

An Act to exempt Homesteads from seizure and sale in execution.

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

Preamble.

1. There shall be exempt by law from sale on execution for debts contracted after the passing of this Act, if the debtor be a householder and have a family, the land and the buildings thereon occupied as a residence and owned by the Debtor, to the value of six hundred dollars.

Homestead to value of \$600 exempted.

2. Such exemption shall continue after the death of such householder for the benefit of his widow and family, until the youngest child becomes twenty-one years of age and until the death of the widow; provided his widow or one or more of his family continue to occupy such homestead during such time, by themselves, or by any of them, or by their or any of their tenants, agents or servants.

Duration of exemption to widow, &c.

3. No release or waiver of such exemption shall be valid, unless the same is in writing, and is subscribed by such householder, and by his wife if he have one, and unless she also acknowledge the same in like manner as conveyances of real estate are by law required to be acknowledged by married women in alienating their real estate.

What release only shall be valid.

4. To entitle any property to such exemption, the conveyance of the same must 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 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 the Registrar of the County or Registration Division in which the property is situate, in a book to be provided for that purpose, and to be known as the "Homestead Exemption Book."

Registration required to ensure exemption.

5. In case the Husband neglects or declines to claim for the property the benefits of exemption, or to record the conveyance of such property as a Homestead, the wife, or any of the children by their duly constituted guardian, as if they had no father, may claim the benefit of exemption, or may record the conveyance of such property as a Homestead.

Wife, child, &c., may claim the exemption in default of the husband.

6. Property shall not, by virtue of this Act be exempt from sale for non-payment of taxes or assessments, or for any debt contracted for the purchase thereof, or contracted prior to the recording of the aforesaid deed or notice.

Exemption not to extend to certain debts.