

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 664
HOUSE BILL 838

1 AN ACT TO MAKE REGISTERS OF DEEDS NOTARIES PUBLIC EX OFFICIO AND TO
2 PROVIDE FOR CERTIFICATION BY THE REGISTER OF DEEDS OF
3 CERTIFICATES OF PROOF OR ACKNOWLEDGMENT ONLY IN THOSE CASES
4 WHERE THE PROOF OR ACKNOWLEDGMENT IS TAKEN BY AN OFFICIAL
5 OTHER THAN THE REGISTER OF DEEDS OF THE COUNTY IN WHICH THE
6 INSTRUMENT IS OFFERED FOR REGISTRATION.

7
8 The General Assembly of North Carolina do enact:
9

10 **Section 1.** Chapter 10 of the General Statutes is amended by adding a new Section
11 to be designated as G.S. 10-3.1, and to read as follows:

12 **"G.S. 10-3.1. Register of deeds notary ex officio with respect to certain instruments: to**
13 **use seal of office.** With respect to instruments offered for registration in their county, the
14 register of deeds and his assistants and deputies may act as notaries public by virtue of their
15 office, and may certify their notarial acts under the seal of the office of the register of deeds."

16 **Sec. 2.** G.S. 47-14(a) is rewritten in its entirety to read as follows:

17 "(a) When the proof or acknowledgment of the execution of any instrument, required or
18 permitted by law to be registered, is had before any other official than the register of deeds of
19 the county in which the instrument is offered for registration, the register of deeds shall
20 examine the certificate or certificates of proof or acknowledgment appearing upon the
21 instrument, and if it appears on the face of the instrument that the execution thereof by one or
22 more of the signers has been duly proved or acknowledged and the certificate or certificates to
23 that effect are in due form, he shall so certify, and shall register the instrument, together with
24 the certificates. No certification is required when the proof or acknowledgment is before the
25 register of deeds of the county in which the instrument is offered for registration."

26 **Sec. 3.** G.S. 47-5 is amended by deleting the last sentence and substituting the
27 following sentence in lieu thereof:

28 "When the instrument is proved or acknowledged before the register of deeds of the county
29 in which the instrument is to be registered, the official seal shall not be necessary."

30 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

31 **Sec. 5.** This Act shall be in full force and effect from and after July 1, 1969.

32 In the General Assembly read three times and ratified, this the 30th day of May,
33 1969.