

**FOURTH.**—Every *Acte* passed or received which shall not have been executed with the formalities herein-before-prescribed, shall be null and of none effect.

**FIFTH.**—Provided that nothing herein-before enacted shall prevent such *Acte* from producing such legal effect, as it may be capable of producing as a private writing, (*écriture privée*,) according to the Laws, Usages and Customs of this Province.

**SIXTH.**—Provided that nothing in this Act contained shall extend to exempt the Notaries from any other of the formalities prescribed by the Laws at present in force in this Province.

**SEVENTH.**—That every Notary who shall contravene the obligations imposed upon him by this Act, shall, for the first offence, be liable to a penalty which shall not exceed

currency, and for the second or other subsequent offence, to a penalty which shall not exceed currency, which may be sued for by action in a Court of competent jurisdiction, and that one half of the penalty shall belong to the prosecutor or informer, and that such Notary so offending, and who shall have been so convicted, may be committed, (*contraint par corps*,) until payment of the amount adjudged, and shall remain in custody until he shall have entirely paid and satisfied the amount of the judgement against him, and of the costs thereon.

**EIGHTH.**—That every Notary who shall have been twice prosecuted and condemned to pay the fine mentioned in the foregoing Sections, shall, in case of a further repetition of the offence, be liable, in addition to the penalty herein-before-mentioned, to be prosecuted by action in the Superior Term of the Civil Court of King's Bench, by the Attorney-General or his Deputy, in the District in which the offence may have been committed, and that the said Court, upon proof of the said anterior convictions, may, in addition to the penalty herein-before-mentioned, interdict such Notary and suspend him indefinitely from his functions.—Provided always, that if such Notary shall remove into another District within this Province, he shall in like manner, be liable to be prosecuted and convicted in such District to which he shall have removed in the Terms of the Court thereof as herein-above-mentioned.

**NINTH.**—Provided that nothing herein-contained shall extend to deprive any person being a party to such Act, who may suffer injury