

Tuition.

*receive tuition for such pupils as in the case of pupils admitted from other districts in this Commonwealth.*

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 242

AN ACT

Providing for the grading, curbing, draining, paving and/or macadamizing of highways, the center line of which constitutes the dividing line between a city and a borough, or a city and a township of the first class, and for the collection of the whole or part of the cost of such improvements by assessments against property abutting on the line of the improvement.

Highways where center constitutes dividing line between municipalities.

Agreement for grading, paving, etc.

Ordinance not to be adopted for 30 days.

Notice of ordinance.

Cost may be collected from abutting owners.

Section 1. Be it enacted, &c., That whenever the center line of any highway constitutes the dividing line between a city and a borough, or a city and a township of the first class, located in the same county, the council of such city, borough and the board of commissioner of such township may, where such improvement is through built up property or properties duly plotted and laid out in lots for building purposes, and where two-thirds of the combined frontage of the two sides petition for the improvement, enter into a contract providing for the grading, curbing, draining, paving and/or macadamizing of such highway. Such alterations and improvements shall be made under the supervision of the proper authorities of such city, borough or township, or by contract let by such city, borough or township, as may be provided for in the contract between the city and township.

Section 2. No ordinance or ordinances authorizing any such improvement, where the whole or any part of the cost of the improvement is to be assessed against abutting property, shall be finally adopted until the expiration of thirty days from the date of its introduction, and, in the meantime, copies thereof shall be published, once a week for two weeks, in one newspaper circulating in such city, borough and township immediately following the introduction thereof, and at least five copies thereof shall be posted along the line of the proposed improvement.

Section 3. The whole cost of such alterations and improvements, or any part thereof, as may be agreed upon in the contract between the city and township, may be collected from the owners of property within the city, borough, and within the township, abutting along the line of the improvement, by an equal assess-

ment on the foot front. Any portion of such cost not assessed against abutting property shall be paid one-half by each of the municipal divisions joining in the improvement. Foot front rule.

Section 4. Thirty days notice of assessments of the whole cost or part of the cost of any such improvement shall be given to each party assessed, either by service on the owner or his agent, or posted on the premises by the clerk or secretary of the city, borough or township making the improvement. If any assessment shall remain unpaid at the expiration of the notice, it shall be the duty of the city, borough or township solicitor, as the case may be, to collect the same, with interest from the time of the completion of the improvement, by action of assumpsit, or by a lien to be filed and collected in the same manner as municipal claims. Notice of assessment.

When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots shall be embraced in one claim. Collection of assessment.

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 243

AN ACT

Conferring on the Department of Highways the right to enter upon private property adjacent to highways or bridges under the control and supervision of the said department for the purpose of changing or protecting existing stream channels in order to protect said highways or bridges in a proper manner; providing for the approval of said changes by the Department of Forests and Waters; and providing for the ascertainment and payment of damages occasioned thereby.

Section 1. Be it enacted, &c., That the Department of Highways shall be and is hereby authorized to enter upon private property adjacent to or in the vicinity of highways or bridges constructed or maintained in whole or in part by the Commonwealth, or any highway or bridge under the jurisdiction of said department, and change or protect existing stream channels, where it is deemed advisable, in order to protect improved highways or bridges, within the limits of any borough, town, incorporated town, or township, from damage due to erosion or high water. Department of Highways.

Protection of highways and bridges by change of stream channels.

Section 2. Any such change to an existing stream channel by the Department of Highways shall first be approved by the Department of Forests and Waters. Approval by Department of Forests and Waters.

Section 3. The Secretary of Highways, when possible, shall enter into an agreement with the owner or owners of said property as to the amount of damages to be paid, which damages, if agreed upon, shall be paid Agreement as to damages.