

## No. 313.

## AN ACT

Authorizing and empowering cities of the second class in this Commonwealth to construct and maintain sub-surface walks under the streets and sidewalks of the city, and to assess the cost, damage, and expense of the construction thereof against properties abutting along the line of said improvement and specially and peculiarly benefited by the construction thereof; providing for the procedure therein, and for the ascertainment of the cost, damage, and expense thereof; and providing how and to what extent liens may be filed therefor.

Section 1. Be it enacted, &c., That cities of the second class in this Commonwealth shall have the power and authority to construct and maintain under the surface of any street or sidewalk in the said city, at such depth and according to such plan and design as the council thereof may approve, a sub-surface walk or passageway of such length as council may determine, and with such ways of ingress and egress as they may deem necessary.

Cities of second class.

Sub-surface walks or passageways.

Section 2. The said cities are authorized and empowered to assess the cost, damage, and expense arising from the construction of the said sub-surface walks against the properties abutting thereon that are specially and peculiarly benefited by said improvement in like manner as such assessments are now made for the opening and widening of streets.

Cost, damage and expense may be assessed against properties benefited.

Section 3. In exercising the powers aforesaid the proceedings for ascertaining damages and the assessment of benefits incidental thereto shall be as now provided by law in reference to the payment of the cost, damage, and expense of public improvements within municipal corporations; and liens therefor may be filed in accordance with the laws regulating the filing of liens for other municipal improvements and with like effect.

Proceedings for ascertaining damages and assessing benefits.

Liens.

Section 4. That all acts or parts of acts, general, local, or special, inconsistent herewith be and the same are hereby repealed.

Repeal.

APPROVED—The 12th day of May, A. D. 1925.

GIFFORD PINCHOT.