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*AR 600-11
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AIR FORCE REGULATION
NO. 110-6
ARMY REGULATIONS
NO. 600-11

DEPARTMENTS OF THE AIR FORCE
AND THE ARMY
Washington, 14 July 1960

Judge Advocate General Activities

**AUTHORITY OF ARMED FORCES PERSONNEL TO PERFORM
NOTARIAL ACTS**

These regulations set forth for both Federal and non-Federal purposes the authority of U. S. Armed Force members to administer oaths; take affidavits, sworn statements, depositions, and acknowledgments; and perform other notarial acts.

**1. Federal Authority To Administer Oaths,
and the Legal Effectiveness of Such Oaths:**

a. Federal Authority To Administer Oaths:

(1) The following U. S. Armed Force members on active duty may administer oaths for purposes of military administration, including military justice (Art. 136, UCMJ; 10 U.S.C. 936):

- (a) All judge advocates of the Army and the Air Force.
- (b) All law specialists.
- (c) All summary courts-martial.
- (d) All adjutants, assistant adjutants acting adjutants, and personnel adjutants.
- (e) All commanding officers of the Navy, Marine Corps, and Coast Guard.
- (f) All staff judge advocates and legal officers, and acting or assistant staff judge advocates and legal officers.
- (g) All other persons designated by Armed Forces regulations or by statute. Although otherwise qualified under a(1)(d) above (see AFR 20-16), Directors of Administrative Services, Deputy Directors of Administrative Services, Chiefs of Administrative Services.

Administrative Officers, and similarly titled officers are hereby so designated by the Air Force.

(2) The following U. S. Armed Force members on active duty may administer oaths to any person *when it is necessary in the performance of their duties* (Art. 136, UCMJ; 10 U.S.C. 936):

- (a) President, law officer, trial counsel, and assistant trial counsel for all general and special courts-martial.
- (b) President and counsel for the court of any court of inquiry.
- (c) All officers designated to take a deposition.
- (d) All persons designated to conduct an investigation.
- (e) All recruiting officers.
- (f) All other persons designated by Armed Forces regulations or by statute.

(3) Any U. S. Armed Force commissioned officer of any Regular or Reserve component, whether or not on active duty, may administer:

- (a) Oath of enlistment (10 U.S.C. 501 and 1031).
- (b) Oath required for appointment of

✓ These regulations supersede AFR 110-6/AR 600-11, 2 February 1955, and AFR 110-6A/C1 AR 600-11, 12 July 1957.

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any commissioned or warrant officer grade (10 U.S.C. 1031).

- (c) Any other oath required by law in connection with enlistment or appointment of any person in any U. S. Armed Force (10 U.S.C. 1031.)

b. *Legal effectiveness.* Oaths administered under these authorities are proper and legally effective for the purposes stated.

2. Federal Authority To Perform Other Notarial Acts, and the Legal Effectiveness of Such Acts:

a. *Federal Authority.* Under authority of Art. 136, UCMJ (10 U.S.C. 936), in addition to administering oaths for the purposes described in 1a above, U. S. Armed Force members listed in paragraph 1a(1) have general powers of a notary public and a U. S. consul to administer oaths and take affidavits, sworn statements, depositions, and acknowledgments to be accomplished by U. S. Armed Force members, wherever they may be, and by persons serving with, employed by, or accompanying the Armed Forces outside the United States and outside the Canal Zone, Puerto Rico, Guam, and the Virgin Islands.

b. *Legal Effectiveness for Federal Purposes.* Federal notarial acts performed under this authority are proper and legally effective for matters wholly connected with military administration, and are believed to be legally effective for all other Federal purposes.

c. *Legal Effectiveness for Non-Federal Purposes.* The legal effectiveness of any notarial act generally is dependent on the laws of the jurisdiction in which the instrument is actually to be used. This jurisdiction determines what officials may perform notarial acts, and the conditions under which they may be performed. Federal authority contained in Art. 136, UCMJ (10 U.S.C. 936), for the performance of notarial acts by certain U. S. Armed Force members may or may not be accepted as adequate compliance with the requirements of the jurisdiction in which the instrument actually is to be used.

d. *Formats.* The formats for acknowledgments (figure 1) and sworn instruments (figure

2) in the attachment should be used for Federal purposes, when needed.

3. Non-Federal Authority To Perform Notarial Acts, and the Legal Effectiveness of Such Acts:

a. *Non-Federal Authority.* Laws of almost all States, the District of Columbia, and U. S. possessions, territories, and commonwealths authorize certain U. S. Armed Force members to perform one or more of the following notarial acts for U. S. Armed Force members, their dependents, and accompanying civilians:

- (1) Administer oaths.
- (2) Take affidavits.
- (3) Take sworn statements.
- (4) Take depositions (see paragraph 4).
- (5) Take acknowledgments.

Before exercising notarial authority, U. S. Armed Force members should determine the State or States where the instrument actually is to be used. They should then consult the attachment hereto to determine both who has the authority to perform these notarial functions and for whom they may be performed under the laws of the jurisdiction or jurisdictions involved.

b. *Legal Effectiveness.* This must be tested by the statutory requirements of the State or States in which the instrument is to be used. When a single instrument requiring acknowledgment is to be used in more than one jurisdiction, the acknowledgment must comply with the laws of every jurisdiction in which it is to be used. Although notarial functions performed by U. S. Armed Force members are valid when authorized by the jurisdiction in which the instrument is to be used, it is advisable to use a locally appointed notary public with seal in the United States and a U. S. consul abroad.

4. Restrictions. Commissioned officers on the active list of the Regular Air Force or Army should not take depositions under a "commission" issued by any court. Accepting such commission may terminate the officer's appointment in the Air Force or Army. (10 U.S.C. 3544(b) and 8544(b).)

BY ORDER OF THE SECRETARIES OF THE AIR FORCE AND THE ARMY:

OFFICIAL:

J. L. TARR
Colonel, USAF
Director of Administrative Services

THOMAS D. WHITE
Chief of Staff, United States Air Force

OFFICIAL:

R. V. LEE
Major General, United States Army
The Adjutant General

I. L. LEMNITZER
General, United States Army
Chief of Staff

Attachment:
Non-Federal Statutes

NON-FEDERAL STATUTES

FOREWORD

This attachment explains who is authorized to execute notarial acts, for whom, and how they may be accomplished for use in each State, the District of Columbia, and U.S. possessions, territories, and commonwealths.

It includes formats for acknowledgments (figure 1) and for sworn instruments (figure 2), and general instructions for their accomplishment. These formats are legally sufficient in almost all jurisdictions, and by following the special instructions, listed alphabetically by jurisdiction, they can be made legally sufficient in any specific jurisdiction.

U.S. Armed Force members should use this attachment to avoid ineffective execution of legal instruments. *When available, a legal assistance officer or judge advocate should be consulted.* However, any instructions from a civilian attorney who prepared and forwarded an instrument for execution should be carefully followed.

GENERAL INSTRUCTIONS FOR ACKNOWLEDGMENTS AND SWORN INSTRUMENTS

1. Seal of Person Executing Document. Some State statutes require that instruments conveying real or personal property be executed under seal. Therefore, it is recommended that, immediately preceding the signature of the person selling property or appointing an attorney in fact to do so, there should appear the statement "Witness my hand and seal", or words to that effect. In most jurisdictions, the typing, printing, or writing of the word "(SEAL)" or the symbol "(LS)" after the signature will complete the sealing of the instrument. However, in two States (Maine and New Hampshire), a seal, to be legally effective, must be impressed on the instrument or affixed thereto by adhesive wafer (paper seal) or wax.

2. Witnesses. All instruments which may affect title to real estate must be acknowledged, and since some States also require witnesses, they should also be witnessed by three persons (see figure 1). The name, grade, branch of service, Armed Force service number, and permanent home address of each witness should be typed or printed below his signature.

3. By Whom Acknowledgments or Sworn Instruments May Be Taken. The majority of State statutes authorize any commissioned offi-

cer with the rank of 2d lieutenant or higher to take acknowledgments and sworn instruments. Therefore, in the alphabetical listing of States contained in this attachment, the word commissioned officer is used to denote officers with the rank of 2d lieutenant or higher. Where these statutes require that the commissioned officer have a higher rank, or permit commissioned or noncommissioned officers of a lower rank, to perform these acts, or restrict the authority to officers performing certain functions, these facts are stated under the alphabetical listing of States herein.

4. When, Where, and for Whom Acknowledgments and Sworn Instruments May Be Taken. Non-Federal statutes vary to such an extent that it is necessary to consult the alphabetical listing of States contained in this attachment to determine when, where, and for whom acknowledgments and sworn instruments may be taken.

5. Seal of Officer Taking Acknowledgments or Sworn Instruments. Under provisions of Art. 136, UCMJ (10 U.S.C. 936), and of all State statutes, the signature of the officer taking acknowledgments or sworn instruments is prima facie evidence of his authority, and an impressed or raised seal is not required.

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WITNESS the following signature and seal this _____ day of _____, 19_____.

(Signature of person whose
acknowledgment is to be taken) (SEAL)

Signed, sealed, and delivered in
the presence of:

(Signature of Witness) _____
(Name, Grade, Branch of Service, AFSN,
and Permanent Home Address)

(Signature of Witness) _____
(Name, Grade, Branch of Service, AFSN,
and Permanent Home Address)

(Signature of Witness) _____
(Name, Grade, Branch of Service, AFSN,
and Permanent Home Address)

With the United States Armed Forces
At (location*) _____

I, _____, the undersigned officer, do hereby certify that on this ____ day of _____, 19____, before me, personally appeared (name of person whose signature is being acknowledged), (Armed Forces Service Number) whose home address is _____, and who is known to me to be (status**), and to be the identical person who is described in, whose name is subscribed to, and who signed and executed the foregoing instrument, and having first made known to him the contents thereof, he personally acknowledged to me that he signed and sealed the same, on the date it bears, as his true, free, and voluntary act and deed, for uses, purposes, and considerations therein set forth. And I do further certify that I am at the date of this certificate a commissioned officer of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, that by statute no seal is required on this certificate, and same is executed in my capacity as (official capacity***).

(signature of officer) _____

(name of officer) _____

(AFSN, grade, and branch of service) _____

(command or organization) _____

(permanent home address) _____

* Insert Country, State, and County in which instrument is acknowledged. If military considerations preclude disclosure of exact place of execution, insert "In a Foreign Country" or "In a possession of the U.S. outside of the continental U.S."

** "U.S. Armed Forces member on active duty," or "the spouse of a U.S. Armed Force member," or "a person serving with the U.S. Armed Forces," or other appropriate description of status.

*** "a commissioned officer under statutory authority granted to me" (state authority), or
"a commissioned officer assigned to duty with the JAGD (staff judge advocate, adjutant, etc.) under statutory authority granted to me" (state authority), or

"a judge advocate (staff judge advocate, adjutant, etc.) under authority granted to me by Art. 136, UCMJ; 10 U.S.C. 936" (federal authority), or

"an Administrative Services Officer under authority granted to me by Art. 136, UCMJ; 10 U.S.C. 936; and AFR 20-16" (federal authority).

Figure 1. Signature Block, Witnesses, and Acknowledgment Certificate.

ACKNOWLEDGMENTS

An acknowledgment, as used herein, includes the certificate or written evidence of the act of acknowledgment made by the officer, as well as the act itself. Technically, it is a formal declaration or admission before a properly authorized official by a person who has executed an instrument that such instrument is his act or deed.

The purpose of acknowledgments generally is to entitle the instrument to be recorded and to authorize its introduction in evidence without further proof of its execution.

Acknowledgments relate primarily to instruments affecting land, and statutes require that deeds, mortgages, leases (particularly those over a certain length of years), powers of attorney to convey land or an interest therein, etc., be acknowledged.

NOTE: The format for acknowledgments (figure 1) contains all facts required under laws of the majority of jurisdictions for acknowledgments executed by U.S. Armed Force members. Special instructions begin on page 10, listed alphabetically for each State, the District of Columbia, and U.S. possessions, territories, and commonwealths. The format may be varied, amended, or altered to meet any special requirements of any jurisdiction. Although it contains more facts than are required under laws of any one jurisdiction, this surplusage does not affect validity of the acknowledgment.

Venue

With the United States Armed Forces }
At _____ (location*) }

Body

(This part of the instrument contains the substance of the affidavit, deposition, or other sworn statement.)

(signature of person making statement)

Jurat

I, _____, the undersigned officer, do hereby certify that the foregoing instrument was subscribed and sworn to before me this ____ day of _____, 19 ____, by (name of person making statement), (Armed Forces service number), whose permanent home address is _____ and who is known to me to be (status**). And I do further certify that I am at the date of this certificate a commissioned officer of the grade, branch of service, and organization stated below in the active service of the United States Armed Forces, that by statute no seal is required on this certificate, and same is executed in my capacity as (official capacity***)

(signature of officer)

(name of officer)

(AFSN, grade, and branch of service)

(command or organization)

(permanent home address)

* Insert Country, State, and County in which instrument is acknowledged. If military considerations preclude disclosure of exact place of execution, insert "In a Foreign Country" or "In a possession of the U.S. outside of the continental U.S."

** "U.S. Armed Forces member on active duty," or "the spouse of a U.S. Armed Force member," or "a person serving with the U.S. Armed Forces," or other appropriate description of status.

*** "a commissioned officer under statutory authority granted to me" (state authority), or

"a commissioned officer assigned to duty with the JAGD (staff judge advocate, adjutant, etc.) under statutory authority granted to me" (state authority), or

"a judge advocate (staff judge advocate, adjutant, etc.) under authority granted to me by Art. 136, UCMJ; 10 U.S.C. 936" (federal authority), or

"an Administrative Services Officer under authority granted to me by Art. 136, UCMJ; 10 U.S.C. 936; and AFR 20-16" (federal authority).

Figure 2. Sworn Instrument.

SWORN INSTRUMENTS

Sworn instruments, as used herein, are written declarations signed by a person who declares under oath before a properly authorized official that the facts set forth therein are true to the best of his knowledge and belief. They include affidavits, sworn statements, and depositions.

They are comprised of three distinct parts:

- (1) Statement of *Venue* (place where notarial act is performed).
- (2) *Body* of instrument.
- (3) *Jurat* (clause stating that instrument was sworn to, subscribed, etc., and the date of such act).

Names of these parts, indicated in the format in bold type, *should not appear in the actual instrument.*

The purpose of sworn instruments generally is to make a formal statement under oath of certain facts which are known to the person making such statement.

NOTE: The format for sworn instruments (figure 2) contains all facts required under laws of the majority of jurisdictions for sworn instruments executed by U.S. Armed Force members. Special instructions begin on page 10, listed alphabetically for each State, the District of Columbia, and U.S. possessions, territories, and commonwealths. The format may be varied, amended, or altered to meet any special requirements of any jurisdiction. Although it contains more facts than are required under laws of any one jurisdiction, this surplusage does not affect the validity of the sworn instrument.

SPECIAL INSTRUCTIONS FOR ACKNOWLEDGMENTS AND SWORN INSTRUMENTS

ALABAMA (1957) Ala. Code, Title 47,
Sec. 27.

1. Acknowledgments. Commissioned officers may take acknowledgments of any person, military or otherwise, at any place outside of the State of Alabama.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

ALASKA (1958)

No local statutory authority for any U. S. Armed Force member to take acknowledgments, oaths, or sworn instruments.

ARIZONA (1959) Rev. Stat. Ann.,
Sec. 33-511.

1. Acknowledgments. Commissioned officers may take acknowledgments of U. S. Armed Force members at any place; merchant seamen outside limits of the 48 States and the District of Columbia at any time, and others serving with the U. S. Armed Forces only in time of war and while outside such limits. No provision made for spouses.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

ARKANSAS (1957) Ark. Stat. Ann.,
Secs. 40-108 and 49-111.

1. Acknowledgments. Commissioned officers may take acknowledgments for those serving in or with U. S. Armed Forces at any place. No provision made for spouses.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments for those serving in U. S. Armed Forces only. No provision made for those serving with U. S. Armed Forces or spouses.

CALIFORNIA (1959) Deering's Civil Code,
Sec. 1183.5.

1. Acknowledgments. Officers on active duty commissioned in or assigned or detailed to duty with the Judge Advocate General Department or Corps, any staff judge advocate or acting staff judge advocate, and the adjutant, assistant adjutant, personnel adjutant, or commanding officer of any command may take acknowledgments of any person serving

in or with the U. S. Armed Forces, or the spouse of any U. S. Armed Force member, at any place. No provision made for acknowledgments of spouses of persons serving with the U. S. Armed Forces. *NOTE: California statutes do not specifically authorize administrative services officers to take acknowledgments. Although the Air Force considers them to be "adjutants" within the meaning of the California statute (see AFR 20-16), this State may not recognize such acknowledgments.*

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

CANAL ZONE

No local statutory authority for any U. S. Armed Force member to take acknowledgments, oaths, or sworn instruments. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

COLORADO (1957) Colo. Rev. Stat.,
Secs. 98-1-4 and 118-1-27.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

CONNECTICUT (1959) Conn. Gen. Stat.,
Sec. 27-137.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

DELAWARE (1958) Del. Code Ann., Title 25,
Sec. 130.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

DISTRICT OF COLUMBIA

No local statutory authority for any U. S. Armed Force member to take acknowledgments, oaths, or sworn instruments. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

FLORIDA (1958) Fla. Stats., Sec. 695.031.

1. Acknowledgments. Commissioned officers may take acknowledgments for any person serving in or with the U. S. Armed Forces, and for spouses of U. S. Armed Forces members, at any place. No provision made for acknowledgments of spouses of persons serving with the U. S. Armed Forces.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

GEORGIA (1958) Ga. Code Ann., Title 71,
Secs. 401 and 404.

1. Acknowledgments:

a. *Section 401* provides that all commissioned officers are ex officio notaries public for the purpose of taking acknowledgments of any person, at any place, concerning Georgia property only.

b. *Section 404* provides in addition the same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments:

a. *Section 401* requisites same as for acknowledgments when oaths and sworn instruments concern Georgia property only.

b. *Section 404* requisites same as for acknowledgments.

GUAM

No local statutory authority for any U. S. Armed Force member to take acknowledgments, oaths, or sworn instruments. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

HAWAII (1959) Rev. Laws, Sec. 343-31.

1. Acknowledgments. Any U. S. Armed Force officer authorized by Congress to perform duties of a notary public may take acknowledgments for any U. S. Armed Force member, at any place, and for any other person while outside the United States. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

IDAHO (1959) Idaho Code, Sec. 55-705.

1. Acknowledgments. Officers assigned or detailed to the Judge Advocate General Department, staff judge advocates, acting staff judge advocates, President of general or special court, any summary court, trial judge advocate, or assistant of special or general court, adjutant, assistant adjutant, or personnel adjutant of a command may take acknowledgments, at any place, of U. S. Armed Force members, their spouses and dependents, and others subject to military law. No provision made for acknowledgments of spouses of others subject to military law. *NOTE: Idaho statutes do not specifically authorize administrative services officers to take acknowledgments. Although the Air Force considers them to be "adjutants" within the meaning of the statute (see AFR 20-16), Idaho may not recognize such acknowledgments.*

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

ILLINOIS (1958) Ill. Rev. Stat., Secs. 30-19
and 101-2.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

INDIANA (1959) Burns' Ind. Stat.,
Sec. 56-130a.

1. Acknowledgments. Commissioned officers may take acknowledgments for those serving in or with U. S. Armed Forces at any place; for merchant seamen when outside the 48 States and the District of Columbia, and for any other person only in time of war and while outside such limits. No provision made for spouses.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

IOWA (1958) Iowa Code Ann., Sec. 558.26;
Rules for Civil Procedure, Sec. 153.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. Depositions may be taken by any commissioned officer of the command of the person giving the deposition, or by any commissioned officer of the Judge Advocate General Department or Corps. No local authority granted for any U. S. Armed Force member to take other oaths or sworn instruments.

KANSAS (1957) Gen. Stats., Sec. 67-216c.

1. Acknowledgments. Same acknowledgment requisites as for Arizona, with additional authorization for taking acknowledgment of spouse of any person whose acknowledgment may be taken.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

KENTUCKY (1959) Ky. Rev. Stat.,
Sec. 384.080.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

LOUISIANA (1958) Rev. Stats., Sec. 35;7.

1. Acknowledgments. Commissioned officers may take acknowledgments of persons serving in or with the U. S. Armed Forces, at any place; acknowledgments authorized for others, including spouses, only outside the United States and the District of Columbia.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MAINE (1957) Rev. Stat., Ch. 168, Sec. 23.

1. Acknowledgments. Commissioned officers may take acknowledgments, at any place, for U. S. Armed Force members. No provision made for any other acknowledgments.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Forces member to take oaths or sworn instruments.

MARYLAND (1959) Md. Code Ann., Art. 18,
Secs. 11 and 15.

1. Acknowledgments. Commissioned officers may take acknowledgments for those serving in or with the U. S. Armed Forces, and their spouses, at any place; for merchant seamen when outside the 48 States and the District of Columbia, and for any other person serving with the U. S. Armed Forces only in time of war and while outside such limits. No provision made for acknowledgments of spouses of merchant seamen or spouses of any person serving with the U. S. Armed Forces.

2. Oaths and Sworn Instruments. Commissioned officers may take oaths and sworn instruments for U. S. Armed Force members, at any place; for merchant seamen when outside the 48 States and the District of Columbia, and for any other person serving with the U. S. Armed Forces only in time of war and while outside such limits. No provision made for spouses or dependents.

MASSACHUSETTS (1958) Ann. Laws, Vol.
7A, Ch. 222, Sec. 11.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MICHIGAN (1957) Stat. Ann., Sec. 26.601(1)
and 27.932.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MINNESOTA (1958) Minn. Stats. Ann.,
Secs. 358.09 and 358.27.

1. Acknowledgments. Commissioned officers may take acknowledgments for those serving in or employed by the U. S. Armed Forces, and their spouses, at any place.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MISSISSIPPI (1958) Miss. Code, Sec. 4025-01.

1. Acknowledgments. Same acknowledgment requisites as for Maryland.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MISSOURI (1959) Vernon's Ann. Stat.,
Secs. 442.160 and 492.070.

1. Acknowledgments. Commissioned officers may take acknowledgments for U. S. Armed Force members on active duty; and their spouses when joint or separate acknowledgment to same instrument is required. No local authority granted for any other acknowledgments.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

MONTANA (1959) Rev. Mont. Code,
Sec. 39-106.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

NEBRASKA (1958) Rev. Stat., Sec. 76-277.

1. Acknowledgments. Commissioned officers may take acknowledgments of any persons, at any place.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

NEVADA (1957) Nev. Rev. Stat., Sec. 111.305.

1. Acknowledgments. Commissioned officers may take acknowledgments for any person serving in or with the U. S. Armed Forces, or any person whose duties require his presence with the U. S. Armed Forces, at any place. No provision made for spouses or dependents.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

NEW HAMPSHIRE (1957) Rev. Stat. Ann.,
Ch. 456.12.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Forces member to take oaths or sworn instruments.

NEW JERSEY (1958) N.J. Stat. Ann.,
Secs. 38:23A-1; 46:2B-1 to 3, and 46:2C-1, 2, and 5.

1. Acknowledgments. Commissioned officers may take acknowledgments of U. S. Armed Force members, and their spouses, at any place; merchant seamen outside the limits of the 48 States and the District of Columbia, at any time, and others serving with the U. S. Armed Forces only in time of war and while outside such limits. No provision made for acknowledgments of spouses of merchant seamen or spouses of any person serving with U. S. Armed Forces.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

NEW MEXICO (1959) N.M. Stats. Ann.,
Sec. 43-1-7.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

NEW YORK (1959) N.Y. Real Property Law,
Sec. 300; N.Y. Civil Practice
Act, Sec. 359.

1. Acknowledgments. Commissioned officers may take acknowledgments for those serving in, attached to, or accompanying U. S. Armed Forces, at any place. No provision made for spouses. *The officer taking the acknowledgment must be authenticated as commissioned and on active duty* by the Secretary of the service connected or a person designated by him. Authentication may be obtained by forwarding the document to:

a. *For the Air Force*, the Director of Administrative Services, Headquarters USAF, Wash. 25, D. C.

b. *For the Army*, The Adjutant General, Headquarters, Department of the Army, Wash. 25, D. C.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.



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NORTH CAROLINA (1959) Gen. Stat.
Sec. 47-2.

1. Acknowledgments. Any warrant officer or other officer of higher rank may take acknowledgments of any persons, at any place.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

NORTH DAKOTA (1959) Rev. Code, Title 47,
Sec. 1917-1.

1. Acknowledgments. Sergeants, warrant officers, and other officers of higher rank may take acknowledgments for those serving in or with the U. S. Armed Forces, at any place. No provision made for spouses or dependents.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

OHIO (1959) Rev. Code, Sec. 147.38.

1. Acknowledgments. Same acknowledgment requisites as for Maine.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

OKLAHOMA (1958) Stats. Ann., Title 72.
Secs. 50.1 and 50.2.

1. Acknowledgments. Sergeants, warrant officers, and other officers of higher rank may take acknowledgments for U. S. Armed Force members on active duty; *and their spouses when joint or separate acknowledgment to the same instrument is required.* No local authority granted for any other acknowledgments.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

OREGON (1958) Ore. Rev. Stat.,
Secs. 194.410, 194.420, and 194.430.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

PENNSYLVANIA (1958) Purdon's Pa. Stat.
Ann., Title 57, Sec. 54b to f.

1. Acknowledgments. Same acknowledgment requisites as for New Jersey; also, any person having powers of a notary public by statute of U. S. Congress may take acknowledgments of any U. S. Armed Force member on active duty.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

PUERTO RICO

No local statutory authority for any U. S. Armed Force member to take acknowledgments, oaths, or sworn instruments. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

RHODE ISLAND (1959) Gen. Laws,
Sec. 34-12-5.

1. Acknowledgments. Same acknowledgment requisites as for Arizona.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

SOUTH CAROLINA (1958) Code of Laws,
Sec. 60-51.

1. Acknowledgments. *Affidavit of one subscribing witness (see paragraphs 2 and 3 below) takes the place of an acknowledgment by person executing instrument.*

2. Oaths and Sworn Instruments. Commissioned officers may administer oaths, and take affidavits and sworn statements, for any U. S. Armed Force member on active duty outside of the State of South Carolina, and for any U. S. Armed Force civilian employee on active duty outside of the continental confines of the United States. No provision made for spouses or dependents.

3. Affidavit for Recording Deeds and Other Instruments. All instruments to be recorded must be witnessed by two or more persons, and one of these subscribing witnesses must make an affidavit as to the proper execution of such instrument. The following form may be used for the *venue* and *body* of the affidavit, *and the jurat* (see figure 2) *must be added:*

With the U.S. Armed Forces
At (location)

Personally appeared before me (name of witness making affidavit) and made oath that he saw the within named (name of person executing the attached instrument) sign, seal, as his act and deed, and deliver the attached written instrument for the uses and purposes therein mentioned, and that he, with (name of other witness or witnesses), witnessed the execution thereof.

(Signature of witness making affidavit)

SOUTH DAKOTA (1957) S.D. Code, Sec. 48.0801-1 and 51.1608-1.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

TENNESSEE (1959) Tenn. Code Ann., Title 7, Secs. 305 to 307.

1. Acknowledgments. Commissioned officers may take acknowledgments of U. S. Armed Force members on active duty, and their spouses if they are accompanying their husbands in such service, at any place.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

TEXAS (1958) Vernon's Civil Stats., Title 1, Art. 26; and Title 115, Ch. 2, Arts. 6602 and 6607.

1. Acknowledgments. Commissioned officers may take acknowledgments of U. S. Armed Force members, auxiliaries thereto, or their spouses, at any place.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

UTAH (1959) Code Ann., Title 57-2-4.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

VERMONT (1959) Vt. Stats. Ann., Title 12, Sec. 5855.

1. Acknowledgments. Commissioned officers with the rank of captain in the Army or Air Force, or higher rank, or any officer with equivalent rank in other branches of the U. S. Armed Forces, may take acknowledgments of any person, at any place.

2. Oaths and Sworn Instruments. Requisites same as for acknowledgments.

VIRGINIA (1959) Va. Code, Sec. 55-115.

1. Acknowledgments. Commissioned officers may take acknowledgments of U. S. Armed Force members of the same branch of service on active duty, and their spouses, at any place.

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

VIRGIN ISLANDS (1958) Virgin Islands Code, Title 28, Sec. 91.

1. Acknowledgments. Same acknowledgment requisites as for Arkansas. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

2. Oaths and Sworn Instruments. No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments. (See paragraph 2a of this regulation for Federal authority to perform these functions.)

WASHINGTON (1958) Rev. Code,
Sec. 73.20.010.

1. **Acknowledgments.** Same acknowledgment requisites as for Arizona.
2. **Oaths and Sworn Instruments.** Requisites same as for acknowledgments.

WEST VIRGINIA (1959) W. Va. Code,
Secs. 3950(1) and 5749.

1. **Acknowledgments.** Commissioned officers may take acknowledgments of U. S. Armed Force members, and their spouses, at any place.
2. **Oaths and Sworn Instruments.** Requisites same as for acknowledgments, except no provision made for spouses. However, *body of sworn instrument* (see figure 2) must contain the statement: "I am a member of the U. S. Armed Forces."

WISCONSIN (1958) Wisc. Stats.,
Secs. 235.19(11) and 326.01(3).

1. **Acknowledgments.** Same acknowledgment requisites as for Arkansas.
2. **Oaths and Sworn Instruments.** Requisites same as for acknowledgments.

WYOMING (1959) Wyo. Compiled Stats.,
Sec. 30-204.

1. **Acknowledgments.** Same acknowledgment requisites as for Arkansas. However, acknowledgment certificate (see figure 1) must contain the statement: "... and considerations therein set forth, *including the release and waiver of the right of homestead.* And I do further certify . . ."
2. **Oaths and Sworn Instruments.** No local authority granted for any U. S. Armed Force member to take oaths or sworn instruments.

