

An Act to exempt Homesteads and certain other property under a certain value from sale under execution.

WHEREAS, to prevent the ruin of families, and to secure a home to Widows and Orphans, it is expedient to exempt homesteads to a certain value and under certain circumstances, from sale under forced execution : Therefore, Her Majesty, &c., enacts as follows : Preamble.

- 5 I. In addition to the property now exempt by law from sale under execution, there shall be exempt by law from sale on execution for debts contracted after the passing of this Act, the lot and buildings thereon occupied as a residence and owned by the debtor being a householder and having a family, to the value of six hundred dollars, and also such household furniture, farming utensils, goods and chattels, or mechanics' tools, as such judgment debtor may require to the amount of Exemption of Homestead to amount of \$600.
- 10 dollars; and such exemption shall continue after the death of such householder, for the benefit of his widow and family, provided some or one of them continue to occupy such homestead, until the youngest child become twenty-one years of age and until the death of the widow : Of certain furniture.
- 15 And no release or waiver of such exemption shall be valid unless the same be in writing, subscribed by such householder, and acknowledged in the same manner as conveyances of real estate are by law required to be acknowledged. Duration of Exemption, &c.
- 20 II. To entitle any property to such exemption, the conveyance of the same shall show that is designed to be held as a homestead under this Act ; or if already purchased, or the conveyance does not show such design, a notice that the same is designed to be so held shall be executed and acknowledged by the person owning the said property, which shall contain a full description thereof, and shall be recorded in the office of What must be done to constitute any property a homestead under this Act.
- 25 the Registrar of the County or Registration Division in which the property is situate, in a book to be provided for that purpose, known as the "Homestead Exemption Book" ; But no property shall, by virtue of this Act, be exempt from sale, for non-payment of taxes or assessments, or Exceptions as to certain debts.
- 30 for any debt contracted for the purchase or improvement thereof, or prior to the recording of the aforesaid deed or notice.
- III. If, in the opinion of the Sheriff holding an execution against the holder of the premises, claimed by him or her as exempt, the same are worth more than six hundred dollars, he shall summon six qualified Case where the property is worth more than \$600, provided for.
- 35 Jurors of his County or Judicial District, who shall, upon oath, to be administered to them by such Sheriff, or by a Justice of the Peace, appraise such premises ; and if, in the opinion of the Jury, the property may be divided, without injury to the interests of the parties, they shall set off so much of the said premises, including the dwelling-house, as in their opinion shall be worth six hundred dollars, and the residue of said premises may be advertised and sold by such Sheriff.