

APPLICATION FOR NOTARY PUBLIC

NOTE: THIS APPLICATION, WHEN DULY EXECUTED AND SIGNED BY ONE RECOMMENDING COMMISSIONER OR YOUR DISTRICT OF THE PUTNAM COUNTY LEGISLATIVE BODY MUST BE SUBMITTED TO THE OFFICE OF THE COUNTY CLERK AT LEAST TEN (10) DAYS IN ADVANCE OF COMMISSION'S MEETING.

TO THE HONORABLE PUTNAM COUNTY LEGISLATIVE BODY, COOKEVILLE, TENNESSEE:

HEREBY MAKE APPLICATION AS NOTARY PUBLIC FOR PUTNAM COUNTY, TN.

1 NAME \_\_\_\_\_ AGE \_\_\_\_\_

2. HOME ADDRESS \_\_\_\_\_ TN

3. EMPLOYED BY \_\_\_\_\_ TN

4. TELEPHONE: BUSINESS \_\_\_\_\_ RESIDENCE \_\_\_\_\_

5. LENGTH OF RESIDENCE IN TENNESSEE \_\_\_\_\_ PUTNAM CO. \_\_\_\_\_

6. ARE YOU AT PRESENT A NOTARY PUBLIC?  YES  NO IF YES, DATE OF EXPIRATION \_\_\_\_\_  
IF NO, REASON FOR SEEKING ELECTION \_\_\_\_\_

7. IF YOU ARE PRESENTLY A NOTARY PUBLIC, HAVE YOU KEPT A NOTARY PUBLIC DOCKET, AND WHERE CAN IT BE INSPECTED? \_\_\_\_\_

8. ARE YOU A REGISTERED VOTER?  YES  NO WHERE DO YOU VOTE? \_\_\_\_\_ (DISTRICT)

9. HAVE YOU EVER BEEN CONVICTED OF A FELONY?  YES  NO

\_\_\_\_\_  
APPLICANT

SEAL

\_\_\_\_\_  
COUNTY

\_\_\_\_\_  
CLERK OR DEPUTY

AS COMMISSIONER OF THE \_\_\_\_\_ DISTRICT I RECOMMEND THE ABOVE INDIVIDUAL AS PUTNAM COUNTY NOTARY PUBLIC.

\_\_\_\_\_  
COMMISSIONER

FACT SHEET FOR NOTARIES PUBLIC

Office of County Court Clerk

Putnam County, Tennessee

A notary public is a public official, elected by the magistrates of the county court for a term of four years and commissioned by the Governor to exercise the powers delegated by Tennessee statutes.

Some persons become notaries without realizing the importance of the office and the attendant responsibilities and liabilities. Many notaries are attorneys-at-law, and it may be assumed that, as such, they fully realize the legal aspects of the office, but the majority of notaries are lay persons who are without access to Tennessee statutes and the interpretations thereof. Accordingly, a very brief digest of some of the more important statutes are listed hereon in an effort to better acquaint lay notaries with the powers, duties, responsibilities, and legal aspects of the person acting as a notary.

**ELIGIBILITY** - Citizen, at least 18 years of age, and not otherwise disqualified pursuant to provisions of Sec. 8-1801 T.C.A.

**RESIDENCE** - Resident of or have principal place of business within the county from which elected. (Sec. 8-1601 T.C.A.) See Sec. 8-1609 through 8-1618 for qualifications pertaining to serving in other counties or as notaries-at-large.

**BOND** - \$5,000.00 bond with corporate surety.

**OATH** - To support the Constitution of the State and the U.S. and will, without favor or partiality, honestly, faithfully and diligently discharge the duties of office of a notary. (Sec. 8-1605 T.C.A.)

**SEAL OF NOTARY** - Shall, at his own expense, procure a seal of office, which he shall surrender to the County Court when he resigns or his office terminates, and which his representatives shall do in case of his death. Penalty to comply is a misdemeanor. Sec. 8-1610 T.C.A.

**POWERS** - Administers oaths, takes depositions, qualifies parties to bills in Chancery, etc. In all cases, the seal of the notary must be affixed.

**ACKNOWLEDGEMENT OF INSTRUMENTS** - The Tennessee statutes prescribe that all such instruments must carry the statement that the person executing the documents appeared in person before the notary and is personally known by the notary. (Sec. 64-2207 T.C.A.)

**EXPIRATION OF COMMISSION INDICATED** - The expiration date of commission must be written, stamped or printed on every certificate taken by the notary. Violation is a misdemeanor with fine of \$25.00 to \$100.00. (Sec. 8-1621 T.C.A.)

**ACTING AFTER EXPIRATION DATE** - This is unlawful. Violation is a misdemeanor punishable by a fine of \$100.00 to \$1,000.00.

SOME CAUTIONS OF RECORD

A notary public is cautioned to be positive as to the identification of the person whose oath such notary takes. For example, a notary public should be certain that an individual who signs a deed or other legal document in his presence is in fact personally known to him; otherwise, the notary and the surety on his bond can become liable for damages as a result of the notary's mistake, whether the mistake is intentional or accidental. In one case a bank which loaned money based on a forged deed was entitled to receive damages on the notary's bond where the notary certified that she was personally acquainted with the grantor named in the deed who signed same in her presence, though, as a matter of fact, the grantor and grantee were strangers to the notary. (Digest of State ex. rel. Bank, etc. V. Easley, 176 Tenn. Decisions, 185)

"The law warns a notary when he has not personal acquaintance with the bargainer, that he must exercise care to prevent imposition, since the effects of that imposition do not end with his own deception, but may extend to innocent persons relying upon his exercise of due diligence. The certificate becomes authentic evidence of titles by which we hold our lands and by which they pass from one to another and which endure from generation to generation." Figuers V. Fly, 137 Tenn. Reports. 358.370

**NOTE:** A more comprehensive coverage of statutes referred to herein may be found in Chapter 16, NOTARIES PUBLIC. Sec. 8-1601 through 8-1627, T.C.A.