

by the authority of the same, That Mary Clark, her heirs and assigns, shall have the right, at her or their own costs, to make a good and convenient landing on the west side of the Susquehanna river, on the estate of the said Mary, and in the great road leading from Harrisburg by Morehead's (late Lytle's) ferry, through Selinsgrove to the ferry opposite Sunbury in the county of Northumberland; and the owner or occupier shall keep the same in good order and repair, fit for men, horses, and carriages to pass; and the said owner or occupier shall keep a good substantial boat or boats, and careful ferrymen who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others over the said river; and for services rendered shall receive such price as is customarily paid at other ferries on said river; and the said ferry shall moreover be subject to such rates and regulations as the court of quarter sessions of the county of Cumberland may order and direct: Provided always, that nothing in this act contained, shall be construed so as to vest the said Mary, or her legal representatives, with a right to receive or discharge any travelers, carriages or other loading, on land belonging to any other person, without the consent of the owner.

Approved January 26, 1807. Recorded in L. B. No. 10, p. 424.

CHAPTER MMDCCLXVIII.

AN ACT TO ORGANIZE THE PROVISIONAL COUNTY OF CAMBRIA.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first Monday in November next, the inhabitants of Cambria county shall enjoy all and singular, the jurisdiction, powers, rights, liberties and privileges within the same, which the inhabitants of other counties in this state do enjoy by the constitution and laws of this commonwealth.

Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid, That actions of trespass and ejectment for the trial of titles to land, actions of trespass *quare clausum fregit* for entry into any lands or tenements within the county of Cambria, which shall at the time of passing of this act, or before the first Monday in November next, have been commenced in the court of common pleas or circuit court of Somerset county, and which shall on the said first Monday of November next be still pending and undetermined, shall be transferred to the court of common pleas and circuit court of Cambria county, there to be proceeded on to trial and determination according to law; in the same state, and subject to the same rules, as they or any of them were on the said Monday; and the prothonotary of Somerset county shall and he is hereby enjoined within thirty days after the said first Monday of November next, to make out a docket, containing a statement of all actions then pending and undetermined in the said county of Somerset; and shall have the said docket, together with the records, declarations, and other papers respecting all such actions then pending and undetermined as aforesaid, ready to be delivered to the prothonotary of Cambria county; who before he receives the same, shall pay to the prothonotary of Somerset county for every action contained in said docket, the usual fees allowed for similar services, which shall be reimbursed to him by the county of Cambria; and all such actions so pending and undetermined as aforesaid, and transferred as aforesaid, by the prothonotary of Somerset county to the prothonotary of Cambria county, shall be considered as pending in the court of common pleas and circuit court of Cambria county, from and after the first Monday of November next, as if they had been originally commenced in said county; and the prothonotary of Cambria county shall account on the receipt of the costs of all such actions, or any of them, to the prothonotary of Somerset county, for all legal fees incurred in the county of Somerset on such actions or any of them; and no action or suit other than the said actions of trespass and ejectment, or trespass

quare clausum fregit, now commenced, or which may be commenced in the county of Somerset, before the first Monday of November next, against any person living or residing in Cambria county, shall be stayed, discontinued or affected by this act, or any thing herein contained, but the same may be prosecuted in the same manner as if this act had not been passed.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That the sheriff, coroner and other public officers of Somerset county, shall continue to exercise the duties of their respective offices within the county of Cambria as heretofore, until the first Monday of November next.

Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid, That sheriffs, coroners, treasurers, and all such other officers as have heretofore usually given security for the faithful discharge of the duties of their respective offices, who shall be hereafter elected or appointed in the county of Cambria, before they enter on the duties of their offices, shall give sufficient sureties in the like sums, and in the like manner and form, and for the like purposes, uses, and trusts as such officers are obliged to do in the county of Crawford; or for such sums, or in such manner as may hereafter be directed by law.

Section V. (Section V, P. L.) And be it further enacted by the authority aforesaid, That all taxes laid, or directed to be laid within the county of Cambria, before the passing of this act, shall be laid, assessed, levied, collected, and recovered in the same manner as if this act had not been passed; and all sums of money due this commonwealth for militia fines in the said county of Cambria, and arrearages of taxes shall be collected and recovered in the same manner as if this act had not been made.

Section VI. (Section VI, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful for the commissioners that may be hereafter elected for the county of Cambria, to erect, or cause to be erected, as soon as they may deem expedient, a courthouse, prison, and public buildings for the safe keeping of the records and other public

papers appertaining to, or in the county aforesaid; in such parts of the public square or lots adjoining the same, as they may think fit to purchase for said court house, or other public county buildings, in the town of Ebensburg, in the county of Cambria, as the commissioners of said county may think proper; and the commissioners of Somerset and Cambria counties, are hereby directed to examine, liquidate, and settle the accounts which have been kept of the county taxes, agreeably to an act of the general assembly of this commonwealth, passed the twelfth day of March, one thousand eight hundred and one,⁽¹⁾ and having ascertained the balance which may be due from either county to the other, the commissioners of the debtor county, shall draw an order on their treasurer, directing him to pay the treasurer of the creditor county, the balance which shall be so found due.

Section VII. (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the commissioners of Cambria county, shall have power to procure a house, in or as near the town of Ebensburg as convenience will admit, at the least possible expense, in which the courts of said county shall be held until a courthouse is erected; or if such house cannot be procured, the aforesaid commissioners shall have power to erect temporary buildings in said county for that purpose.

Section VIII. (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the citizens, inhabitants of Cambria county, who are, or shall be qualified to elect, agreeably to the laws and constitution of this state, shall, at the general election to be held in the county aforesaid, on the second Tuesday in October next, choose two fit persons for sheriffs, two for coroners, and three for commissioners in said county; in the same manner, and under the same regulations and penalties, as by the constitution and laws of this commonwealth, similar officers are chosen in other counties; and said officers when chosen as aforesaid and duly qualified to enter on the duties of their respective offices, shall have and enjoy all and singular the powers, authorities, privileges and emoluments in, or any way arising out of their respective of-

fices in and for the county aforesaid, as fully as such officers are entitled to in any of the counties within this commonwealth.

Section IX. (Section IX, P. L.) And be it further enacted by the authority aforesaid, That the courts of common pleas and quarter sessions of the peace for the county of Cambria, shall from and after the first Monday of November next, commence and be holden on the first Mondays in March, June, September, and December; and the judges of the supreme court, the president of the tenth district or circuit, and the judges to be appointed in the said county of Cambria, shall have and exercise like powers, jurisdictions and authorities within and over the same, as are or may be warranted to, and exercised by the judges in other counties within this state.

Approved January 26, 1807. Recorded in L. B. No. 10, p. 425.

Note (*). There is no act of this date. It is probable that the act referred to in the text is that of March 12th, 1800, 16 Statutes at Large, p. 454. Compare particularly Section XVI, at page 465, of the act last above cited.

CHAPTER MMDCCXLIX.

AN ACT TO ENABLE ALIENS IN CERTAIN CASES TO PURCHASE AND HOLD REAL ESTATE WITHIN THIS COMMONWEALTH.

Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for any alien or aliens, actually resident within this commonwealth, and not being the subject or subjects of some sovereign state or power, which is or shall be at the time or times of such purchase or purchases, at war with the United States of America, to purchase lands, tenements and hereditaments within this commonwealth; and to have and to hold the same in fee simple, or for any lesser estate as fully to all intents and purposes as any natural born citizen or citizens may or can do: Provided always, that such alien or aliens shall previously to such purchase or purchases,