

PERSONS IN ARMED FORCES MAKE AFFIDAVITS AND ACKNOWLEDGEMENTS

Act of Jul. 28, 1953, P.L. 676, No. 211

Cl. 57

AN ACT

Authorizing acknowledgments and affidavits by persons on active duty with the armed forces of the United States before persons authorized by act of Congress to act as notaries public; and validating certain acknowledgments and affidavits.

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

Section 1. Any written instrument may be acknowledged or any affidavit may be made by any person executing the same or swearing or affirming thereto, while on active duty with the armed forces of the United States, before a person having powers of a notary public under the provisions of the Act of Congress, approved the fifth day of May, one thousand nine hundred fifty, Chapter 169, section one, 64 Statutes 143, USC Title 50, section 732. Any such instrument in writing so acknowledged or sworn or affirmed to and certified under the hand of such person acting as a notary public may be offered in evidence without further proof; and if it relates to, concerns or conveys any interest in lands, it may be recorded in the recorder's office of the county or counties where such lands lie, and the record of the same shall be constructive notice of all matters contained therein; and such record or exemplification of the same, duly certified, shall be legal evidence in all cases in which the original would be competent evidence.

Section 2. Any acknowledgment of a written instrument or any affidavit heretofore made by any person executing the same or swearing or affirming thereto, while on active duty with the armed forces of the United States, before and certified by any person authorized to act as a notary public under Article 114 of the Articles of War, as amended by the Act of Congress, approved the fourteenth day of December, one thousand nine hundred forty-two, Chapter 730, 56 Statutes 1050, USC Title 10, section one thousand five hundred eighty-six, or under the Act of Congress, approved the fifth day of May, one thousand nine hundred fifty, Chapter 169, section one, 64 Statutes 143, USC Title 50, section seven hundred thirty-two, during the period he was so authorized, is hereby validated, notwithstanding the fact that at the time he so acted he was not authorized to act as a notary public under the laws of Pennsylvania. All instruments in writing so acknowledged or sworn or affirmed to and certified may be offered in evidence without further proof; and if such instrument so acknowledged and certified conveys or relates to or concerns any interest in lands, it may be recorded in the recorder's office of the county or counties where such lands lie, and the record of same made before or after the passage of this act shall be constructive notice of all matters contained therein; and such record or exemplification of same, duly certified, shall be legal evidence in all cases in which the original would be competent evidence.

Section 3. The act, approved the eighteenth day of June, one thousand nine hundred forty-one (Pamphlet Laws 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," and its amendments, are hereby repealed.

Section 4. The provisions of this act shall become effective immediately upon final enactment.