No. 145.

An ordinance granting permission and authority to Samuel Posner, trading under the firm name of Posner Brothers, to construct, build and maintain a tunnel for his business premises at the northeast corner of Howard and Lexington streets, and to connect the rear of his lot and all the improvements owned by him on Clay street with his lot and improvements on the north side of Clay street.

Clay-street tunnel for Posner Bros.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That permission and authority be and the same is hereby granted to Samuel Posner, trading under the firm name of Posner Brothers, his heirs, executors, administrators and assigns, to construct, build and maintain a tunnel under the bed of Clay street, connecting with the Clay-street wing of his building on the south side of Clay street about 90 feet from Howard street, with his power-house situated on the north side of Clay street, about 106 feet from Howard street.

Supervision of City Engineer.

SEC. 2. And be it further ordained, That said tunnel shall be constructed and built under the supervision and to the satisfaction of the City Commissioner or City Engineer, at the cost of the said Samuel Posner, trading as Posner Brothers, under the following terms and conditions, that is to say: That the said tunnel beneath the surface of said Clay street shall be three feet and nine inches in width and six feet in height, and shall be constructed with brick with a buckled plate top, and shall be so constructed as not to obstruct the bed of said street or endanger the safety of pedestrians or vehicles passing thereon, or to

interfere with the use of said street for public purposes.

City may demand abandonment of tunnel.

SEC. 3. And be it further ordained, That in the event of the City of Baltimore desiring at any time hereafter to use the bed of said street for necessary improvements, or if the Mayor and City Council shall deem the public interests require the changing or removal of said tunnel, this ordinance shall become revocable by the passage of a repealing ordinance by the Mayor and City Council, or by direction of the Mayor, upon proper notice given to the said Samuel Posner, trading as Posner Brothers, by the Commissioner or other duly authorized officer, vacate that portion of the bed of Clay street occupied by it, and surrender all claims or rights whatever to said grant or franchise.

Cost of grant.

SEC. 4. And be it further ordained, That the said Samuel Posner, trading as Posner Brothers, his heirs, executors, administrators and assigns shall pay to the Mayor and City Council of Baltimore for the privilege hereby granted the sum of five hundred ($500) dollars; and the said tunnel shall be completed within three months from the passage of this ordinance; provided the said Samuel Posner, trading as Posner Brothers, before proceeding to operate hereunder shall file a good and sufficient bond to the Mayor and City Council of Baltimore guaranteeing the payment of all expenses that the Commissioner, or other duly authorized officer, may be under concerning said inspection, or in restoring the street to the condition in which it was before being disturbed under this ordinance, and maintaining the same in

Two bonds required.