

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1013  
Veterans Affairs, Law Enforcement & Senior Citizens  
Committee Substitute Adopted 5/9/89  
Third Edition Engrossed 7/14/89  
House Committee Substitute Favorable 7/11/90

Short Title: Law Officers' Oaths/Funds.

(Public)

Sponsors:

Referred to:

April 26, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A SEPARATE AND UNIQUE LAW ENFORCEMENT  
3 OFFICER OATH OF OFFICE.  
4 The General Assembly of North Carolina enacts:  
5 Section 1. G.S. 11-11 reads as rewritten:  
6 **"§ 11-11. Oaths of sundry persons; forms.**  
7 The oaths of office to be taken by the several persons hereafter named shall be in the  
8 words following the names of said persons respectively, after taking the separate oath  
9 required by Article VI, Section 7 of the Constitution of North Carolina:

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**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**

1  
2 I, A. B., do swear (or affirm) that I will truly and honestly demean myself in the  
3 practice of an attorney, according to the best of my knowledge and ability; so help me,  
4 God.

5  
6 **ATTORNEY GENERAL, STATE DISTRICT ATTORNEYS AND COUNTY**  
7 **ATTORNEYS**  
8

9 I, A. B., do solemnly swear (or affirm) that I will well and truly serve the State of  
10 North Carolina in the office of Attorney General (district attorney for the State or  
11 attorney for the State in the county of ... ..); I will, in the execution of my office,  
12 endeavor to have the criminal laws fairly and impartially administered, so far as in me  
13 lies, according to the best of my knowledge and ability; so help me, God.

14  
15 **AUDITOR**  
16

17 I, A. B., do solemnly swear (or affirm) that I will well and truly execute the trust  
18 reposed in me as auditor, without favor or partiality, according to law, to the best of my  
19 knowledge and ability; so help me, God.

20  
21 **BOOK DEBT OATH**  
22

23 You swear (or affirm) that the matter in dispute is a book account; that you have no  
24 means to prove the delivery of such articles, as you propose to prove by your own oath,  
25 or any of them, but by yourself; and you further swear that the account rendered by you  
26 is just and true; and that you have given all just credits; so help you, God.

27  
28 **BOOK DEBT OATH FOR ADMINISTRATOR**  
29

30 You, as executor or administrator of A. B., swear (or affirm) that you verily believe  
31 this account to be just and true, and that there are no witnesses, to your knowledge,  
32 capable of proving the delivery of the articles therein charged; and that you found the  
33 book or account so stated, and do not know of any other or further credit to be given  
34 than what is therein given; so help you, God.

35  
36 **CLERK OF THE SUPREME COURT**  
37

38 I, ... .., do solemnly swear that I will discharge the duties of the office of clerk  
39 of the Supreme Court without prejudice, affection, favor, or partiality, according to law  
40 and to the best of my skill and ability, so help me, God.

41  
42 **CLERK OF THE SUPERIOR COURT**  
43

1 I, A. B., do swear (or affirm) that, by myself or any other person, I neither have  
2 given, nor will I give, to any person whatsoever, any gratuity, fee, gift or reward, in  
3 consideration of my election or appointment to the office of clerk of the superior court  
4 for the county of ... ..; nor have I sold, or offered to sell, nor will I sell or offer to  
5 sell, my interest in the said office; I also solemnly swear that I do not, directly or  
6 indirectly, hold any other lucrative office in the State; and I do further swear that I will  
7 execute the office of clerk of the superior court for the county of ... .. without  
8 prejudice, favor, affection or partiality, to the best of my skill and ability; so help me,  
9 God.

### 10 11 **COMMISSIONERS ALLOTING A YEAR'S PROVISIONS**

12  
13 You and each of you swear (or affirm) that you will lay off and allot to the petitioner  
14 a year's provisions for herself and family, according to law, and with your best skill and  
15 ability; so help you, God.

### 16 17 **COMMISSIONERS DIVIDING AND ALLOTING REAL ESTATE**

18  
19 You and each of you swear (or affirm) that, in the partition of the real estate now  
20 about to be made by you, you will do equal and impartial justice among the several  
21 claimants, according to their several rights, and agreeably to law; so help you, God.

### 22 23 **COMMISSIONER OF WRECKS**

24  
25 I, A. B., do solemnly swear (or affirm) that I will truly and faithfully discharge the  
26 duties of a commissioner of wrecks, for the district of... .., in the county of ... ..  
27 ... .., according to law; so help me, God.

### 28 29 **COTTON WEIGHER FOR PUBLIC**

30  
31 I, ... .., public weigher for the city of ... .. (or as the case may be), do  
32 solemnly swear that I will justly, impartially and without any deduction, except as may  
33 be allowed by law, weigh all cotton that may be brought to me for that purpose, and  
34 tender a true account thereof to the parties concerned, if required so to do; so help me,  
35 God.

### 36 37 **ENTRY-TAKER**

38  
39 I, A. B., do solemnly swear (or affirm) that I will well and impartially discharge the  
40 several duties of the office of entry-taker for the county of ... .. according to law;  
41 so help me, God.

### 42 43 **EXECUTOR**

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

7  
8 **GRAND JURY—FOREMAN OF**  
9

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

17  
18 **GRAND JURORS**  
19

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

22  
23 **GRAND JURY—OFFICER OF**  
24

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

28  
29 **JURY—OFFICER OF**  
30

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

35  
36 **OATH FOR PETIT JUROR**  
37

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

41  
42 **JUSTICE, JUDGE, OR MAGISTRATE OF THE**  
43 **GENERAL COURT OF JUSTICE**  
44

1 I, ... .., do solemnly swear (affirm) that I will administer justice without  
2 favoritism to anyone or to the State; that I will not knowingly take, directly or  
3 indirectly, any fee, gift, gratuity or reward whatsoever, for any matter or thing done by  
4 me or to be done by me by virtue of my office, except the salary and allowances by law  
5 provided; and that I will faithfully and impartially discharge all the duties of ... .. of  
6 the ... .. Division of the General Court of Justice to the best of my ability and  
7 understanding, and consistent with the Constitution and laws of the State; so help me,  
8 God.

### REGISTER OF DEEDS

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

### SECRETARY OF STATE

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

### SHERIFF

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

### LAW ENFORCEMENT OFFICER

32 I, A. B., do solemnly swear (or affirm) that I will be alert and vigilant to enforce the  
33 criminal laws of this State; that I will not be influenced in any matter on account of  
34 personal bias or prejudice; that I will faithfully and impartially execute the duties of my  
35 office as a law enforcement officer according to the best of my skill, abilities, and  
36 judgment; so help me, God.

### STANDARD KEEPER

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

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**STATE TREASURER**

I, A. B., do swear (or affirm) that, according to the best of my abilities and judgment, I will execute impartially the office of State Treasurer, in all things according to law, and account for the public taxes; and I will not, directly or indirectly, apply the public money to any other use than by law directed; so help me, God.

**STRAY VALUERS**

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

**SURVEYOR FOR A COUNTY**

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

**TREASURER FOR A COUNTY**

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

**WITNESS TO DEPOSE BEFORE THE GRAND JURY**

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

**WITNESS IN A CAPITAL TRIAL**

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

**WITNESS IN A CRIMINAL ACTION**

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

4  
5 **WITNESS IN CIVIL CASES**

6  
7 You swear (or affirm) that the evidence you shall give to the court and jury in this  
8 cause now on trial, wherein A. B. is plaintiff and C. D. defendant, shall be the truth, the  
9 whole truth, and nothing but the truth; so help you, God.

10  
11 **WITNESS TO PROVE A WILL**

12  
13 You swear (or affirm) that you saw C. D. execute (or heard him acknowledge the  
14 execution of) this writing as his last will and testament; that you attested it in his  
15 presence and at his request; and that at the time of its execution (or at the time the  
16 execution was acknowledged) he was, in your opinion, of sound mind and disposing  
17 memory; so help you, God.

18  
19 **WITNESS BEFORE A LEGISLATIVE COMMITTEE OR COMMISSION**

20  
21 You swear (or affirm) that the testimony you shall give to the committee (or  
22 commission) shall be the truth, the whole truth, and nothing but the truth; so help you,  
23 God.

24  
25 **GENERAL OATH**

26  
27 Any officer of the State or of any county or township, the term of whose oath is not  
28 given above, shall take an oath in the following form:

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

32 Sec. 2. This act shall become effective October 1, 1990.