

without the consent in writing of the said (the lessor,) his executors, administrators or assigns, first had and obtained.

151. A covenant in a lease by the lessee, that "he (the lessee,) will leave the premises in good repair," shall be construed and have the same effect as if the lessee had covenanted, that he (the lessee,) will, at the expiration or other sooner determination of said lease, peaceably surrender and yield up unto the said lessor, the said premises hereby leased with all the appurtenances, together with all the buildings and fixtures now or hereafter to be built or erected thereon, in good and substantial repair and condition in all respects, reasonable wear and tear and damage by fire only excepted.

152. A proviso in a lease, in the following form or to the like effect, "provided, that in default of payment of the rent, or breach of any covenant herein contained, the said (the lessor) may re-enter," shall be construed and have the same effect as the following proviso, "provided always and it is expressly agreed, that if the rent hereby reserved or any part thereof, shall remain unpaid after the day or days on which the same ought to have been paid, and after a demand shall have been made by the said (the lessor) for the payment of the same, or in the case of the breach or non-performance of any of the covenants and agreements herein contained on the part of the said (the lessee,) his executors, administrators or assigns, then and in either of such cases, it shall be lawful for the said (the lessor,) at any time thereafter, into and upon the said demised premises, or any part thereof in the name of the whole, to re-enter and the same to have again, repossess and enjoy, as of his or their former estate; anything hereinafter contained to the contrary notwithstanding.

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