

Court, shall have the same power to fine witnesses for non-attendance and to commit for contempt, as when sitting in term.

VIII The taxation of any witness in the Superior or in the Circuit Court, shall stand as a judgment in his favour for the amount of such taxation, against the party on whose behalf he was summoned; And if such sum be not paid, execution may issue accordingly at the expiration of the delay allowed for the issue of execution on judgments in the same Court, such delay being reckoned from the date of the taxation.

Taxation of witness to stand as a judgment in his favour.

IX. Whenever in any case in the Superior Court or Circuit Court, the subject matter of litigation or any material question incident thereto is such that it ought to be referred to and investigated by *Experts*, the Court or the Judge presiding at the *Enquête* may, upon the motion of any of the parties, order an *Expertise* according to law, before the adduction of evidence; And Court or the Judge presiding at the *Enquête* in any case in either of the said Courts, may order an *expertise ex officio*, either before any evidence is adduced or at any time during the *Enquête*, if in his opinion the subject matter of litigation or any material question incident thereto, is one which according to law ought to be referred to and investigated by *Experts*.

*Expertise* may be ordered by consent,—or *ex officio* in certain cases.

*Judgments in Vacation, in certain cases.*

X. If any plaintiff desires to obtain judgment in vacation in any case in the Superior Court, or in any appealable case in the Circuit Court or any non-appealable case therein returnable in vacation, in which the defendant shall have made default or in which for any other reason the plaintiff shall be entitled to proceed *ex parte*, then provided the demand in such case be founded,—

In default or *ex parte* cases, judgment may be obtained in vacation.

1st.—On any *Acte Authentique*, or—

If the action be founded on certain grounds.

2dly.—On any bill of exchange or promissory note, *cédule*, check, note or promise, or other act or private agreement in writing enumerated in section eighty-seven of the Lower Canada Judicature Act of 1857, or—

3dly.—On any account stated in detail between trader and trader, or between trader and non-trader, or between non-traders for goods sold and delivered, or for any article or thing sold and delivered, or for money lent, or—

4thly.—On any verbal and specific agreement, by which any party shall have promised to pay a sum of money certain,—

Such plaintiff may forthwith inscribe the case for judgment in vacation,—and the Prothonotary if it be a case in the Superior Court, or the Clerk if it be a case in the Circuit

Inscription;—and rendering of judgment.