

13. Forthwith after both parties shall have closed their *enquête*, the Court at some sitting thereof shall appoint and fix, and in the absence of the Judge it shall be the duty of the Clerk of the Court to appoint and fix a day which shall not be more than ten days after the day of the closing of the *enquête*, for hearing the matter on the merits; and it shall not be necessary to give to the parties or their Counsel any other notice of the day fixed for the hearing on the merits of the petition.

14. The party against whom the complaint is brought, may admit before the Court, the illegality of the election or of his return, and such confession shall be taken in writing and be attested under the signature of the party in presence of the Judge, who shall certify such confession in the usual way.

15. If the party against whom the complaint is brought does not appear on the day fixed for the return of the Writ of Summons, the default shall be established and recorded, and the party complaining may then forthwith proceed to prove the allegations of his petition, and to the hearing on the merits thereof, without it being necessary to give any other or further notice to the opposite party.

16. It shall be necessary to set forth in the petition the name of the person claiming to be entitled to be declared elected, and also the facts necessary to establish such right, whenever it is alleged in the petition that the person returned as elected was not duly elected, but that another person was duly elected.

HEARING ON THE MERITS—JUDGMENT.

17. With the view of securing a Judgment which shall give to the parties and to society the most perfect confidence in the independence and impartiality of the tribunal, the laws constituting the Superior Court for Lower Canada, in so far as they enact that the said Court shall be presided over by one Judge, shall not have force and effect; and notwithstanding the said provision of the Judicature Act of 1857, the Superior Court for Lower Canada shall, for and during the hearing on the merits of the petition, and for the judgment to be rendered, be composed of and presided over by three Judges of the Superior Court; but all the proceedings on such petition, from the application for the issue of a Writ of Summons to the hearing on the merits shall be had and taken before one Judge only, in conformity with the provisions of the Judicature Act of 1857, and the laws now in force.

18. The hearing on the merits of such Petition shall, in Lower Canada, take place either in the City of Quebec or in the City of Montreal, in conformity with the order of the Court in which the proceedings have been commenced by the issue of the Writ of Summons; and the transmission of the record and of all the papers, shall be effected in the manner in which it is effected in other causes and proceedings in the Superior Court, when appeals are brought in such causes in the Court of Appeals; And it shall be the duty of the said Superior Court, on fixing the day for the hearing on the merits of such petition, to declare and indicate at the same time, and in the order to be registered respecting the fixing of the day, in which of the cities of Montreal or Quebec the hearing on such merits shall take place, having due regard to the distance of the domicile of the party complaining from the cities of Quebec or Montreal.