

UC Berkeley

Research and Occasional Papers Series

Title

Land-Grant Universities—The View From Maine

Permalink

<https://escholarship.org/uc/item/5sf3515b>

Journal

Research and Occasional Paper Series, 4(26)

Author

Banerjee, Michael

Publication Date

2026-06-01

Research & Occasional Paper Series: CSHE.4.2026

LAND-GRANT UNIVERSITIES—THE VIEW FROM MAINE

June 2026

MICHAEL BANERJEE*

Copyright 2026 Michael Banerjee, all rights reserved.

ABSTRACT

Looking beyond the famous Morrill Land-Grant College Act of 1862 reveals that there were many more land grants—over 4 million acres' worth—from public authorities, creating many more land-grant universities than previously thought. Among the original land-grant universities are those calling themselves “private” today, like Harvard, Dartmouth, and Columbia, and public universities that do not identify themselves as land-grant universities, like the Universities of Michigan, North Carolina, and Oregon. Fully grasping the extent of the very long land-grant movement requires that we look east, where the movement began centuries before the Morrill Act. Focusing on Bowdoin College and Colby College, this article shows that these two colleges in Maine received more than 234,000 acres before the Morrill Act, more than the University of Maine received under that Act, making Maine home to not one, but three land-grant universities. The article also points out that universities first exercised the power of eminent domain around the turn of the twentieth century, a development that historians had previously overlooked.

Introduction

In a January 2026 Washington University Law Review Online article, entitled “Land-Grant Universities,” I argued that looking beyond the famous Morrill Land-Grant College Act of 1862 reveals that there were many more land grants—over 4 million acres' worth—from public authorities, creating many more land-grant universities than previously thought. Indeed, by 1862, land-grant universities dotted the American landscape. Among the original land-grant universities are those calling themselves “private” today, like Columbia, Dartmouth, and Harvard, and public universities that do not identify themselves as land-grant universities, like the Universities of Michigan, North Carolina, and Oregon. Other universities received land grants after the 1862, including in the twenty-first century, with Vanderbilt University, a Tennessee corporation, receiving a seven-acre land grant in Florida in 2024. Fully grasping the extent of the very long land-grant movement requires that we look east, where the movement began centuries before the Morrill Act and where it continues unfolding. The article also points out that universities first exercised the power of eminent domain around the turn of the

* 2025-26 Gardner Fellow, Center for the Study of Higher Education, UC Berkeley. J.D., Harvard Law School. Ph.D. Candidate in Jurisprudence and Social Policy, UC Berkeley Law. Portions of this article first appeared in Land-Grant Universities, 103 Washington University Law Review Online 129 (2026). This material appears here by permission of the Washington University Law Review. For excellent edits, I thank Shanshan Jiang-Brittan. All errors are my own.

twentieth century, a development that historians had previously overlooked. Journalists have begun covering these forgotten land grants.¹

Six months after publication, I reflect on my article with the help of this coverage, focusing on Colby College and Bowdoin College. Together, these two colleges in Maine received more than 234,000 acres before the Morrill Act, more than the University of Maine received under that Act.² Among other things, these recent news articles show that Maine is home to not one, but three land-grant universities.³

My January article began as follows:

In their groundbreaking *High Country News* article on “land-grab universities,” Robert Lee and Tristan Ahtone argue that Congress’s 1862 Morrill Act,⁴ which famously granted lands held by the United States to states for the purpose of endowing fifty-two universities, “worked by turning land expropriated from tribal nations into seed money for higher education.”⁵ “In all,” they write, “the act redistributed nearly [eleven] million acres—an area larger than Massachusetts and Connecticut combined”—and these redistributed parcels were “scattered mostly across 24 Western states.”⁶ This land, they claim, was “taken from nearly 250 tribes, bands and communities through over 160 violence-backed land cessions.”⁷ This represented “a massive wealth transfer masquerading as a donation,” which “challenges universities to re-evaluate the

1 See Reuben M. Schafir, *How Maine’s Elite Private Colleges Sold Wabanaki Land to Bankroll Early Construction*, Portland Press Herald (Mar. 31, 2026), <https://www.pressherald.com/2026/03/31/how-maines-elite-private-colleges-sold-wabanaki-land-to-bankroll-early-construction/?uuid=b63658fa-86d2-4841-9940-739391cb47ee&lid=228340> [https://perma.cc/96P4-G9RP]; Lauren Geddes, ‘Call a spade a spade’: UNC isn’t deemed a ‘land-grant university’—but it received land grants, Daily Tar Heel (Mar. 8, 2026), <https://www.dailytarheel.com/article/university-land-grants-explainer-20260309>; Mia Dinunzio, Rooted In History, Colby Echo (Feb. 26, 2026), <https://colbyecho.news/2026/02/26/rooted-in-history/> [https://perma.cc/KQ9D-DW43]; Gabriel Slark, The lands we walk on: Learning from land grants, Miami Student (Feb. 15, 2026), https://www.miamistudent.net/article/2026/02/the-lands-we-walk-on-learning-from-land-grants?ct=content_open&cv=cbox_featured [https://perma.cc/442Q-RUJ3]. Mr. Schafir also appeared on a podcast relating to his article. See *Maine’s Elite Private Colleges on Wabanaki Land*, Wabanaki Windows (Apr. 28, 2026), <https://www.spreaker.com/episode/maine-s-elite-private-colleges-on-wabanaki-land--71715553>.

2 See Robert Lee, Tristan Ahtone, Margaret Pearce, Kalen Goodluck & Geoff McGhee, et al., *Land-Grab Universities*, HIGH COUNTRY NEWS, <https://www.landgrabu.org> [https://perma.cc/25PJ-Q4QG] (noting University of Maine received 207,124 acres under the Morrill Act).

3 A map of the Colleges’ land grants, drawn from a Bowdoin College website, is included in the Appendix. At times, I use the term “universities” to refer to scholarly corporations calling themselves “colleges” today. The reason is twofold: (1) colleges like Colby have previously used the term “university” and (2) Americans use the two terms interchangeably. See DAVID F. LABAREE, *A PERFECT MESS: THE UNLIKELY ASCENDENCY OF AMERICAN HIGHER EDUCATION* 2 (2017) (“One of the peculiarities of the system is that Americans use the terms ‘college’ and ‘university’ interchangeably.”).

4 See Morrill Act of 1862, ch. 130, § 4, 12 Stat. 503, 504 (codified as amended at 7 U.S.C. § 304 (1988)). I do not address the 1890 Morrill Act universities because that Act granted funds from public-land sales, instead of land itself. See Morrill Act of 1890, ch. 841, § 1, 26 Stat. 417 (codified as amended at 7 U.S.C. §§ 322–23 (1988)).

5 Robert Lee & Tristan Ahtone, *Land-Grab Universities*, HIGH COUNTRY NEWS (Mar. 30, 2020), <https://www.hcn.org/issues/52-4/indigenous-affairs-education-land-grab-universities/> [https://perma.cc/HUM6-2JUQ].

6 *Id.*

7 *Id.*

foundations of their success”⁸ and presents them with “a chance to acknowledge debts that are impossible to repay but unconscionable to ignore.”⁹ Their intervention, including a forensic accounting of nearly all Morrill Act lands and a *New York Times* op-ed,¹⁰ received considerable media coverage,¹¹ earned a suite of prestigious scholarly awards,¹² won a clutch of journalism awards,¹³ galvanized demands for reparations from several Tribes,¹⁴ and provoked an upwelling of “land-grab” scholarship.¹⁵ In short, their project has been remarkably influential. But they only told part of the story.

As this essay shows, the eye-popping 10.7-million-acre figure actually underestimates the size of university land grants — by at least 4,079,369.20 acres, collectively a landmass larger than Connecticut.¹⁶ This is because, by 1862, land-grant universities dotted the American landscape. And land-granting didn’t end with the Morrill Act. The practice has surprisingly persisted right up to today: as recently as 2024, the City of West Palm Beach, Florida, along with Palm Beach County, Florida, granted Vanderbilt University, a Tennessee corporation, seven acres valued at \$58.8 million.¹⁷ This essay

⁸ *Id.*

⁹ Tristan Ahtone & Robert Lee, *Ask Who Paid for America’s Universities*, N.Y. TIMES (May 7, 2020), <https://www.nytimes.com/2020/05/07/opinion/land-grant-universities-native-americans.html> [<https://perma.cc/R4KT-7YZA>].

¹⁰ *Id.*

¹¹ See, e.g., Bennett Leckrone, *Why New Research Calls Some Flagships ‘Land-Grab Universities’*, CHRON. HIGHER EDUC. (Apr. 8, 2020), <https://www.chronicle.com/article/why-new-research-calls-some-flagships-land-grab-universities/> [<https://perma.cc/P4PV-S2YR>].

¹² See Dr Robert Lee Wins Awards for ‘Land-Grab Universities’, UNIV. CAMBRIDGE FAC. HIST. (Nov. 16, 2021), <https://www.hist.cam.ac.uk/news/dr-robert-lee-wins-awards-land-grab-universities-0> [<https://perma.cc/Z37P-XA44>].

¹³ See *id.*

¹⁴ See Sara Weissman, *Tribes Call for Reparations from University of Minnesota*, INSIDE HIGHER ED (July 13, 2023), <https://www.insidehighered.com/news/quick-takes/2023/07/13/tribes-call-reparations-university-minnesota> [<https://perma.cc/S79J-EFJB>].

¹⁵ A 2021 *Native American and Indigenous Studies* “Intervention” featured twelve commentaries and an interview with Lee and Ahtone. See K. Tsianina Lomawaima, Kelly McDonough, Jean M. O’Brien & Robert Warrior, *Editors’ Introduction: Reflections on the Land-Grab Universities Project*, 8 NATIVE AM. & INDIGENOUS STUD. 89, 90 (2021). Several scholarly articles have been written in this vein. See, e.g., Richard Finlay Fletcher, *Not About U: Social Dissonance at a Land-Grab University*, FUTURE HUMAN., June 21, 2024, at 1; Caitlin Harvey, *University Land Grabs: Indigenous Dispossession and the Universities of Toronto and Manitoba*, 104 CANADIAN HIST. REV. 467 (2023). At least one doctoral dissertation and two master’s theses have since been written on land-grab universities. See Isabelle Soulay Soifer, “This Is Not a Campus, This Is New York City.”: Colonial University Land Grabs and the Fight for Homefulness (Sept. 19, 2025) (unpublished Ph.D. dissertation, University of California, Irvine) (on file with eScholarship, University of California); Georgina E. Mullins, *Wyoming’s Land-Grab: Education for All, Geographies of Responsibility, and Land-Grant Revenue for Indigenous Students* (2025) (unpublished M.A. thesis, University of Wyoming) (on file with ProQuest); Jenny Sullivan, *Contested Landscapes: The Origins and Consequences of Rhode Island’s Land-Grant Institutions (1862–1892)* (2024) (unpublished M.A. thesis, University of Rhode Island) (on file with Digital Commons at University of Rhode Island).

¹⁶ See *State Area Measurements and Internal Point Coordinates*, U.S. CENSUS BUREAU (2010), <https://www.census.gov/geographies/reference-files/2010/geo/state-area.html> [<https://perma.cc/B347-AC3M>].

¹⁷ See Ellen Rosen, *Can a University From Tennessee Help Accelerate Growth in West Palm Beach?*, N.Y. TIMES (Oct. 19, 2025), <https://www.nytimes.com/2025/10/19/business/vanderbilt-university-expansion.html> [<https://perma.cc/F9XD-M7BP>]; Stephen Ross and Cody Crowell, *BS’07, Fuel Momentum for West Palm Beach Campus*, VANDERBILT UNIV., <https://giving.vanderbilt.edu/impact-stories/ross-crowell-west-palm-beach-campus/> [<https://perma.cc/C7FM-5EQ7>].

shows that at least thirty-eight extant universities received land grants before or after the Morrill Act, and that at least seven universities that received Morrill Act lands received other land grants either before or after 1862. Thus, the United States is home to at least ninety land-grant universities. And, as they received lands from various public authorities, universities in the twentieth century started grabbing land by eminent domain, a development that historians have overlooked.¹⁸

This short essay tells the long story of university land-granting and -grabbing, from the seventeenth century to the present, for the first time. In doing so, it challenges us to reconsider even the revisionist histories of our land-grant universities. While those histories helpfully call attention to the ways that public authorities initially acquired lands they granted to universities, they do not pay adequate attention to the many land grants before and after the Morrill Act.¹⁹ The more than four million acres of pre- and post-Morrill Act land grants, assembled for the first time in this essay, add up to over one-third of the lands granted via the Morrill Act. This history tells a more complete story of our landed universities and suggests that the debts Lee and Ahtone mention are potentially much larger than previously thought. Whereas Lee and Ahtone, along with other land-grant historians, direct our attention westward, this essay contends that understanding land-grant universities requires us to first look east. As detailed below, many universities, including those calling themselves “private,” received lands from public authorities and acquired land by eminent domain. If land-grant universities owe a special duty to the public, then “private” landed universities like Harvard and Yale, two of the earliest land-grant universities, owe that duty as much as public landed universities do. In short, the United States is a land of landed universities,²⁰ and has been since its inception. To understand our landed universities, we need to disabuse ourselves of what we might call Morrill-Act exceptionalism, and attend to the many other land grants creating our many other land-grant universities.

¹⁸ For example, neither John Thelin’s classic history of American higher education, nor Christopher Loss’s more recent monograph, mentions eminent domain at all. See generally JOHN R. THELIN, A HISTORY OF AMERICAN HIGHER EDUCATION (2004); CHRISTOPHER P. LOSS, BETWEEN CITIZENS AND THE STATE: THE POLITICS OF AMERICAN HIGHER EDUCATION IN THE 20TH CENTURY (2012). Historian Davarian Baldwin’s 2021 book is the exception, although that text does not identify the American university’s acquisition of eminent-domain powers as a turn-of-the-century development, as this essay does. See DAVARIAN L. BALDWIN, IN THE SHADOW OF THE IVORY TOWER: HOW UNIVERSITIES ARE PLUNDERING OUR CITIES 9–10, 29 (2021). This historical oversight might have resulted from the tendency to view the American university’s relationship to land almost exclusively through the prism of the Morrill Act. One example of recent work focused on other instances of “landing” universities is the 2024 *Grist* article on lands held by states in trust for universities by Lee, Ahtone, and their collaborators. See Tristan Ahtone, Robert Lee, Amanda Tachine, An Garagiola, Audrianna Goodwin et al., *Misplaced Trust: Stolen Indigenous Land Is the Foundation of the Land-Grant University System. Climate Change Is Its Legacy.*, GRIST (Feb. 7, 2024), <https://grist.org/project/indigenous/land-grant-universities-indigenous-lands-fossil-fuels/> [<https://perma.cc/QM54-PA4X>]. But even there, the authors analyzed the lands held in trust for fourteen universities that also received Morrill-Act lands. See *id.* On Arizona’s trust lands, see generally Teresa Miguel-Stearns, Samantha Ginsburg, & Kristen Cook, *More Than Morrill: The Intertwined History of Indian Land Dispossession, Arizona Statehood, and University Enrichment*, 16 ARIZ. J. ENV. L. & POL’Y 1 (2025).

¹⁹ See generally SHARON STEIN, UNSETTLING THE UNIVERSITY: CONFRONTING THE COLONIAL FOUNDATIONS OF US HIGHER EDUCATION (2022); Margaret A. Nash, *Entangled Pasts: Land-Grant Colleges and American Indian Dispossession*, 59 HIST. EDUC. QUART. 437 (2019).

²⁰ This turn of phrase modifies a chapter title in James Axtell’s excellent history of the American research university. See James Axtell, *Wisdom’s Workshop: The Rise of the Modern University* 147 (2016) (“A Land of Colleges”).

Moreover, I wrote,

Historians tend to think that “the Land Grant movement” emerged in the second half of the nineteenth century.²¹ The historical record glossed here tells a different story. By 1862, the United States was already home to many land-grant universities. Put differently, the Morrill Act did not “create[] the American land-grant universities.”²² Instead, the Act endowed universities according to a practice embraced by public authorities long before there was any such thing as the United States. And, as discussed below, public authorities across the expanding nation continued endowing universities with lands in the twentieth and twenty-first centuries.

To drive the point home, I included a list of pre-Morrill Act land grants to universities: By the time President Abraham Lincoln signed into law the Morrill Act of 1862, granting land to endow universities was a widespread practice.²³ By then, the states and their predecessors, along with at least three Tribal Nations, had granted at least 779,150.95 acres²⁴:

- 20,000 acres to the College of William & Mary from the King and Queen in 1693.²⁵
- 500 acres to Harvard from Massachusetts in 1719.²⁶
- 1,500 acres to Yale from Connecticut in 1732.²⁷
- 12,500 acres to Harvard from Massachusetts between 1762 and 1774.²⁸
- 54,000 acres to what became Columbia University from New York around 1770.²⁹
- 8,000 acres to what is now Transylvania University from Virginia in 1780.³⁰
- 12,000 acres to Transylvania University from Virginia in 1783.³¹
- 412 acres to Hampden-Sydney College from Virginia in 1784.³²

²¹ ROGER L. GEIGER, *THE HISTORY OF AMERICAN HIGHER EDUCATION: LEARNING AND CULTURE FROM THE FOUNDING TO WORLD WAR II* 283 (2015).

²² Nathan M. Sorber, “A History of American Land-Grant Universities and Regional Development,” in *HANDBOOK OF UNIVERSITIES AND REGIONAL DEVELOPMENT* (Attila Varga & Katalin Erdős eds., 2019).

²³ See ROGER L. WILLIAMS, *THE ORIGINS OF FEDERAL SUPPORT FOR HIGHER EDUCATION: GEORGE W. ATHERTON AND THE LAND-GRANT COLLEGE MOVEMENT* 35 (1991) (“Land grants for educational institutions at all levels were common before the Civil War. By 1857, more than six million acres had been set aside for such purposes.”).

²⁴ This figure does not include failed land grants, discussed *infra*.

²⁵ See *Royal Charter*, WILLIAM & MARY SPECIAL COLLECTIONS, <https://scrc-kb.libraries.wm.edu/royal-charter> [<https://perma.cc/JYW7-9QRS>].

²⁶ See Josiah Quincy, 2 *The History of Harvard University* 229, 530 (1860).

²⁷ See John S. Whitehead, *The Separation of College and State: Columbia, Dartmouth, Harvard, and Yale, 1776–1876*, at 13 (1973).

²⁸ See QUINCY, *supra* note 26, at 229.

²⁹ SEE ADDISON BROWN, *THE ELGIN BOTANIC GARDEN[,] ITS LATER HISTORY AND RELATION TO COLUMBIA COLLEGE[,] THE NEW HAMPSHIRE GRANTS[,] AND THE TREATY WITH VERMONT IN 1790*, at 22 (1908).

³⁰ SEE HERBERT BAXTER ADAMS, *THOMAS JEFFERSON AND THE UNIVERSITY OF VIRGINIA* 308 (1888).

³¹ See ALVIN FAYETTE LEWIS, *HISTORY OF HIGHER EDUCATION IN KENTUCKY* 36–37 (1899). Transylvania apparently lost these 12,000 acres in 1792. See *id.* at 37 n. 2.

³² Alfred J. Morrison, *The College of Hampden-Sidney: Calendar of Board Minutes 1776–1876*, at 109 (1912).

- 40,000 acres to the University of Georgia from Georgia in 1785.³³
- 23,040 acres, or a township, to Dartmouth College from Vermont (then an independent republic) in 1785.³⁴
- 10,000 acres to Dickinson College from Pennsylvania in 1786.³⁵
- 10,000 acres (actually amounting to 10,831.95 acres) to what is now Franklin & Marshall College from Pennsylvania in 1787.³⁶
- 5,000 acres to what is now Washington & Jefferson College from Pennsylvania in 1787.³⁷
- 5,000 acres to what became the University of Pittsburgh from Pennsylvania in 1787.³⁸
- 42,000 acres to Dartmouth from New Hampshire in 1789.³⁹
- 300 acres to Harvard from Massachusetts in 1790.⁴⁰
- 29,000 acres to the University of Vermont from Vermont by 1791.⁴¹
- 115,200 acres to Bowdoin College from Massachusetts in 1794.⁴²
- 1,200 acres to Hampden-Sydney from Virginia in 1794.⁴³
- 46,080 acres to Williams College from Massachusetts in 1796.⁴⁴
- 6,000 acres to what is now the University of Louisville from Kentucky in 1798.⁴⁵
- 6,000 acres to Transylvania from Kentucky in 1798.⁴⁶

³³ See WHITEHEAD, *supra* note 27, at 47.

³⁴ See ADAM R. NELSON, DARTMOUTH COLLEGE V. WOODWARD: COLLEGES, CORPORATIONS, AND THE COMMON GOOD 47 (2025) (“Wheelock had told Vermont that Dartmouth would educate Vermont’s youth tuition free if the state gave the college a 23,040 acre ‘glebe’ township that had been taken from the Anglican church during the war. He solicited this land for ‘The Institution, Embracing Dartmouth College and Moor’s Charity School,’ and on June 14, 1785, Vermont granted his request.”); Ahtone et al., *supra* note 18 (“One 6-by-6 mile square on the grid is known as a **township**.”). Dartmouth’s 23,040-acre grant almost equaled the 29,000-acre grant that Vermont gave to the University of Vermont, and the former was given in one block, while the latter lands were spread across 120 districts, “mostly in the northern counties,” and therefore “much more difficult to administer.” JULIAN IRA LINDSAY, TRADITION LOOKS FORWARD[,] THE UNIVERSITY OF VERMONT: A HISTORY 1791–1904, at 10 (1954). The same year of Dartmouth’s grant, Vermont incorporated the granted lands as the Town of Wheelock, named after Dartmouth College’s second president. See *Morgan v. Cree*, 46 Vt. 773, 774 (1861).

³⁵ See James Henry Morgan, Dickinson College: The History of One Hundred and Fifty Years 1783–1933, at 126 (1933).

³⁶ See Joseph Henry Dubbs, History of Franklin and Marshall College 24, 28–29, 91 (1903).

³⁷ See Saul Sack, 1 History of Higher Education in Pennsylvania 72 (1963).

³⁸ See *id.* at 79, 308.

³⁹ See WHITEHEAD, *supra* note 27, at 35; NELSON, *supra* note 34, at 48–49.

⁴⁰ See QUINCY, *supra* note 26, at 271.

⁴¹ See LINDSAY, *supra* note 34, at 10; An act for the purpose of founding an University at Burlington (Nov. 3, 1791), University of Vermont Silver Special Collections, Record Group 1, Trustees Minutes, 1791–1811, Book 1.

⁴² See LOUIS C. HATCH, THE HISTORY OF BOWDOIN COLLEGE 5–7 (1927) (“The final section of the act of incorporation gave to the college five townships of land, each six miles square to be taken from the unappropriated state lands in Maine.”).

⁴³ See MORRISON, *supra* note 32, at 109.

⁴⁴ See CALVIN DURFEE, A HISTORY OF WILLIAMS COLLEGE 82 (1860) (“In January, 1796, the Legislature granted two townships of land . . .”).

⁴⁵ See R. H. Eckelberry, The History of the Municipal University in the United States 23 (1932).

⁴⁶ LEWIS, *supra* note 31, at 51.

- 3,924 acres to Columbia and Union College from New York in 1802.⁴⁷
- 46,080 acres to Ohio University from Ohio in 1804.⁴⁸
- 23,040 acres to Bowdoin from Massachusetts in 1806.⁴⁹
- 23,040 acres to Vincennes University from Indiana Territory in 1806.⁵⁰
- 23,040 acres to Dartmouth from New Hampshire in 1807.⁵¹
- 23,040 acres to Miami University from Ohio in 1809.⁵²
- 23,040 acres to Harvard from Massachusetts in 1809 (for a natural-history professorship).⁵³
- 29,164 acres to what is now Colby College from Massachusetts in 1815.⁵⁴
- 1,920 acres from the Chippewa, Ottawa, and Potawatomy Tribes to what is now the University of Michigan in 1817.⁵⁵
- 40 acres to the University of Pittsburgh from Pennsylvania in 1819.⁵⁶
- 455 acres to Franklin & Marshall from Pennsylvania in 1819.⁵⁷
- 46,080 acres to Williams College from Massachusetts by 1820.⁵⁸

⁴⁷ ANDREW VAN VRANKEN RAYMOND, 1 UNION UNIVERSITY: ITS HISTORY, INFLUENCE, CHARACTERISTICS AND EQUIPMENT 527 (1907). Apparently, Union College also received lands from New York in 1800, but I have been unable to find the number of acres included in this grant. See Murray Bartlett, *The Story of Geneva College*, 23 N.Y. HIST. 14, 14 (1942).

⁴⁸ See *Matheny v. Golden*, 5 Ohio St. 361, 362–63 (1856).

⁴⁹ 1805 Mass. Acts 684. This might have disappointed the Bowdoin Trustees, who petitioned the Massachusetts Legislature for two townships of land. See *id.*

⁵⁰ *Bd. of Trs. for the Vincennes Univ. v. Indiana*, 55 U.S. 268, 271–72 (1852).

⁵¹ NELSON, *supra* note 34, at 65–66.

⁵² See Frank W. Blackmar, *The History of Federal and State Aid to Higher Education in the United States* 218 (1890).

⁵³ See *id.* at 91.

⁵⁴ See Ernest Cummings Marriner, *The History of Colby College* 132 (1963).

⁵⁵ See HOWARD HENRY PECKHAM, *THE MAKING OF THE UNIVERSITY OF MICHIGAN, 187–1992*, at 12 (Margaret L. Steneck & Nicholas H. Steneck eds., 1994). The University appears to have later acquired Tribal lands initially granted to the Rector of the Church of St. Anne at Detroit via the Treaty of Fort Meigs, which would bring the total acreage granted by the three Tribes ultimately benefitting the University up to 3,840 acres. See Compl. ¶¶ 10–11, *Children of the Chippewa, Ottawa and Potawatomy Tribes v. Regents of Univ. of Mich.*, Washtenaw County Cir. Ct. (1971), University of Michigan Bentley Historical Library, Box 1, *Children of the Chippewa v. U-M Regents*. According to former Michigan Chief Justice Thomas Cooley, “[t]he gift . . . was fully equal in positive value and prospectively superior to the gifts for like purposes which made John Harvard and Elihu Yale immortal, and quite as justly entitles [Chief] Tontagini and his associate Chieftains to grateful remembrance among the founders of colleges.” THOMAS MCINTYRE COOLEY, *MICHIGAN: A HISTORY OF GOVERNMENTS* 312–13 (2d. 1886). Thank you to Carolyn Alam for locating this quotation. Indeed, according to a University of Michigan website, “sale of the original land gift provided a significant part of the basis for Michigan’s permanent endowment.” *University Celebrates History of Land Grant from Native Americans*, UNIV. MICH. NEWS (Nov. 13, 2002), <https://news.umich.edu/university-celebrates-history-of-land-gift-from-native-americans/> [<https://perma.cc/H62B-HMTC>].

⁵⁶ See SACK, *supra* note 37, at 79–80.

⁵⁷ See *id.* at 308.

⁵⁸ According to an 1820 report of the Massachusetts Legislature, “[f]our townships of land have been granted to Williams College, and it has an interest in a certain gore of land,” but further details on the two townships alluded to in the report have thus far eluded me. DUFFEE, *supra* note 44, at 422 (quoting THE REPORT OF THE COMMITTEE OF BOTH BRANCHES OF THE LEGISLATURE ON THE SUBJECT OF THE REMOVAL OF THE COLLEGE TO NORTHAMPTON (1820)). At least one of these townships was located in what would become Maine. See *Randell v. Mallett*, 14 Me. 51, 53 (1836).

- 14,724 acres to the University of North Carolina (UNC) from North Carolina in 1821.⁵⁹
- 640 acres to UNC from Tennessee in 1821.⁶⁰
- 12,320 acres to what became the University of Tennessee and the now-defunct Nashville University from Tennessee in 1838.⁶¹
- 16,000 acres to what is now Eastern Michigan University from Michigan in 1849.⁶²
- 14,000 acres to what became Michigan State University (MSU) from Michigan in 1855.⁶³
- 7,000 acres to MSU from Michigan in 1858.⁶⁴
- 23,040 acres to Colby College from Maine in 1861.⁶⁵

Since publishing this article, newspapers have run stories on the land grants received by Colby College, Bowdoin College, the University of North Carolina, and Miami University, all before the Morrill Act of 1862. Below, I reflect on Colby's and Bowdoin's land grants, with the help of articles from the Colby Echo and Portland Press Herald (PPH). They underscore the fact that Maine has not one, but three land-grant universities.

Colby College

On February 26, 2026, the Colby Echo's Mia Dinunzio published a piece, entitled "Rooted in History," responding to my January article. There, she writes that, "[l]ong before students crossed the hill from class to class, the [College] land was home to the Wabanaki people."⁶⁶ "[T]he Wabanaki Confederacy—comprising the Penobscot, Passamaquoddy, Abenaki, Maliseet, and Mi'kmaq nations—had inhabited what is now Maine for over 10,000 years."⁶⁷

Ms. Dinunzio offers a concise history of Colby's land grants:

In 1813, when Maine was still part of Massachusetts, a group of Baptists secured a charter for the Maine Literary and Theological Institution, the school that would become the College. Embedded in Section 10 of that original Massachusetts charter

⁵⁹ Kemp P. Battle, 1 History of the University of North Carolina[:] From Its Beginning to the Death of President Swain, 1789–1868, at 390 (1907).

⁶⁰ See *Thurston v. Univ. of North Carolina*, 72 Tenn. 513, 514 (1880).

⁶¹ *State v. Nashville Univ.*, 23 Tenn. (1 Hum.) 157, 160–61 (1843); see also AARON D. PURCELL, UNIVERSITY OF TENNESSEE 7–8 (2007); Bill Carey, *Tennessee's list of defunct colleges is longer than you think*, TENN. MAG. (Nov. 1, 2022), <https://www.tnmagazine.org/tennessees-list-of-defunct-colleges-longer-than-you-think/> [<https://perma.cc/53JC-EN8G>].

⁶² Egbert R. Isbell, *A History of Eastern Michigan University 1849–1965*, at xi, 8–9 (1971).

⁶³ See *An Act for the Establishment of a State Agricultural School*, 1855 Mich. Pub. Acts 279, *reprinted in* THE AGRICULTURAL COLLEGE OF THE STATE OF MICHIGAN 11–12 (1857); MADISON KUHN, MICHIGAN STATE: THE FIRST HUNDRED YEARS 1855–1955, at 6 (1955).

⁶⁴ KUHN, *supra* note 63, at 72 ("The prospective value of the Morrill grant was indicated by the worth of a smaller one of about 7000 acres of swamp land in adjoining townships given by the State Legislature of 1858 in response to a request from President Williams.").

⁶⁵ See MARRINER, *supra* note 54, at 137.

⁶⁶ Dinunzio, *supra* note 1.

⁶⁷ *Id.*

was a land grant: “a township of land six miles square, to be laid out and assigned from any of the unappropriated lands belonging to this Commonwealth in the District of Maine.” Two years later, a Resolve dated Feb. 15, 1815 specified which land: township No. 3, on the west side of the Penobscot River — 29,164 acres — land the document describes as having been “purchased of the Indians.”

That phrase links the College’s founding directly to Indigenous land, making the relationship with Wabanaki territory not merely geographical but historical and legal. In 1861, the state of Maine deepened the connection, directing its land dealer to convey “two half townships of land of average quality” — 23,040 acres — to the trustees of Waterville College, as the College was then known. Between these two grants, the College received over 52,000 acres, comparable in scale to those made under the Morrill Act of 1862, the landmark federal legislation establishing land-grant universities.⁶⁸

Beyond “link[ing] the College’s founding directly to Indigenous land,” the 1815 grant connects Colby to the Massachusetts Legislature’s project of settlement. While the Baptists who sought and secured Colby’s charter had their aims, the Massachusetts Legislature had aims of its own, including settlement. Ms. Dinunzio notes: “As Michael Banerjee, whose research brought the College’s land-grant history to wider attention, has observed, the Massachusetts Legislature routinely ‘used the colleges as vehicles for settlement,’ embedding early colonial ambitions directly into the charters of institutions like Bowdoin, Williams, and Harvard, alongside the College.”⁶⁹

Through the aforementioned February 1815 Resolve, the Legislature granted the Colby Trustees “full power and authority to settle, divide, and manage the said tract or township of land.”⁷⁰ A June 1815 agreement between a committee of the Colby Trustees and a Massachusetts land agent “conditioned” the grant of the township embracing 29,164 acres, “purchased from the Penobscot tribe of Indians,” on the Trustees “settling in said township twenty families within six years from the date hereof, including those now settled thereon.”⁷¹ Notably, Colby’s 1861 land grant from Maine did not include this language.⁷²

Before granting lands to Colby, the Massachusetts Legislature granted the Bowdoin Trustees five townships or 115,200 acres in the College’s 1794 charter, which also endowed the Bowdoin Trustees with the “full power and authority to settle, divide and manage the same townships.”⁷³ The Legislature explicitly conditioned that munificent grant on settling the

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ Resolve on the Petition of the Maine Literary and Theological Institution, Granting a Township of Land, 15th February, 1815, in CHARTER OF COLBY UNIVERSITY WITH THE ACTS AND RESOLVES RELATING THERETO AND THE BY-LAWS OF THE TRUSTEES 14 (1876). Colby’s 1813 Charter includes similar language regarding the first township it received in Maine. See Colby College Charter, in CHARTER OF COLBY UNIVERSITY, *supra* note 70, at 6-7.

⁷¹ MARRINER, *supra* note 54, at 132 (quoting June 12, 1815, agreement between the Colby Trustee Committee on Lands and William Smith, Agent for the Eastern Lands of the Commonwealth of Massachusetts).

⁷² See Resolve Making a Grant of Land to Waterville College, in CHARTER OF COLBY UNIVERSITY *supra* note 70, at 16.

⁷³ Act of Incorporation, in Charter of Bowdoin College, Together with Various Acts of the Legislature; Also an Abstract of the Decision of the Circuit Court, Important Votes of the Boards, and the By-Laws of the Overseers 9 (1876).

townships: “Provided, The Trustees aforesaid, or their assigns, shall cause to be settled fifteen families in each of said townships within twelve years from the passing of this act.”⁷⁴

While Colby and Bowdoin received large land grants, the Massachusetts Legislature also granted vast lands in Maine to Williams College. In 1796, two years after the Massachusetts Legislature granted the five townships to Bowdoin College, they granted the Trustees of Williams College

two Townships of Land, of the contents of six miles square each, to be laid out and assigned from any of the unappropriated Lands, belonging to this Commonwealth, in the District of Maine, the same to be vested in the Trustees of Williams-College, & their Successors forever, for the use, benefit & purpose of supporting the said College, to be by them holden in the corporate capacity, with full power & authority to settle, divide & manage the same Townships, or any part thereof, or to sell, convey and dispose of the same, in such way & manner as shall best promote the welfare of the said College.⁷⁵

The Legislature conditioned the grant on settling the two granted townships: “Provided, The Trustees aforesaid, or their Assigns, shall cause to be settled fifteen families in each of said Townships, within twelve years from the passing this [sic] Resolve.”⁷⁶ We will return to the issue of settlement below.

Lastly, it is worth noting that Colby, having received lands from both Massachusetts and Maine, is rare among land-grant universities. Only three others received lands from two states: Virginia and Kentucky granted lands to Transylvania University; Vermont and New Hampshire granted lands to Dartmouth College; and North Carolina and Tennessee granted lands to the University of North Carolina.

Bowdoin College

On March 31, 2026, the *Portland Press Herald*’s Reuben Schafir published a major article, entitled “How Maine’s Elite Private Colleges Sold Wabanaki Land to Bankroll Early Construction.”⁷⁷ There, Mr. Schafir explores the land grants received by Colby and Bowdoin, focusing especially on those received by the latter. “In all,” Mr. Schafir writes, “some 234,000 acres of Indigenous land in Maine was granted to Colby and Bowdoin colleges between 1796 and 1861. Institutions would parlay that into tens of thousands of dollars to fund construction of their first buildings.”⁷⁸

These grants “were made as a cash-starved government drove settlement across Maine.”⁷⁹ But why grant land? As I stated to Mr. Schafir in an interview, “[y]ou give what you have and not what you don’t The state felt they had lands. What they didn’t have was cash.”⁸⁰ He explains: “The Massachusetts Legislature, which governed the District of Maine until it became

⁷⁴ *Id.*

⁷⁵ Resolve Granting Two Townships of Land to Williams College (Feb. 4, 1796).

⁷⁶ *Id.*

⁷⁷ Schafir, *supra* note 1.

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.* (parenthesis omitted) (quoting Michael Banerjee).

a state in 1820, granted to Bowdoin College a total of 182,000 acres of ‘unappropriated lands’ in central Maine.”⁸¹ This included the “five townships, each 36 square miles,” that the Bowdoin Trustees received in the College’s 1794 charter, the township it was granted in 1806, and the pair of townships it acquired in 1808.⁸²

In 1801, the *PPH* article notes, Bowdoin sold Dixmont Township for \$20,000 and Foxcroft Township for \$7,940, totaling about \$716,000 in 2026 dollars.⁸³ Bowdoin used those funds to complete the construction of Massachusetts Hall in 1802.⁸⁴ Four years later the College sold Etna Township for \$11,300, using the funds to build Maine Hall in 1808.⁸⁵ (Both Massachusetts and Maine Halls are still in use.) Mr. Schafir points out that “Bowdoin’s ultimate profits are difficult to calculate.”⁸⁶ Although “[t]hree of the eight townships it possessed had generated nearly \$50,000 in total by 186 (approximately \$1.3 million today),” the College “[t]reasurers’ books indicate the college sold lots as small as 100 acres to settlers and often accepted partial payment with promissory notes, likely raking in thousands more.”⁸⁷

Drawing on Ernest Marriner’s 1963 history of Colby College, Mr. Schafir writes that “Colby was out of the real estate business by 1899 and likely squeezed some \$75,000—approximately \$3 million today—out of its lands.”⁸⁸

I observed in my January article that

[s]mall liberal arts colleges received large tracts of land. The 138,240 acres that Bowdoin received from Massachusetts by 1806 was more than thirteen universities received individually under the Morrill Act: Colorado State University, the University of Delaware, the University of Florida, the University of Idaho, Kansas State University (which claims to be “the nation’s first operational land-grant college”⁸⁹), the University of Minnesota, North Dakota State University, the University of Nebraska, the University of Nevada, Oregon State University, the University of Rhode Island, the University of Wyoming, and Washington State University.⁹⁰ The recipient of major land grants more than half a century before the Morrill Act, Bowdoin is no less a land-grant university than any of the thirteen aforementioned universities.

However, as Mr. Schafir notes, Bowdoin received another 46,080 acres from Massachusetts in 1808—a large grant that I had missed in my article. This additional grant brings Bowdoin’s total land-grant acreage up to 184,320 acres. It turns out that Bowdoin received more lands than twelve additional Morrill Act universities did: the University of Arkansas, the University of

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *See id.*

⁸⁵ *See id.* (citing HATCH, *supra* note 42).

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *See id.*

⁸⁹ *See* The History of the Land-grant University, AGREPORT (2021), https://www.k-state.edu/agreport/documents/AgReport_Fall2021_web.pdf [<https://perma.cc/M43L-QSJF>].

⁹⁰ *See* Robert Lee, Tristan Ahtone, Margaret Pearce, Kalen Goodluck & Geoff McGhee, et al., *Land-Grab Universities*, HIGH COUNTRY NEWS, <https://www.landgrabu.org> [<https://perma.cc/25PJ-Q4QG>].

Arizona, the University California, the University of Connecticut, Montana State University, the University of New Hampshire, South Carolina State University, Clemson University, South Dakota State University, Texas A&M University, the University of Vermont, and West Virginia University.⁹¹ Bowdoin therefore received more land from Massachusetts by 1808 than twenty-five universities received individually via the Morrill Act. The College received just 22,804 acres less than the University of Maine, “generally recognized as the state’s only land-grant college,”⁹² did under the Morrill Act.⁹³

Three issues cry out for further research. First, what did the Trustees of Williams College do with the 92,160 acres in Maine that they received by 1820? Second, did Colby or Bowdoin funnel any proceeds from the sale of granted lands into permanent endowment funds? If they did, returns generated from those endowments might continue funding their operations. That is, if land-sale proceeds were directed toward endowments used to cover the Colleges’ ongoing expenses, those old land sales would continue supporting the Colleges today. Beyond building “reminders still standing” with land-sale proceeds,⁹⁴ permanent endowment funds engorged by such proceeds would directly link the old land sales to the Colleges’ ongoing operations.

Third, did Bowdoin, Colby, and Williams actually settle their fourteen Maine townships, embracing at least 328,684 acres? Through its land grants, the Legislature charged the Colleges with settling more than 100 families in Maine. Although Bowdoin’s communications director told the *PPH* that “[t]his is a topic that has long been researched and discussed at Bowdoin,”⁹⁵ much more research will have to be done to determine the extent of the Colleges’ involvement in settlement.

Conclusion

My January article concluded as follows:

The Morrill Act represents one of many land grants benefitting American universities. By 1862, legislatures across the country, including Congress, were experienced land-granters. And public authorities continued granting lands after 1862, all the way up to the present century. The “long”⁹⁶ land-grant movement lasted from at least 1638 to 2024. In addition to pushing the land-grant timeline back into the colonial period and pulling it up into the twenty-first century, this essay invites us to ask what happened to the over 4 million acres granted to universities by acts other than the Morrill Act and to the lands grabbed by or on behalf of universities via eminent domain.⁹⁷

⁹¹ See *id.*

⁹² Schafir, *supra* note 1.

⁹³ See Lee et al., *supra* note 90.

⁹⁴ Schafir, *supra* note 1.

⁹⁵ *Id.* (quoting Bowdoin College Communications Director Doug Cook).

⁹⁶ See Jacquelyn Dowd Hall, *The Long Civil Rights Movement and the Political Uses of the Past*, 91 J. AM. HIST. 1233 (2005).

⁹⁷ Because of the difficulties attending the study of grants of this sort, especially in the seventeenth and eighteenth centuries, more research will have to be done to confirm that the granted lands were in fact conveyed and, if so, what universities did with these lands. Some of this work is already underway. See Sophie Gao, *Undergrad Researchers Find Harvard Owned, Sold Indigenous Land in Maine*, HARV. CRIMSON (Dec. 10, 2025), <https://www.thecrimson.com/article/2025/12/10/new-research-harvard-indigenous-land/>

I then laid out some implications of the long history of the land-grant university:

Three implications flow from this history. First, it suggests that the debts that might be owed for lands granted to universities are likely considerably larger than previously thought. This is in part because public and private universities alike received much more land from public authorities than scholars have indicated and in part because certain of the grants were for lands within Tribal reservations.

Second, it obliges scholars to reconsider and expand our definitions of the land-grant university and the “land-grant movement,” which was well underway by 1862.⁹⁸

Third, it invites us to further question the distinction between public and private universities. In fact, Americans would have recognized no such distinction before the nineteenth century.⁹⁹ This history troubles the already-specious public-private distinction as applied to universities, whose fundamental publicness was established early on in its one-thousand-year history.¹⁰⁰ That fundamental publicness persisted in the United States until the myth of the private university emerged in the nineteenth century.¹⁰¹ The emphasis that university historians place on the Morrill Act, which mainly granted lands for universities we today consider “public,” has obscured the extent to which universities we now call “private” also amassed wealth through land grants, meaning that they are also land-grant universities. By so obscuring this reliance on public support, the scholarly fixation on the Morrill Act has reified the dubious distinction between public and private universities.¹⁰²

Further, I wrote,

Much research remains to be done. We need to study the relationship between universities and land unconstrained by the Morrill Act. As noted above, our landed universities acquire land in many ways and their techniques for doing so change over

[<https://perma.cc/S9NL-Y6KV>]. Importantly, as Robert Lee said in a 2022 interview, because a university retains their “corporate personhood,” a “university from the 1860s is the university today.” Hayden Royster, *This Land is Their Land*, CAL. MAG. (June 8, 2022) (quoting Lee), <https://alumni.berkeley.edu/california-magazine/2022-summer/this-land-is-their-land/> [<https://perma.cc/XFN6-8EGV>]. Thank you to Elliott Masouredis for sharing this article with me.

⁹⁸ See EARLE D. ROSS, *DEMOCRACY’S COLLEGE: THE LAND-GRANT MOVEMENT IN THE FORMATIVE STAGE* 13 (1942) (“In their origins all the branches of the American system of education from lowest to highest are ‘land grant.’”).

⁹⁹ See WHITEHEAD, *supra* note 27, at 6 (arguing that “no clear distinction [between public and private universities] existed before the Civil War.”); see also CHRISTOPHER KUTZ, *PUBLICS IN ACTION: THE SELF-MAKING OF CIVIC LIFE* 121 (2025) (noting that, when it comes to universities, “our strategies of distinction have failed”).

¹⁰⁰ See Walter Rüegg, *Foreword*, in 1 *A HISTORY OF THE UNIVERSITY IN EUROPE: UNIVERSITIES IN THE MIDDLE AGES* xix (Hilde De Ridder-Symoens ed., 1992) (noting university was one “[o]f the three acknowledged powers of medieval European society—*regnum*, *sacerdotium*, and *studium*”).

¹⁰¹ See FREDERICK RUDOLPH, *THE AMERICAN COLLEGE AND UNIVERSITY: A HISTORY* 185 (2d ed. 1990) (“One great barrier to determining who paid the bills of the American college is the myth of the privately endowed independent college, a myth that was not encouraged until the colleges discovered that they could no longer feed at the public trough and had, in one sense, indeed become private.”); NELSON, *supra* note 34, at 223 (“[I]t would have been inconceivable in 1769 that Dartmouth College was a completely private corporation, independent of governmental oversight.”).

¹⁰² See BALDWIN, *supra* note 18, at 23 (noting Morrill Act “helped fund public universities to support agricultural research,” among other things).

time. Viewing the American university's relationship to land—a relationship this research suggests is likely more important to the general development of our universities than previously thought—through the Morrill Act has seriously hindered our ability to understand that relationship. Specifically, we need to study this relationship by attending to the manifold ways that universities obtain lands. We also need to research the land grants that failed if we are to fully apprehend the American land-granting impulse. Lastly, we must study the universities' exercise of eminent domain. As of today, we have no clue how much land universities have taken by eminent domain in the more than 125 years since they began exercising that power or what they have done with the land they acquired in this manner.

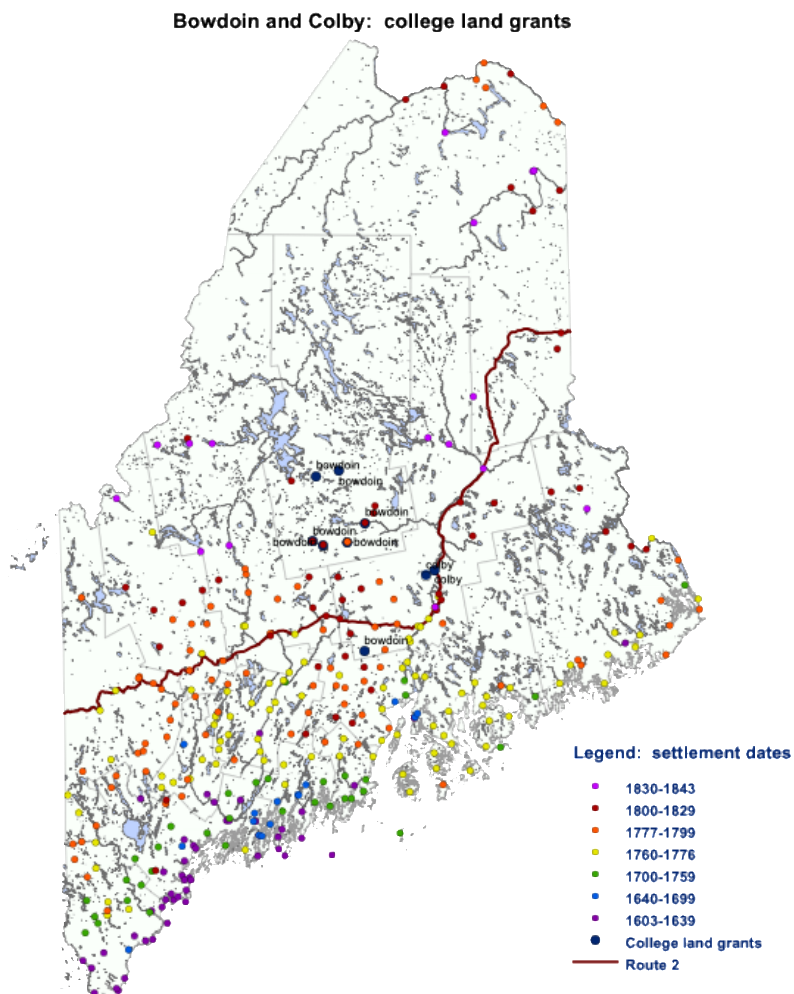
If debts arising from the possession and sale of these lands are owed to certain Native American Tribes, then those debts might be significantly larger than Lee and Ahtone indicate. Notwithstanding the diligent work undertaken by them and their colleagues, and others, many university land grants and grabs remain obscure. To understand what debts might be owed, we need to first identify America's many land-grant and -grab universities.¹⁰³ Doing so requires looking east.

The land-grant histories of Colby and Bowdoin place the above-described issues in sharp relief, presenting the Colleges with fresh opportunities to address the same. As I mentioned to Ms. Dinunzio, “[c]alling Colby what it is can help reacquaint students, faculty, staff, administrators, and the public with Colby's land-grant history.”¹⁰⁴ But Colby and Bowdoin ultimately stand in for many others that do not identify as land-grant universities today. A great deal of work remains to be done on these forgotten land-grant histories.

¹⁰³ I do not address all land grants here. For example, the South Carolina Legislature granted “an extensive parcel of land, in an elevated situation” in 1801 to what is now the University of South Carolina. *Judge Brevard's Observations on the Legislative History of South Carolina*, in 1 SOUTH CAROLINA STATUTES AT LARGE 425, 437 (Thomas Cooper ed., 1836). They then granted the University 10 acres in 1833. See *Trs. of Univ. of S.C. v. Trs. of Acad. of Columbia*, 67 S.E. 951, 952 (S.C. 1910). I hope university legal historians will study this grant and ones like it. On university legal history, see Michael Banerjee, *University Legal History*, CULTURAL CRITIQUE ONLINE (2025), <https://manifold.umn.edu/read/cc-frame-014-rev-03/section/a01d89fc-2765-4ffc-aadc-88e987c5c897> [<https://perma.cc/WNK3-V336>].

¹⁰⁴ Dinunzio, *supra* note 1 (quoting Michael Banerjee).

Appendix



Bowdoin College,
<https://tildesites.bowdoin.edu/~smcmahon/courses/hist332/files/collegelandgrants.pdf>
[<https://perma.cc/4FBL-TM2U>].