

lord, for a sum of money equal to the capitalization of the rent reserved at a rate not exceeding six per centum.

This section draws no distinction between leases of ground and leases of buildings or building leases; generally the lease of a house or building carries with it the land upon which the building stands. The right of redemption is read into lease. This section is for the benefit of the public and not out of consideration for the parties to lease. No covenant, however strong, can estop lessee from his right of redemption. The five years begin to run from date of lease. *Brager v. Bigham*, 127 Md. 156.

The character of the leasehold interest was not changed by the act of 1900, ch. 207, that act operating only as an option extended to the lessee to buy the fee simple estate. *Holzman v. Wagner*, 114 Md. 322.

The act of 1900, ch. 207, repealed and re-enacted the act of 1888, ch. 395. *Swan v. Kemp*, 97 Md. 691.

Specific performance of a lease for five years with an agreement of renewal for twenty years, held not defeated by this section. *King v. Kaiser*, 126 Md. 222.

Cited but not construed in *Cons. G. E. L. & P. Co. v. Baltimore*, 130 Md. 28
See sec. 99 and notes to sec. 94.

An. Code, sec. 94. 1904, sec. 90. 1888, sec. 86. 1884, ch. 238, secs. 1, 2.

96. In all cases where proceedings shall have been or shall be instituted for the renewal of leases for ninety-nine years, renewable forever, which shall have expired, or shall be about to expire, and the court shall have decreed or shall decree the renewal of such leases, such decree shall be sufficient to renew the title of all parties to such leases, their heirs, personal representatives and assigns, as the case may be, for another term of ninety-nine years, as fully as if the lease so renewed had been originally made for a length of time equivalent to such renewal term, added to the original term; provided, that no such decree shall bind any person not a party to said suit. A copy of such decree shall be recorded among the land records of the county or city where the lands demised in such leases lie.

See notes to sec. 94.

See art. 16, secs. 111 and 143 and art. 53, sec. 26.

An. Code, sec. 95. 1904, sec. 91. 1888, sec. 87. 1886, ch. 154.

97. Whenever the lessee or lessees named in any lease or sub-lease containing a covenant for perpetual renewal, or any person or persons claiming under such lessee or lessees, shall have retained or shall retain uninterrupted possession of the demised premises, or any part thereof, for twelve months after the expiration of such lease or sub-lease, it shall be conclusively presumed in reference to the whole or any part or parts of said demised premises, whereof possession shall have been retained as aforesaid, and in favor of said lessee, lessees, or of the person or persons claiming under such lessee or lessees, that a new lease or sub-lease of the whole of said demised premises was executed prior to the expiration of said lease or sub-lease by the lessor or lessors therein named, or by the person or persons rightfully claiming under such lessor or lessors to the said lessee or lessees, or to the person or persons rightfully claiming under such lessee or lessees, for such additional term, under such rent and upon such covenants, conditions and stipulations as were provided in said lease or sub-lease.

An. Code, sec. 96. 1904, sec. 92. 1888, sec. 88. 1892, ch. 684.

98. All devises, gifts, grants or conveyances of land in this State, binding on any street or highway, or when any street or highway shall be one or