

UNIFORM ACKNOWLEDGMENT ACT
Act of Jul. 24, 1941, P.L. 490, No. 188
AN ACT

Cl. 68

Relating to acknowledgments of written instruments, and to make uniform the law with relation thereto.

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Acknowledgment of Instruments.--Any instrument may be acknowledged in the manner and form now provided by the laws of this State or as provided by this act.

Section 2. Acknowledgment within the State.--The acknowledgment of any instrument may be made in this State before--

- (1) A judge of a court of record;
 - (2) A clerk, prothonotary or deputy prothonotary or deputy clerk of a court having a seal;
 - (3) A recorder of deeds or deputy recorder of deeds;
 - (4) A notary public;
 - (5) A justice of the peace, magistrate or alderman.
- (2 amended Mar. 15, 1951, P.L.27, No.3)

Compiler's Note: Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 3. Acknowledgment within the United States.--The acknowledgment of any instrument may be made without the State, but within the United States, or a territory or insular possession of the United States, or the District of Columbia, and within the jurisdiction of the officer before--

- (1) A clerk or deputy clerk of any federal court;
 - (2) A clerk, prothonotary or deputy prothonotary or deputy clerk of any court of record of any state or other jurisdiction;
 - (3) A notary public;
 - (4) A recorder of deeds.
- (3 amended Apr. 28, 1961, P.L.130, No.61)

Section 4. Acknowledgment without the United States.--The acknowledgment of any instrument may be made without the United States before--

(1) An ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache or consular agent of the United States accredited to the country where the acknowledgment is made;

(2) A notary public of the country where the acknowledgment is made;

(3) A judge or clerk of a court of record of the country where the acknowledgment is made.

Section 5. Requisites of Acknowledgment.--The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument.

Section 6. Acknowledgment by a Married Woman.--An acknowledgment of a married woman may be made in the same form as though she were unmarried.

Section 7. Forms of Certificates.--An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms:

(1) By individuals--

State of.....

County of.....

On this, the day of....., 19....., before me, the undersigned officer, personally appeared....., known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument, and acknowledged that he..... executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

.....
.....

Title of Officer

(2) By a corporation--

State of

County of.....

On this, the day of....., 19....., before me....., the undersigned officer, personally appeared....., who acknowledged himself to be the..... of....., a corporation, and that he as such....., being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as

In witness whereof, I hereunto set my hand and official seal.

.....
.....

Title of Officer

Any deed, conveyance, mortgage or other instrument in writing, made and executed by a corporation, may be acknowledged by any officer of said corporation whose signature appears on such deed, conveyance, mortgage or other instrument in writing, in execution or in attestation of the execution thereof.

(3) By an attorney in fact--

State of.....

County of.....

On this, the day of....., 19....., before me, the undersigned officer, personally appeared, known to

me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for....., and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

.....
.....

Title of Officer

(4) By any public officer or deputy thereof or by any trustee, administrator, guardian or executor--

State of.....

County of.....

On this, the day of, 19....., before me, the undersigned officer, personally appeared of the State (County or City as the case may be) of known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

.....
.....

Title of Officer

(5) By an attorney at law--

State of

County of.....

On this, the..... day of....., 19....., before me, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be a member of the bar of the highest court of said state and a subscribing witness to the within instrument, and certified that he was personally present when..... whose name subscribed to the within instrument executed the same, and that said person acknowledged that..... he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

.....
.....

Title of Officer

((5) added July 10, 1981, P.L.226, No.71)

(7 amended June 21, 1947, P.L.853, No.353)

Section 8. Execution of Certificate.--The certificate of the acknowledging officer shall be completed by his signature, his official seal, if he has one, the title of his office, and, if he is a notary public, the date his commission expires. The existence or absence of an embossed impression on documents left for recording in the office of the recorder of deeds may be disregarded by the recorder.

(8 amended July 1, 1992, P.L.346, No.73)

Section 9. Authentication of Acknowledgments.--

(1) If the acknowledgment is taken within this State, or if taken without this State by an officer of this State, or is made without the United States by an officer of the United States, no authentication shall be necessary. ((1) amended June 21, 1947, P.L.855, No.354)

(2) If the acknowledgment is taken without this State, but in the United States, a territory or insular possession of the United States or the District of Columbia, no authentication shall be necessary if the official before whom the acknowledgment is taken affixes his official seal to the

instrument so acknowledged otherwise the certificate shall be authenticated by a certificate as to the official character of such officer, executed, (1) if the acknowledgment is taken by a clerk or deputy clerk of a court, by the presiding judge of the court, or, (2) if the acknowledgment is taken by some other authorized officer, by the official having custody of the official record of the election, appointment or commission of the officer taking such acknowledgment. ((2) amended May 14, 1957, P.L.134, No.58)

(3) If the acknowledgment is made without the United States and by a notary public or a judge or clerk of a court of record of the country where the acknowledgment is made, the certificate shall be authenticated by a certificate under the great seal of state of the country, affixed by the custodian of such seal, or by a certificate of a diplomatic, consular or commercial officer of the United States accredited to that country, certifying as to the official character of such officer.

Section 10. Acknowledgments under Laws of other States.--Notwithstanding any provision of this act contained, the acknowledgment of any instrument without this State in compliance with the manner and form prescribed by the laws of the place of its execution, if in a state, a territory or insular possession of the United States, or in the District of Columbia, verified by the official seal of the officer before whom it is acknowledged or authenticated, in the manner provided by section 9, subsection (2) hereof, shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this State for instruments executed within the State.

(10 amended May 14, 1957, P.L.134, No.58)

Section 10.1. Acknowledgment by Persons Serving in or with the Armed Forces of the United States or their Dependents within or without the United States.--In addition to the acknowledgment of instruments in the manner and form and as otherwise now or hereafter authorized by the laws of this State or by this act, persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge the same before any commissioned officer in active service of the armed forces of the United States with the rank of Second Lieutenant or higher in the Army, Air Force, or Marine Corps, or Ensign or higher in the Navy or Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

"On this the day of 19....., before me, the undersigned officer, personally appeared

....., (SerialNo.) (if any)

known to me (or satisfactorily proven) to be (serving in or with the armed forces of the United States) (a dependent of

..... (SerialNo.) (if any)

a person serving in or with the armed forces of the United States) and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

.....
Signature of the Officer

.....
Rank and Serial No. of Officer and
Command to which attached."

(10.1 added Apr. 28, 1961, P.L.130, No.61)

Section 11. Acknowledgments not Affected by this Act.--No acknowledgment heretofore taken shall be affected by anything contained herein.

Section 12. Uniformity of Interpretation.--This act shall be so interpreted as to make uniform the laws of those States which enact it.

Section 13. Name of Act.--This act may be cited as the Uniform Acknowledgment Act.

Section 14. Time of Taking Effect.--This act shall take effect immediately upon final enactment.