

BILL.

An Act to prevent the Seizure and Sale of the Homestead in satisfaction of Debt, in certain cases and upon certain conditions.

WHEREAS it is in accordance with humanity and sound policy to exempt the homestead of the debtor from seizure and sale, provided the value of such homestead do not exceed a certain sum:—Be it therefore enacted, &c. Preamble,

That in addition to the property exempt by law from sale under execution, there shall be exempt from such sale for debts contracted after this Act shall take effect, real estate not exceeding in value two hundred and fifty pounds, owned by the debtor, being a householder and having a family. Certain real estate exempted from seizure and sale.

II. And be it enacted, That to entitle a debtor to the benefit of such exemption, a description of the property claimed to be exempt, with a notice of such claim, executed in Lower Canada before notaries, and in Upper Canada signed by the debtor and proved or acknowledged as deeds are required by law to be proved or acknowledged to entitle them to be registered, shall be delivered to the officer having such execution in his hands for collection, prior to any sale of such real estate by virtue thereof; and in case such real estate shall have been levied on and advertised for sale prior to the delivery of such description and notice to the officer, the debtor shall pay the fees and expenses of such levy and advertisement. Description and notice to be given to the seizing officer.

III. And be it enacted, That in case a description of the property claimed to be exempt, with notice of such claim, executed before notaries or proved or acknowledged as above provided, shall be recorded in the records of deeds in the Registry office of the County where the same may be situated, prior to the registering of the judgment in the same County, the debtor shall be entitled to the benefit of such exemption without delivering the description or notice, or paying fees or expenses as mentioned in the second section of this Act. Unless such description and notice shall have been previously registered.

IV. And be it enacted, That any creditor having a judgment against such householder, which, independent of the provisions of this Act, would be a lien, hypothec or Case of creditors having hypothec, &c., on