

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 from sale under execution, for debts contracted after the passing of this Act, if the debtor be a householder and have a family, the lot and buildings thereon, occupied as a residence and owned by the debtor, to the value of one thousand dollars ; Exemption of homestead to amount of \$1000.

10 and also such household furniture, farming utensils, goods and chattels, or mechanics' tools, as such debtor may require, to the amount of And certain property.

15 dollars ; and such exemption shall continue after the death of such debtor for the benefit of his Widow and family, (provided his widow or one or more of his family continue to occupy such homestead) until the youngest child is twenty-one years of age, and until the death of the Widow ; and no release or waiver of such exemption shall be valid unless the same be in writing, subscribed by such debtor and acknowledged in the same manner as conveyances of real estate are by law required to be acknowledged. Duration of exemption.

20 II. To entitle any property to such exemption, the conveyance of the same shall show that it is designed to be held as a homestead under this Act, or if purchased before the passing of this Act, or the conveyance does not shew such design, a notice that the same is designed to be so held shall be executed and acknowledged by the person owning the What must be done to constitute any property a homestead under this Act.

25 said property, which shall contain a full description thereof, and shall be recorded in the Office of the Registrar of the County in which the said property is situate, in a book to be provided for that purpose, and 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 for a debt contracted for the purchase thereof, or Case where property is worth more than \$1,000.

30 prior to the recording of the aforesaid deed of notice.

III. If, in the opinion of the Sheriff holding an execution against such householder, the premises claimed by him or her as exempt, are worth more than one thousand dollars, he shall summon six qualified Case where property is worth more than \$1,000.

35 jurors of his County, who shall upon oath, to be administered to them by such Sheriff, appraise the said 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, is worth one thousand dollars, and the The same

40 residue of the said premises may be advertised and sold by such Sheriff.

IV. When, in the opinion of the appraisers, it would injure the The same