

tioning the tax in case no tax act shall be agreed on.

in May, one thousand seven hundred and sixty-one, and before the twentieth day of June following, agree and conclude upon an act apportioning the sum which by this act is engaged to be apportioned, assessed and levied, that then and in such case, such towns, districts, parishes or other places shall pay, by a tax to be levied on the polls, and estate both real and personal, within their respective limits, the same proportion of the said sum as the said towns, districts, parishes or other places were taxed by the general court in the tax act then last preceding.

Treasurer empowered and directed.

[SECT. 4.] And the province treasurer is hereby fully impowered and directed, in the month of June, one thousand seven hundred and sixty-one, to issue and send forth his warrants, directed to the selectmen or assessors of each town, district, parish or other place within this province, requiring them to assess the polls, and estates both real and personal, within their respective towns, districts, parishes or other places, for their respective parts and proportion of the sum before directed and engaged to be assessed, to be paid into the publick treasury by the twentieth day of March, one thousand seven hundred and sixty-two; and the assessors, as also persons assessed, shall observe, be governed by, and subject to, all such rules and directions as shall have been given in the then last preceding tax act; and the assessors shall incur[r] the same penalty for not apportioning the sums laid upon their respective towns, districts, parishes or other places, as though the same had been assessed upon them by an act of the general court.

And be it further enacted,

Treasurer further directed, in case.

[SECT. 5.] That if the treasurer shall not be able to borrow the whole of the sum aforesaid on or before the twentieth day of October next, then and in that case he shall issue forth his warrants, directed to the selectmen or assessors in each of the towns and districts within this province, requiring them to assess the polls, and estates both real and personal, within their several towns and districts, for their respective part[s] and proportion of whatever sum he shall not be able to borrow of the seventy thousand two hundred and fourteen pounds seven shillings aforesaid, to be paid into the publick treasury by the twenty-ninth day of March, one thousand seven hundred and sixty-one; and the assessors, as also persons assessed, shall observe, be governed by, and subject to, all such rules and directions as shall have been given in the then last preceding tax act. [*Passed June 21; published June 23.*]

CHAPTER 7.

AN ACT FOR ERECTING AND ESTABLISHING TWO NEW COUNTIES IN THE EASTERLY PART OF THE COUNTY OF YORK.

Preamble.

WHEREAS the great extent of the county of York makes it convenient that two new counties should be erected and established in the easterly part thereof, —

Be it enacted by the Lieutenant-Governour, Council and House of Representatives,

County of York, how bounded.

[SECT. 1.] That the county of York aforesaid shall be and it hereby is declared to be bounded on the east, by a line to run from the sea, north-westerly, upon the easterly line of the township of Biddeford, as far as Narraganset[t], Number One; from thence, north-easterly, on said Narragansett, to the easternmost corner thereof; from thence, north-westerly, on said Narragansett, to the northermost corner thereof;

from thence, south-westerly, on said Narraganset [t], to Saco River; from thence, up said Saco River as far as Pearsontown extends thereon; and from thence, to run north, two degrees west, on a true course, as far as the utmost northern limits of this province: all the other boundary-lines of said county to remain the same as heretofore.

And be it further enacted,

[SECT. 2.] That the westernmost of the two new counties aforesaid shall be and it is hereby declared to be bounded on the west, by the easterly line of the county of York above described; on the north, by the utmost northern limits of this province; on the south-east, by the sea, or western ocean, and by Casco Bay, — from the easterly point of which bay; viz^[t], from Small Point, the line shall run north-westerly upon said Casco Bay to New-Meadows creek or river, and up said creek or river as far as Stevens' carrying-place, at the head of said creek or river; thence, across said carrying-place, to Merry-Meeting Bay and Androscoggin River; from thence, it shall run up said Androscoggin River, thirty miles; and from thence, north, two degrees west, on a true course, to the utmost northern limits of this province, including all the islands in Casco Bay aforesaid and on the seacoast of the said new county: and all the towns, districts and lands within said bounds, together with the islands aforesaid, shall, from and after the first day of November, one thousand seven hundred and sixty, be and remain one entire and distinct county by the name of Cumberland, of which Falmouth shall be the shire or county town; and the inhabitants of said county of [Cumberland] shall have, use, exercise and enjoy all such powers, privileges and immunities as by law the inhabitants of any other county within this province have, use, exercise and enjoy.

New county of
Cumberland,
how bounded.

And be it further enacted,

[SECT. 3.] That there shall be held and kept within the said county of [Cumberland], a court of general sessions of the peace, and an inferior court of common pleas, to sit at Falmouth aforesaid on the first Tuesdays of May and September, yearly, and in every year, until this court shall otherwise order; also that there shall be held and kept at Falmouth aforesaid, until this court shall otherwise order, a superior court of judicature, court of assize and general goal delivery, to sit on the fourth Tuesday of June, yearly, and every year; and the justices of the said court of general sessions of the peace, inferior court of common pleas, superior court of judicature, court of assize, and general goal delivery, respectively, who are or shall be thereunto lawfully commissioned and appointed, shall have, hold, use, exercise and enjoy, all and singular, the powers which are by law already given and granted unto them within any other county of this province, where a court of general sessions of the peace, inferior court of common pleas, superior court of judicature, court of assize and general goal delivery are already established.

Inferior courts
to be held at
Falmouth.

Superior court
to be held at
Falmouth.

And be it further enacted,

[SECT. 4.] That the justices of the court of general sessions of the peace, at their first meeting in the said county of [Cumberland], shall have full power and authority to appoint some fit person within the said county of [Cumberland], to be register of deeds and conveyances within the same, who shall be sworn to the faithful discharge of his trust in the said office, and shall continue to hold and exercise the same, according to the directions of the law, until some person be elected by the freeholders of the said county of [Cumberland], who are hereby empowered to choose such person, at their first March meeting within their respective towns and districts, in the method already by law prescribed; which person, taking upon him that trust, shall be sworn to the faithful discharge thereof; and until such register

Justices of the
court of ses-
sions at their
first meeting to
appoint a regis-
ter of deeds.

shall be so appointed by the said justices, and sworn, all deeds and conveyances of land lying within any part of the said county of [Cumberland], being recorded in the register's office of the county of York aforesaid, shall be held good and valid to all intents and purposes, so far as relates to the record of them.

And be it further enacted,

Register and other officers to be afterwards chosen as in other counties.

[SECT. 5.] That the method and proceedings directed to by law, for the ch[u][oo]sing a register of deeds and conveyances, and a county treasurer (which last-mentioned officer shall be chosen and appointed, in manner as the law directs, at the next March meeting of the freeholders aforesaid), also for the bringing forward and trying any actions, causes, pleas or suits, both civil and criminal, in the several counties of this province, and courts of judicature within the same, and for ch[u][oo]sing of jurors to serve at the several courts of justice, shall be observed and put in practice within the said county of [Cumberland], and by the courts of justice within the same; any law, usage or custom to the contrary notwithstanding.

And be it further enacted,

New county of Lincoln.

[SECT. 6.] That the most eastern county shall be bounded in the following manner; that is to say, on the west, by the county of [Cumberland] aforesaid; on the east, by the province of Nova Scotia; on the south and south-east, by the sea, or western ocean; and on the north, by the utmost northern limits of this province, including all the islands to the eastward of the county of [Cumberland] aforesaid; and all the towns, districts and lands within said bounds, together with the islands aforesaid, shall, from and after the first day of November, one thousand seven hundred and sixty, be and remain one [i][e]ntire and distinct county by the name of Lincoln, of which Pownalborough shall be the shire, or county, town; and the inhabitants of the said county of [Lincoln] shall have, use, exercise and enjoy all such powers, privileges and immunities as by law the inhabitants of any other county within this province have, use, exercise and enjoy.

And be it further enacted,

Inferior court to be held at Pownalborough

[SECT. 7.] That there shall be held and kept within the said county of [Lincoln], a court of general sessions of the peace, and an inferior[u]r court of common pleas, to sit at Pownalborough aforesaid on the second Tuesdays of May and September, yearly, and in every year, until this court shall otherwise order. And the justices of the said court of the general sessions of the peace, and of the said inferior[u]r court of common pleas, who are or shall be thereunto lawfully commissioned and appointed, shall have, hold, use, exercise and enjoy, all and singular, the powers which are by law already given and granted to such justices within any other county of this province, where a court of general sessions of the peace, and inferior court of common pleas, are already established. And all appeals from any judgment or judgments given at any courts of general sessions, and at any inferior court of common pleas, within the said county of [Lincoln], shall be heard and tried at the superior[u]r court of judicature, to be held yearly at Falmouth as aforesaid.

Superior court at Falmouth.

And be it further enacted,

Governor, with advice of council, to appoint a register of deeds during the term of five years.

[SECT. 8.] That the Governour, with the advice and consent of his majesty's council, shall be authorized to appoint, for and during the term of five years from February next, some fit person within the county of [Lincoln], to be register of deeds and conveyances within the same, who shall be sworn to the faithful discharge of his trust in said office, and shall continue therein to the end of the term aforesaid, and until some fit person be chosen and appointed, in his stead, by the freeholders and other inhabitants, of the several towns and districts

within the said county, qualified according to law to act in town and county affairs; and the said register shall be sworn to the faithful discharge of his office in the manner required by law, and shall act in his said office according to the directions of the law; and, until a register shall be appointed and sworn, all deeds and conveyances of land lying in any part of the said county of [*Lincoln*], being recorded in the register's office in the county of York aforesaid, shall be held good and valid, to all intents and purposes, so far as relates to the recording of the same.

And be it further enacted,

[SECT. 9.] That the method and proceedings directed to by law for choosing a county treasurer, also for the bringing forward and trying any actions, causes, pleas or suits, both civil and criminal, in the several counties of this province, and courts of judicature within the same, and for choosing of jurors to serve at the several courts of justice, shall be observed and put in practice within the said county of [*Lincoln*], and by the courts of justice within the same; any law, usage or custom to the contrary notwithstanding.

County treasurer, &c., as in other counties.

And be it further enacted,

[SECT. 10.] That all writs, suits, complaints, processes, appeals, reviews and recognizances, and any other matters or things which now are, or at any time before the aforesaid first day of November, one thousand seven hundred and sixty, shall be, depending in any court within the county of York, and all matters and things which now are, or at any time before the said first day of November aforesaid, shall be, depending before the judge of probate for the said county of York, shall be heard, tried, proceeded upon and determined at such time and place, and in such manner, as they would have been if this act had not been made.

Matters cognizable in the county of York.

And be it further enacted,

[SECT. 11.] That nothing in this act contained shall be construed to disannul, defeat, or make void, any deeds or conveyances of land lying in either of the new counties aforesaid, which are, or shall be, before the establishment of a register in each county, respectively, recorded in the register's office of the county of York aforesaid; but all such deeds and conveyances so recorded shall be held as good and valid as they would have been in case this act had not been made.

Deeds registered in the county of York, before a register is appointed, held good.

And be it further enacted,

[SECT. 12.] That the inhabitants of the several towns and districts within the counties aforesaid shall pay their proportion of all county rates or taxes already granted and made, in the same manner as they would have done if this act had not been made. [*Passed June 21; * published June 23.*]

County taxes held good.

CHAPTER 8.

AN ACT FOR SUPPLYING THE TREASURY WITH THE SUM OF ONE HUNDRED AND EIGHT THOUSAND POUNDS, TO BE THENCE ISSUED FOR DISCHARGING THE PUBLIC DEBTS, AND DRAWING THE SAME INTO THE TREASURY AGAIN.

WHEREAS it is necessary that provision be made by the general court for discharging the debts of the ensuing year, — Preamble.

Be it enacted by the Lieutenant-Governor, Council and House of Representatives,

[SECT. 1.] That the treasurer of the province be and he hereby is Treasurer em-

* Signed June 20, according to the record.