

SECTION 3. That William F. Murray, Daniel Kendig and Martin W. F. Murray, Kendig, be and they are hereby authorized to erect a break-water in the D. Kendig and Swatara creek, within six hundred feet from the mouth of said creek, M. Kendig, authorized to erect a and not exceeding forty feet in length, from low water mark, in such break-water in Swatara creek. manner as shall do no damage to either public or private property, nor create any obstruction to the navigation of said stream.

APPROVED—The twenty-second day of April, one thousand eight hundred and forty-six.

FRS. R SHUNK.

AN ACT

SECTION 1. *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*

an amount not exceeding two hundred and fifty dollars of the tax upon writs of error, in the supreme court for the western district of Pennsylvania, from the first day of September, Anno Domini one thousand eight hundred and forty-five, till the thirty-first day of August, Anno Domini one thousand eight hundred and forty-six, be and the same is hereby appropriated to the prothonotary of the said court, for the said district, for bringing or writing up the records of the said court, for six years last past, and making and transcribing indexes to the said records, for ten years last past, and arranging the papers' of said court; that said compensation not exceeding said sum hereinbefore specified, shall be fixed by said court, after their examination and approval of said records so brought up by said prothonotary.

Letters of attorney of M. T. Audibert and C. Garnier, to G. P. Loeben, made valid.

SECTION 2. That the acknowledgments of the several letters of attorney, executed by Maria Tonisant Audibert, as also those made by C. Garnier to Gabriel Philibert Loeben, of Armstrong county, and which acknowledgments were made before a notary or notaries in the kingdom of France, shall be deemed, held and taken to be as valid as if the same had been taken before any judge of the court, or justice of the peace in this commonwealth; and the record of said letters of attorney, heretofore made in said Armstrong county, shall be evidence, as if the said letters had been regularly acknowledged.

Joseph B. Ard, trustee of Emily Elliott authorized to sell certain real estate.

SECTION 3. That Joseph B. Ard, the surviving trustee, in a deed of trust executed by Ann Johnston to Elias W. Hale and the said Joseph B. Ard, in trust, for the use of Emily Elliott, wife of William P. Elliott, and recorded in Mifflin county, book R, page two hundred and seventy-four, be and is hereby authorized and empowered, upon the request of the said Emily Elliott, duly executed in writing, and acknowledged before one of the judges of the court of common pleas of Mifflin county, to sell and convey a certain tract of land in Granville township, Mifflin county, described in said deed; and the money arising from said sale, to place at interest, or invest in other real estate, for the sole and separate use of the said Emily Elliott, as the said Emily Elliott may desire; and the said trustee shall pay to the said Emily Elliott the interest of the said money or such part of the principal, not exceeding one thousand dollars, and her receipt therefor duly acknowledged before one of the judges of the said court, shall be a clear and sufficient discharge for the amount thereof, to the said trustee; and said money, or the real estate purchased therewith, shall be held subject to the appointment, in writing, of the said *cestui que trust*, as provided in said deed of trust: *Provided*, That no such sale shall be made unless the court of common pleas of said county shall be of opinion that such sale will be more beneficial to the *cestui que trust*, than a continuance of the estate as now held under the above mentioned deed of trust, nor until said trustee shall give bond, with sureties to be approved by said court, in such penalty as they may direct, conditioned for the faithful application of the proceeds of said sale, agreeably to the provisions of said deed, and this act; nor shall any deed for said premises, until the sale shall be approved by said court, and the proceeds of the sale shall be invested under the directions of the court, and all decrees and orders made under this act, be entered at large on the records of said court.

Proviso.

Surety.

Orphans' court of Mifflin county may appoint a trustee.

SECTION 4. On the death of the said surviving trustee, the orphans' court of Mifflin county is hereby authorized to appoint a trustee or trustees, to carry into effect the provisions of this act, and the trust of said deed.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

WM. S. ROSS,

Speaker of the Senate.

APPROVED—The twenty-second day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.