

*Laws of Her Majesty's Province of United Canada*, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 109

**An Act to amend the Judicature Laws with respect to the qualification and appointment of Bailiffs in Lower Canada. Assented to 30th May, 1855.**

Whereas great inconvenience arises in the administration of justice in Lower Canada, from the want of capacity on the part of a certain number of bailiffs who act as such before the civil tribunals, and it is expedient to subject future bailiffs to a more strict examination than that to which bailiffs are at present subject: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

- I. No person shall hereafter be admitted as a bailiff of the Superior Court of Lower Canada and registered as such, unless he be able, at the time of his admission, to write with sufficient grammatical correctness the French or English language; Every petition addressed to the said Court for the purpose of getting the Petitioner included in the number of bailiffs of such Court, shall be by the Justices thereof, or one of them, referred to the Clerk, who shall examine the candidate and report to the said Court touching his qualifications, both as regards those now required and that required by this Act: and the prayer of such petition shall not be granted, unless it shall appear by the Report of the Clerk that the petitioner can write with sufficient grammatical correctness as aforesaid.
- II. The Clerk shall receive from each Petitioner the sum of one pound for each examination, which sum shall include the cost of his Report to the Court.
- III. Nothing herein contained shall exempt a candidate from the qualification at present required, nor deprive the Court of its discretionary power to reject such Petition, even though the Petitioner should possess the qualification above mentioned.
- IV. The provisions of the several Judicature Acts now in force, which may be inconsistent with the provisions of this Act, are hereby repealed.
- V. This Act shall apply to Lower Canada only, with the exception however of the District of Gaspé, which shall not be subject to its operation; and it shall come into force on the first day of September, one thousand eight hundred and fifty-five.