

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1013

Short Title: Law Officers' Oaths/Funds.

(Public)

Sponsors: Senator Raynor.

Referred to: Veterans Affairs, Law Enforcement and Senior Citizens.

April 26, 1989

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A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH A SEPARATE AND UNIQUE LAW ENFORCEMENT  
OFFICER OATH OF OFFICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 11-11 reads as rewritten:

**"§ 11-11. Oaths of sundry persons; forms.**

The oaths of office to be taken by the several persons hereafter named shall be in the words following the names of said persons respectively:

**ADMINISTRATOR**

You swear (or affirm) that you believe A. B. died without leaving any last will and testament; that you will well and truly administer all and singular the goods and chattels, rights and credits of the said A. B., and a true and perfect inventory thereof return according to law; and that all other duties appertaining to the charge reposed in you, you will well and truly perform, according to law, and with your best skill and ability; so help you, God.

**ATTORNEY AT LAW**

I, A. B., do swear (or affirm) that I will truly and honestly demean myself in the practice of an attorney, according to the best of my knowledge and ability; so help me, God.



1 execute the office of clerk of the superior court for the county of ... .. without  
2 prejudice, favor, affection or partiality, to the best of my skill and ability; so help me,  
3 God.

4  
5 **COMMISSIONERS ALLOTING A YEAR'S PROVISIONS**

6  
7 You and each of you swear (or affirm) that you will lay off and allot to the petitioner  
8 a year's provisions for herself and family, according to law, and with your best skill and  
9 ability; so help you, God.

10  
11 **COMMISSIONERS DIVIDING AND ALLOTING REAL ESTATE**

12  
13 You and each of you swear (or affirm) that, in the partition of the real estate now  
14 about to be made by you, you will do equal and impartial justice among the several  
15 claimants, according to their several rights, and agreeably to law; so help you, God.

16  
17 **COMMISSIONER OF WRECKS**

18  
19 I, A. B., do solemnly swear (or affirm) that I will truly and faithfully discharge the  
20 duties of a commissioner of wrecks, for the district of... .., in the county of ... ..  
21 ... .., according to law; so help me, God.

22  
23 **COTTON WEIGHER FOR PUBLIC**

24  
25 I, ... .., public weigher for the city of ... .. (or as the case may be), do  
26 solemnly swear that I will justly, impartially and without any deduction, except as may  
27 be allowed by law, weigh all cotton that may be brought to me for that purpose, and  
28 tender a true account thereof to the parties concerned, if required so to do; so help me,  
29 God.

30  
31 **ENTRY-TAKER**

32  
33 I, A. B., do solemnly swear (or affirm) that I will well and impartially discharge the  
34 several duties of the office of entry-taker for the county of ... .. according to law;  
35 so help me, God.

36  
37 **EXECUTOR**

38  
39 You swear (or affirm) that you believe this writing to be and contain the last will and  
40 testament of A. B., deceased; and that you will well and truly execute the same by first  
41 paying his debts and then his legacies, as far as the said estate shall extend or the law  
42 shall charge you; and that you will well and faithfully execute the office of an executor,  
43 agreeably to the trust and confidence reposed in you, and according to law; so help you,  
44 God.

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**GRAND JURY—FOREMAN OF**

You, as foreman of this grand inquest for the body of this county, shall diligently inquire and true presentment make of all such matters and things as shall be given you in charge; the State's counsel, your fellows' and your own you shall keep secret; you shall present no one for envy, hatred or malice; neither shall you leave anyone unrepresented for fear, favor or affection, reward or the hope of reward; but you shall present all things truly, as they come to your knowledge, according to the best of your understanding; so help you, God.

**GRAND JURORS**

The same oath which your foreman hath taken on his part, you and each of you shall well and truly observe and keep on your part; so help you, God.

**GRAND JURY—OFFICER OF**

You swear (or affirm) that you will faithfully carry all papers sent from the court to the grand jury, or from the grand jury to the court, without alteration or erasement, and without disclosing the contents thereof; so help you, God.

**JURY—OFFICER OF**

You swear (or affirm) that you will keep every person sworn on this jury in some private and convenient place when in your charge. You shall not suffer any person to speak to them, neither shall you speak to them yourself, unless it be to ask them whether they are agreed in their verdict, but with leave of the court; so help you, God.

**OATH FOR PETIT JUROR**

You do solemnly swear (affirm) that you will truthfully and without prejudice or partiality try all issues in civil or criminal actions that come before you and give true verdicts according to the evidence, so help you, God.

**JUSTICE, JUDGE, OR MAGISTRATE OF THE  
GENERAL COURT OF JUSTICE**

I, ... .., do solemnly swear (affirm) that I will administer justice without favoritism to anyone or to the State; that I will not knowingly take, directly or indirectly, any fee, gift, gratuity or reward whatsoever, for any matter or thing done by me or to be done by me by virtue of my office, except the salary and allowances by law provided; and that I will faithfully and impartially discharge all the duties of ... .. of the ... .. Division of the General Court of Justice to the best of my ability and

1 understanding, and consistent with the Constitution and laws of the State; so help me,  
2 God.

3  
4 **REGISTER OF DEEDS**

5  
6 I, A. B., do solemnly swear (or affirm) that I will faithfully and truly, according to  
7 the best of my skill and ability, execute the duties of the office of register of deeds for  
8 the county of . . . . , in all things according to law; so help me, God.

9  
10 **SECRETARY OF STATE**

11  
12 I, A. B., do swear (or affirm) that I will, in all respects, faithfully and honestly  
13 execute the office of Secretary of State of the State of North Carolina, during my  
14 continuance in office, according to law; so help me, God.

15  
16 **SHERIFF**

17  
18 I, A. B., do solemnly swear (or affirm) that I will execute the office of sheriff of . . .  
19 . . . county to the best of my knowledge and ability, agreeably to law; and that I will not  
20 take, accept or receive, directly or indirectly, any fee, gift, bribe, gratuity or reward  
21 whatsoever, for returning any man to serve as a juror or for making any false return on  
22 any process to me directed; so help me, God.

23  
24 **LAW ENFORCEMENT OFFICER**

25  
26 I, A. B., do solemnly swear (or affirm) that I will support the Constitution of the  
27 United States and the Constitution of North Carolina; that I will be alert and vigilant to  
28 enforce the criminal laws of this State and to bring to justice violators of them; that I  
29 will not be influenced in any matter on account of personal bias or prejudice; that I will  
30 faithfully and impartially execute the duties of my office as a law enforcement officer  
31 according to the best of my skill, abilities, and judgment; so help me, God.

32  
33 **STANDARD KEEPER**

34  
35 I, A. B., do swear (or affirm) that I will not stamp, seal or give any certificate for any  
36 steelyards, weights or measures, but such as shall, as near as possible, agree with the  
37 standard in my keeping; and that I will, in all respects, truly and faithfully discharge and  
38 execute the power and trust by law reposed in me, to the best of my ability and capacity;  
39 so help me, God.

40  
41 **STATE TREASURER**

42  
43 I, A. B., do swear (or affirm) that, according to the best of my abilities and  
44 judgment, I will execute impartially the office of State Treasurer, in all things according

1 to law, and account for the public taxes; and I will not, directly or indirectly, apply the  
2 public money to any other use than by law directed; so help me, God.

3  
4 **STRAY VALUERS**

5  
6 You swear (or affirm) that you will well and truly view and appraise the stray, now  
7 to be valued by you, without favor or partiality, according to your skill and ability; so  
8 help you, God.

9  
10 **SURVEYOR FOR A COUNTY**

11  
12 I, A. B., do solemnly swear (or affirm) that I will well and impartially discharge the  
13 several duties of the office of surveyor for the county of ... .., according to law; so  
14 help me, God.

15  
16 **TREASURER FOR A COUNTY**

17  
18 I, A. B., do solemnly swear (or affirm) that, according to the best of my skill and  
19 ability, I will execute impartially the office of treasurer for the county of... .., in all  
20 things according to law; that I will duly and faithfully account for all public moneys that  
21 may come into my hands, and will not, directly or indirectly, apply the same, or any part  
22 thereof, to any other use than by law directed; so help me, God.

23  
24 **WITNESS TO DEPOSE BEFORE THE GRAND JURY**

25  
26 You swear (or affirm) that the evidence you shall give to the grand jury, upon this  
27 bill of indictment against A. B., shall be the truth, the whole truth, and nothing but the  
28 truth; so help you, God.

29  
30 **WITNESS IN A CAPITAL TRIAL**

31  
32 You swear (or affirm) that the evidence you shall give to the court and jury in this  
33 trial, between the State and the prisoner at the bar, shall be the truth, the whole truth,  
34 and nothing but the truth; so help you, God.

35  
36 **WITNESS IN A CRIMINAL ACTION**

37  
38 You swear (or affirm) that the evidence you shall give to the court and jury in this  
39 action between the State and A. B. shall be the truth, the whole truth, and nothing but  
40 the truth; so help you, God.

41  
42 **WITNESS IN CIVIL CASES**

1 You swear (or affirm) that the evidence you shall give to the court and jury in this  
2 cause now on trial, wherein A. B. is plaintiff and C. D. defendant, shall be the truth, the  
3 whole truth, and nothing but the truth; so help you, God.

4  
5 **WITNESS TO PROVE A WILL**

6  
7 You swear (or affirm) that you saw C. D. execute (or heard him acknowledge the  
8 execution of) this writing as his last will and testament; that you attested it in his  
9 presence and at his request; and that at the time of its execution (or at the time the  
10 execution was acknowledged) he was, in your opinion, of sound mind and disposing  
11 memory; so help you, God.

12  
13 **WITNESS BEFORE A LEGISLATIVE COMMITTEE OR COMMISSION**

14  
15 You swear (or affirm) that the testimony you shall give to the committee (or  
16 commission) shall be the truth, the whole truth, and nothing but the truth; so help you,  
17 God.

18  
19 **GENERAL OATH**

20  
21 Any officer of the State or of any county or township, the term of whose oath is not  
22 given above, shall take an oath in the following form:

23 I, A. B., do swear (or affirm) that I will well and truly execute the duties of the office  
24 of ... .. according to the best of my skill and ability, according to law; so help me,  
25 God."

26 Sec. 2. There is appropriated from the General Fund to the Department of  
27 Justice \$2,000 for the 1989-90 fiscal year for the purpose of duplicating and distributing  
28 law enforcement officer oath forms to agencies and clerks of court.

29 Sec. 3. This act shall become effective July 1, 1989.