

Homestead Act.

VI. It shall be lawful for any Person claiming the Benefit of the Provisions of this Act with respect to any Homestead at the Time of Registration, or at any Time thereafter, to limit any Homestead in favor of such Persons and for such Estates, and subject to such Uses, Trusts, and Purposes as those to which Lands can now be limited according to the Nature and Incidents thereof; but in case no special limitation shall be made, the said Homestead shall enure to the Owner, for whose benefit the Same shall be registered for an Absolute Estate in the Same, according to the Nature thereof.

Homestead if not otherwise limited to enure as an absolute estate in the owner according to its nature.

VII. Nothing herein contained shall be held to prevent the Person for whose benefit a Homestead shall be registered at any Time from abandoning, aliening, mortgaging, or otherwise parting with, limiting, or encumbering his interest therein as to him may seem fit, regard being had to the Nature, Quality, and Incidents thereof, and of his Power to dispose of the Same. Provided, however, that in case the Owner of any Homestead be a Married Man, he shall not during coverture so abandon, alien, mortgage, part with, limit, or encumber the Same, except with the Consent of his Wife if she be a resident of this Colony such Consent to be given by way of Acknowledgement by her in the Manner provided for by "The Land Registry Act, 1865," in cases of the Execution of Instruments affecting Real Estate within the said Colony by Married Women, but in case such Wife be not a Resident of the Colony no such Consent shall be requisite.

Owner of homestead may abandon, &c but if a married man with the consent of his wife if a resident of the Colony.

VIII. Any Homestead, and the Benefits and Privileges conferred upon any Person or Persons under this Act in respect of any Homestead, may be abandoned by Document which shall be in the Form 4 of the Schedule hereunto annexed, duly executed by the Person or Persons interested therein, and such Document shall be filed in the Office of the Registrar General, and the Registration of the Homestead shall be thereupon cancelled in such Form as is now used in the Cancellation of Charges.

Form of abandonment of homestead.

IX. The following Personal Property shall be exempt from forced Seizure or Sale by any process at Law or in Equity or from any Process in Bankruptcy; that is to say the Goods and Chattels of any Debtor or Bankrupt at the Option of such Debtor or Bankrupt or if dead of his Personal Representative to the Value of \$150 the same not being Homestead Property under the Provisions of this Act.

Personal property of Debtor to amount of \$150 exempt from seizure for debt.

X. On the return of any Process at Law or in Equity or in any Matter of Bankruptcy in case any Question shall arise in Whole or in Part touching any Matter provided for by this Act the Court out of which such Process shall issue or the Court of Bankruptcy as the Case may be shall dispose of such Question between the Parties interested therein, by way of Summons and order in a Summary Way; Provided however that with respect to any Matter of Fact, such Matter shall at the Request of any Party interested be tried with or without a full Jury of eight persons at the Option of such Persons and as to any Matter involved not being

Question under the Act by which Court decided.

Matter