

541 Exemptions. All the Provinces reserve a reasonable amount of property exempt from seizure under any execution, a landlord's warrant in most cases, and distress by mortgagee for arrears of interest.

Where the debtor has more of any kind of property or articles than are exempt he is entitled to make choice of the part he wishes to retain. The bailiff or officer making the seizure has no legal authority to interfere in the selection.

All the chattels so exempt from seizure as against a debtor, after his death, or in case he should abscond, leaving his family behind, the widow or family, should there be no widow, are entitled to.

Tenants in signing a lease for property should be careful that it does not contain an agreement to waive their right to the exemptions the statutes reserve from seizure, for such Shylock forms of leases are frequently used.

In Manitoba such agreement would be null and void, but it would be binding in all the other Provinces and in such cases the landlord would seize and sell all the exemptions.

In Ontario the following chattels are exempt from seizure under any writ or from distress by landlord or mortgagee for arrears of interest or for landlord's tax :

1. The bed, bedding and bedsteads, including a cradle, in ordinary use by the debtor and his family.

2. The necessary and ordinary wearing apparel of the debtor and his family.

3. One cooking stove with pipes and furnishings, one other heating stove with pipes, one crane and its appendages, one pair of andirons, one set of cooking utensils, one pair of tongs, one shovel, one coal scuttle, one lamp, one table, six chairs, one washstand with furnishings, six towels, one looking glass, one hair brush, one comb, one bureau, one clothes press, one clock, one carpet, one cupboard, one broom, 12 knives, 12 forks, 12 plates, 12 teacups, 12 saucers, one sugar basin, one milk jug, one teapot, 12 spoons, two pails, one washtub, one scrubbing brush, one blacking brush, one wash board, three smoothing irons, all spinning wheels, one weaving loom in domestic use, one sewing machine and attachments, thirty volumes of books, one axe, one saw, one gun, six traps and such fishing nets as are in common use. The articles in this sub-division not exceeding in value \$150.

4. All necessary fuel, meat, fish, flour and vegetables actually provided for family use, not more than sufficient for the debtor and his family for 30 days and not exceeding in value the sum of \$40.

5. One cow, 6 sheep, 4 hogs and 12 hens, in all not exceeding in value \$75, and food therefor for 30 days, and one dog.

6. Tools and implements of, or chattels ordinarily used in the debtor's occupation to the value of \$100.

7. Bees reared and kept in hives to the extent of 15 hives.

The debtor may, in lieu of keeping the tools and implements mentioned in section 6, elect to receive the proceeds of their sale in cash up to \$100, in which case the officer executing the writ would pay over to the debtor \$100 if those goods sold for that much, net, and this amount the creditor could not seize.