

ADAM McCULLOCH.

[To accompany bill H. R. No. 648.]

MARCH 3, 1845.

Mr. SHEPARD CARY, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Adam McCulloch, report:

That it appears the United States have built a light-house upon Goat island, in the State of Maine, and that the title to said island is claimed by Adam McCulloch. The extent and merits of the claim are set forth by the annexed papers.

The committee report, herewith, a bill for the relief of Adam McCulloch, providing for the payment to him of the sum of \$300 from the treasury of the United States, if the Secretary of the Treasury shall be satisfied that said McCulloch has a good title to said Goat island, and will convey it to the United States for that sum.

No. 1.

To the honorable Senate and House of Representatives in Congress assembled:

The undersigned would respectfully represent:

That the "Plymouth company," to which the whole of New England was granted by King James I, in 1606, granted to John Dye and others, in 1630, a tract of land forty miles square, called Laconia, or Lygonia, in which territory Cape Porpoise was included. This grant subsequently came into the possession of Sir Alexander Rigby; and in 1646, the "governor general and commissioners of the American plantations" (a court having competent jurisdiction) declared the territory, with the right of government, to be lawfully Rigby's.

In 1651, George Cleave, (see paper marked A,) agent of Rigby, granted to Gregory Jeffery two hundred acres of land, and three islands in Cape Porpoise; one of which was Goat island. After Maine and Massachusetts were united under one government, all grants of land made by Cleave were considered valid. The town of Cape Porpoise (afterwards Arundel, now Kennebunkport) was deserted in 1689, in consequence of Indian wars, and was not resettled till about twenty five years afterwards, when the old land-
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marks having become obliterated, it became necessary to run out the several granted lots anew. In 1727, (as will appear by paper marked B,) John Jeffery, son of Gregory, had the two hundred acres of land laid out to him, which were granted to Gregory by Cleave at the same time with the islands. The same reason not existing for running out the islands, no mention was made of them when the other portions of the grant were again laid out.

September, 1796, John Jeffery and Benjamin Jeffery, (descendants and heirs of the said John Jeffery, to whom the two hundred acres of land were laid out in 1727.) who then lived upon and owned the above-mentioned two hundred acres, deeded Goat island to Hugh McCulloch, father of the undersigned.

In 1834, Hugh McCulloch being dead, the superintendent of light-houses for this district offered to purchase of the undersigned (who was the oldest son, and subsequently administrator *de bonis non* of the estate of said Hugh) the said Goat island, if he would give the United States a warranty deed; but not being able to find the deed to his father, and the estate of his father being insolvent, he declined doing it. The superintendent ultimately took a quit-claim deed from the agents of the States of Massachusetts and Maine, for which he paid nothing; and the money which was appropriated for the purchase of the island was returned to the treasury of the United States.

The undersigned, being duly authorized by the judge of probate for the county of York to make sale of the real estate belonging to the estate of Hugh McCulloch, purchased the island himself.

If certain contemplated improvements should be made in Cape Porpoise harbor, Goat island would probably become valuable for a fishing stand, for which it was originally purchased; that business being extensively carried on there, and on the increase. The United States government, however, having erected a light-house on the island, the undersigned is now willing to execute a good and sufficient deed to the United States, rather than to eject the light house keeper by aid of our State courts. He therefore prays your honorable body that an appropriation be made to pay for said Goat island.

ADAM McCULLOCH.

KENNEBUNK, May 7, 1844.

No. 2.

I, Charles Bradbury, of Kennebunkport, county of York, and State of Maine, having written and published the History of Kennebunkport, and having been appointed by the governor of this State to superintend the copying of the early records of Maine, hereby certify that, from a careful examination of the said records, and from an attentive perusal of the early history of this State, Massachusetts and Maine never had any title to Goat island, situated in Cape Porpoise harbor, on which a light-house was erected in 1834; nor did they ever claim to have any title to any of the islands on the western shore of Maine, till (for the purpose of enabling the United States to erect the light-house in 1834) they quit their title to Goat island to the United States; nor have they since that time claimed any other islands on this shore, to which they would have equal right; many of which are very valuable.

I also certify that I knew John Jeffery and Benjamin Jeffery, who deeded Goat island to Hugh McCulloch; and that they owned and resided on the land held by them by virtue of the same grant by which Goat island was holden; and that John Hovey, the justice before whom the deed was ac-

