piece of land to call their own, in Maine the time is past. For the real estate brokers and developers that the chairperson of LURC speaks so harshly about, they cannot compete with the large paper company developers, the giant conglomerate out-of-state corporate owners and the heavily (and sometimes mysteriously) financed out-of-state private investors. The newspapers and media that deal so harshly with the legitimate MAINE real estate brokers and developers, who have their own homes and families in Maine, and who pay personal income taxes and sales tax in Maine, these same media fail to raise an eyebrow to the real manipulators and profiteers. When an out-of-state developer comes into Maine and uses extensive resources to develop 20-30 acre parcels for sale to people of moderate income, then I will retract my opinion. I don't think there is much risk of that!

With still some faith for the future, I remain

Sincerely,
Marcia Penick
Bangor, Maine

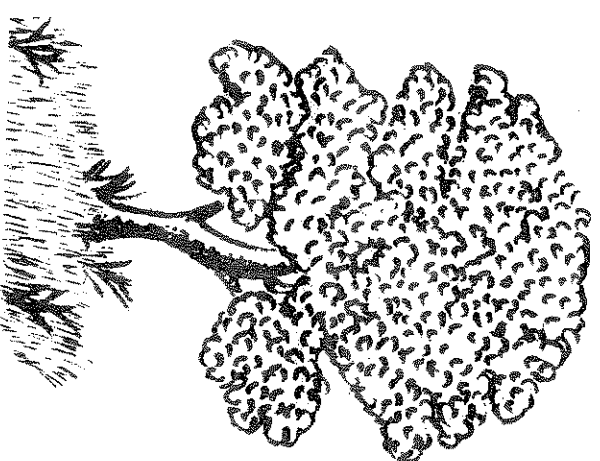
Editor, Maine Advocate

Dear Friends:

The other day a student from the University of Maine stopped by the house with a good idea. He wanted to know about the Land Trust and then related some of the problems students at the University have in housing and landlord exploitation. As an engineering student he was interested in building domes. We rapped for awhile about these things and then came up with the idea that Sam Ely might try to help students by acquiring a piece of land in the area where they could build dome housing for themselves. This would eliminate landlord exploitation as well as provide students with the independence they desire in building and maintaining their own housing.

If you are interested in following this up, you might contact Maurice Bean, 14-619 College Road, Old Town, Maine 04468.

Keep smiling,
Obadiah



To the Maine Advocate:

I would like to express my view of the political economic system of Maine and how the Land Trust is an alternative and answer to these views. I see that, politically, land is the real issue. It involves a lot of people in their relation to land and to other people, although land policies is in the hands of the few.

In our legal system, Maine representatives are for the most part Real Estate people, or have contact with real estate. This small group of people are educated in politics and economics and know how to manipulate land for money. The real estate people have long realized the real value of land, not because of its beauty but because of its power and wealth. They realized this at an early stage, making it possible to set up a system that makes land valuable and available only to them (and they are trying to get it all). They have also realized the value of development, especially near big cities. They see the need for a place in rural areas for those within the

(con't on page 11)

Letters con't.

city because of the need for privacy and luxury (and luxury it is). Land is a real valuable commodity in the sense that it can be manipulated to please those who have the money to spend. Real Estate people also know that out-of-staters need a place of rest for a few weeks, and they see real money in land-speculation for out-of-staters.

Here is where the next branch of real estate people come involved: the developer corporation. Corporations have a political interest in land also; they rape the land, replacing nature with developments and malls, all for the luxury of a few. Land is not a political entity alone, but is a spiritual entity also, and this is what the real estate people are blind to.

I see the Land Trust playing an important role in Maine. Now that land is a luxury it is going to carry luxury prices, which we all know are only for the few. As the Land Trust acquires land, it will become possible for low-income people who may never have a chance otherwise, to move on the land.

Right now the Land Trust is a minority group, but it doesn't have to be this way. By raising our land-consciousness this minority land movement will grow to a majority land movement, ending the disrespect and unjust treatment that is given to land and people alike. I'll see you there with the land.

Peace,
Ken Hall, Homesteader

ADVOCATE STAFF

Sandy Lucas	T.J. Simpson
Lulu Chamberland	Ralph Greene
Susan Lundquist	Kay Lucas
Willie Willette	Randy Curtis
Bruce Carlisle	Dave Whalen

Due to our financial situation this will be the last Advocate you will receive unless you have subscribed. Let us hear from you.

LAND TRUST

Sponsors Dance

Recently the Sam Ely Community Land Trust sponsored a dance in an effort to raise funds. Here is a brief chronology of events leading to the success of our venture.

The players in the group Hokenum are close friends with some of the Bangor land trust people and agreed to play for free. We checked into prices for a dance hall and chose the Brewer Auditorium, costing \$150 including the hiring of police and firepeople (Brewer city ordinance). A contract was signed and refreshments ordered on a discount basis.

The main problem was publicity, as another dance was scheduled two nights before ours at the same location. We approached the radio stations, but as the other dance had paid for publicity, they were unable to help us until the first dance had gone by. The last few days before our dance the radio stations came through with such quips as "Come and rock and roll for a good cause" etc. We also printed up a thousand leaflets for \$1.20 and distributed them on the streets.

New Address (We've Moved)

Friends,
The Advocate now has an office in Bangor, located at 44 Central Street. Our new mailing address is:

MAINE LAND ADVOCATE
44 Central Street
Box 7
Bangor, Maine 04401
Our phone number is 947-4295.

During the coming summer months, we will be publishing once a month. We need help with distribution, lay-out, and especially articles. Send in your comments, opinions, and articles. The deadline for articles is the tenth of each month. We welcome suggestions.

The Advocate Staff
The office for the Sam Ely Community Land Trust is still located at 136 Main Street, Brunswick. Mailing address is: P.O. Box 116
Brunswick, Maine 04011
telephone: 725-7047

Then came the night, April 20, and I don't mind admitting feeling a bit apprehensive about the size of the crowd. But all my fears went rocking away when we came out of the dance with a profit of nearly \$200 for Sam and friends. And for all the people who made it a success, a rousing cheer from Sam.

[Written by Rick Patterson]

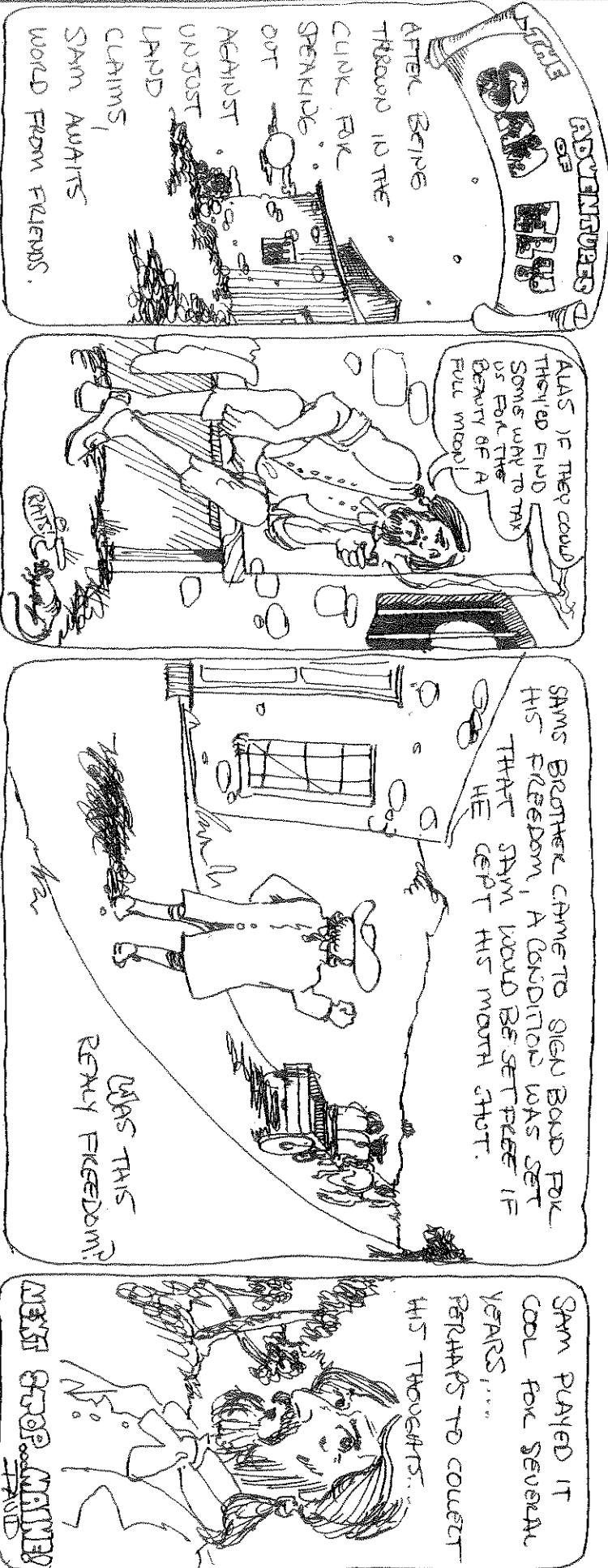
Friends,
In order to cover publishing and mailing costs, the Advocate has to go on a subscription basis. Subscription rate for a year will be \$3.00, which covers only those two basic costs.

If you would like to keep receiving the Advocate, please fill in and send the coupon below to the Maine Land Advocate, 44 Central Street, Box 7, Bangor, Maine 04401. If you cannot afford a subscription at this time, please indicate on the coupon. Arrangements can be made. (Also, if you've run into any problems with your subscription, please drop us a line.)

Enclosed is a \$3.00 subscription. Enclosed is \$_____ as a further contribution.

NAME _____
ADDRESS _____

Date _____



First Land (cont')

*Homesteaders would be liberated to work the land.

*The Trust would try to put together work teams to help get the land and building in shape for homesteading.

*The land will be known as the Robbie Wilson Life Center for Homesteading and we will ascribe the title 'Life center' to all the land we liberate.

The process is going on. A committee of Land Trust members, prospective homesteaders and technical people are working out the details of a leasehold agreement.

Through Rob's concern, the Trust has taken a giant step; it has surprised us that Sam Ely could learn to walk so easily!

The other day I drove out to Rob's farm. I learned of other young people homesteading in the area. Sam Ely needs to get in and around them; talking with them, getting ideas, sharing resources. I talked with Rob's neighbors, Allen and Candy Soli while there. Allen summed it up well when he said, "Rob has a great spirit, a great vitality". I know this is true. He not only gave us a gift of land but he gave Sam Ely spirit and vitality". At the last Trustees' meeting John Rensenbrink asked: "How do you say thanks?" Them's my feelings, too.

Rob Wilson passed away at the end of April, but the Life Center that was his gift will go on as a living memory.

Do not stand at my grave and weep....
I am not there. I do not sleep.

I am a thousand winds that blow,
I am the diamond glints on snow.
I am the sunlight on ripened grain,
I am the gentle autumn rain.
When you awake in the morning's hush,
I am the swift uplifting rush
of quiet birds in circling flight.
I am the soft star-shine at night.

Do not stand at my grave and cry....
I am not there. I did not die.

Author Unknown

[written by Obadiah]

MAINE LAND ADVOCATE
44 Central Street
Box 7
Bangor, Maine 04401

Bagley Saga:

Need More Than Sympathy

In our last issue we reprinted a letter from Clarence V. Bagley to Governor Curtis. In that letter, he itemized his property tax increases and the financial problems that he has due to these increases. Mr. Bagley's problems are the same as hundreds of people throughout Maine.

Governor Curtis has publicly answered Mr. Bagley's letter. In the governor's letter to Mr. Bagley he stated, "I am truly sorry that aside from some limited relief that may be possible at the local level.... there seems to be nothing we can do at the present time to help you." He then alluded to the fact that what Maine needs is major tax reform which would reduce Mr. Bagley's

tax by 31% but this is meeting opposition from the Republicans while the general public is remaining apathetic to the problem.

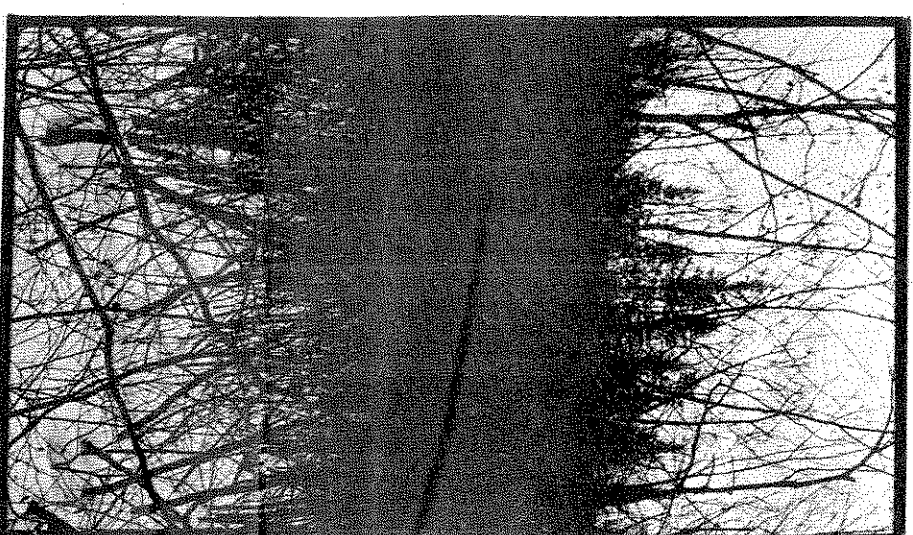
We need more than polite letters from the governor; we need more than insipid investigations by bureaucrats. Maine is losing its land and its soul. Large corporations and absentee land holders have been given a free ride on the back of Maine citizens long enough. Let's have a legislature who will work for Maine people and Maine land. Now is the time to build a grass roots movement; taking control of the government and charting our own destinies.

[by Obadiah & Merideth]

Nader Report

The final Nader Report on the Maine pulp and paper industry was released in Augusta, May 17, by its author, Willie Osborn, an attorney and voting resident of Richmond, Me. The 350 page report, done under the auspices of Ralph Nader's Center for the Study of Responsive Law in Washington D.C., will supplement the first report: Timber Taxation in a Company State, which appeared in 1971.

The report contains several chapters, each examining a different aspect of the impact, power and influence the paper industry has on the state. It documents the relatively poor track record of the paper companies in air and water clean-up; the exploitation of Maine woodcutters and their frustrated efforts to organize; the industry's control over state agencies and legislators; and the forest management practices of various companies and the state forestry department. Osborn makes 40 recommendations for action (many of them legislative in nature) to attempt to redirect and limit the power and control of the paper companies. We see this report as important reading for anyone wanting the control of Maine's most important



resource in the hands of Maine people and out of the hands of the giant, multinational absentee paper companies.

The Advocate will present an in-depth report and analysis of Willie Osborn's report in the next issue.

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