

Legal Process Restriction. 4 EDW. VII. No. 15,

Section 7.

SCHEDULE II.

CERTIFICATE OF EXPERT.

“*The Dairy Produce Act of 1904.*”

To [*name of inspector*].

I, the undersigned, do hereby certify that I received on the day of _____ from [*name of inspector*] a sample of dairy produce, namely [*name article*] [*or water*] for examination, and have examined the same, and declare the result of my examination to be as follows :—

[*Insert particulars of examination.*]

I am of opinion that [*state whether or not any change has taken place in the constitution of the article which would interfere with the examination.*]

I am of opinion that [*state whether sample does or does not contain foreign ingredients or is or is not sound and of good quality*].

Dated at _____, this _____ day of _____, 19 _____.

A.B.,
Expert.

DISTRESS.

4Edw. VII.
No. 15.
THE LEGAL
PROCESS
RESTRICTION
ACT OF 1904.

An Act to Exempt Personal Property (to a limited amount) from Seizure and Sale under Legal Process.

[ASSENTED TO 14TH DECEMBER, 1904.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. This Act may be cited as “*The Legal Process Restriction Act of 1904.*”

Sewing machines, type-writing machines, and mangles exempt from distress in certain cases.

2. After the passing of this Act, it shall not be lawful to distrain any sewing machine, type-writing machine, or mangle, the property of or under hire to any female person, for any rent claimed in respect of the premises or place in which such sewing machine, type-writing machine, or mangle may be: Provided that any one such person shall not be entitled to have more than one sewing machine, one type-writing machine, or one mangle protected from distress under the provisions of this section.

The exemption provided by this section shall be in addition to and not in substitution for any exemption from distress provided by any other provision of this Act or of any other Act.

1904.

Legal Process Restriction.

3. In this Act the word "execution" signifies any legal process whatsoever by which the goods of a tenant are taken or levied upon by the landlord by seizure, whether such process issues out of any court or is by way of distraint for rent; and the word "householder" signifies not only the occupier of an entire messuage, but also the person occupying any portion of a messuage, or occupying apartments in any messuage whether furnished or unfurnished.

4. Except as is hereinafter otherwise provided, where any execution is issued against the goods of any householder, the tools, necessary furniture, books for the education of the children, wearing apparel and bedding of such person, his wife, and children, to a value, inclusive of tools, necessary furniture, books, apparel, and bedding, not exceeding ten pounds in the whole, shall not be subject to seizure or sale under such execution aforesaid, but shall be and remain the property of such householder, notwithstanding such execution.

5. (1.) When execution is levied upon the goods of any householder—

(a) Such householder must deliver to the officer making the levy under such execution a schedule of goods in respect of which he claims exemption, as mentioned in the last preceding section;

(b) If such householder does not deliver a schedule of the goods in respect of which he claims exemption, the officer making the levy must exempt goods of the kinds mentioned in the last preceding section to a value not exceeding ten pounds in the whole.

(2.) In either case if the assessed value of such goods is disputed, either party may apply to a justice of the peace, who shall hear both parties upon the question of value only, and the order made by such justice of the peace shall be binding and conclusive between the parties.