

which criers shall also perform the duties of bailiffs and messengers and such other duties as the court directs and shall be subject to removal by the court.

(Added Pub. L. 86-243, §1, Sept. 9, 1959, 73 Stat. 474, §873; amended Pub. L. 96-417, title V, §501(19), Oct. 10, 1980, 94 Stat. 1742; renumbered §872, Pub. L. 99-466, §3(b)(2), Oct. 14, 1986, 100 Stat. 1191.)

PRIOR PROVISIONS

A prior section 872, acts June 25, 1948, ch. 646, 62 Stat. 925; May 24, 1949, ch. 139, §78, 63 Stat. 101; Sept. 9, 1959, Pub. L. 86-243, §1, 73 Stat. 474; Oct. 10, 1980, Pub. L. 96-417, title V, §501(18), 94 Stat. 1742, related to a marshal and deputy marshals, prior to repeal by Pub. L. 99-466, §§3(b)(1), 4, Oct. 14, 1986, 100 Stat. 1191, effective 60 days after Oct. 14, 1986.

AMENDMENTS

1986—Pub. L. 99-466 renumbered section 873 of this title as this section.

1980—Pub. L. 96-417 redesignated the Customs Court as the Court of International Trade.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96-417, set out as a note under section 251 of this title.

SAVINGS PROVISION

Enactment of section by Pub. L. 86-243 not to deprive Customs Court officers or employees of any rights, privileges, or civil service status, see section 4 of Pub. L. 86-243, set out as a note under section 871 of this title.

[§ 873. Renumbered § 872]

CHAPTER 57—GENERAL PROVISIONS APPLICABLE TO COURT OFFICERS AND EMPLOYEES

Sec.	
951.	Oath of office of clerks and deputies.
[952.	Repealed.]
953.	Administration of oaths and acknowledgments.
954.	Vacancy in clerk position; absence of clerk.
955.	Practice of law restricted.
956.	Powers and duties of clerks and deputies.
957.	Clerks ineligible for certain offices.
958.	Persons ineligible as receivers.
959.	Trustees and receivers suable; management; State laws.
960.	Tax liability.
961.	Office expenses of clerks.
[962.	Repealed.]
963.	Courts defined.

SENATE REVISION AMENDMENT

This chapter was renumbered "57", but without change in its section numbers, by Senate amendment. See 80th Congress Senate Report No. 1559.

AMENDMENTS

1996—Pub. L. 104-317, title II, §204(b), Oct. 19, 1996, 110 Stat. 3850, substituted "Vacancy in clerk position; absence of clerk" for "Death of clerk; duties of deputies" in item 954.

1972—Pub. L. 92-310, title II, §206(e)(2), (f)(2), June 6, 1972, 86 Stat. 203, struck out item 952 "Bonds of clerks and deputies", and struck out "and remedies against" before "deputies" in item 954.

1968—Pub. L. 90-623, §4, Oct. 22, 1968, 82 Stat. 1315, struck out item 962 "Traveling expenses".

1949—Act May 24, 1949, ch. 139, §78a, 63 Stat. 101, struck out "by clerks" after "law" in item 955.

§ 951. Oath of office of clerks and deputies

Each clerk of court and his deputies shall take the following oath or affirmation before entering upon their duties: "I, _____, having been appointed _____, do solemnly swear (or affirm) that I will truly and faithfully enter and record all orders, decrees, judgments and proceedings of such court, and will faithfully and impartially discharge all other duties of my office according to the best of my abilities and understanding. So help me God."

(June 25, 1948, ch. 646, 62 Stat. 925.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §512 (R.S., §794; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167).

Section 512 of title 28, U.S.C., 1940 ed., applied only to the Clerk of the Supreme Court and clerks and deputies of the district courts.

This section is applicable to the Supreme Court and to all courts established by act of Congress.

The last sentence of section 512 of title 28, U.S.C., 1940 ed., reading "The words 'So help me God.' shall be omitted in all cases where an affirmation is admitted instead of an oath," was omitted as unnecessary because on affirmation such words would not be included. As revised, the section conforms with section 453 of this title providing for the form of judicial oath.

Minor changes were made in phraseology.

[§ 952. Repealed. Pub. L. 92-310, title II, § 206(e)(1), June 6, 1972, 86 Stat. 203]

Section, act June 25, 1948, ch. 646, 62 Stat. 926, related to bonds of clerks and deputies.

§ 953. Administration of oaths and acknowledgments

Each clerk of court and his deputies may administer oaths and affirmations and take acknowledgments.

(June 25, 1948, ch. 646, 62 Stat. 926.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§264, 523 and 525, section 1114(a) of title 26, U.S.C., 1940 ed., Internal Revenue Code, and District of Columbia Code, 1940 ed., §11-402 (R.S. §799; May 28, 1896, ch. 252, §19, 29 Stat. 184; Mar. 2, 1901, ch. 814, 31 Stat. 956; Mar. 3, 1901, ch. 854, §178, 31 Stat. 1219; June 30, 1902, ch. 1329, 32 Stat. 527; Mar. 3, 1911, ch. 231, §§158, 291, 36 Stat. 1139, 1167; Feb. 10, 1939, ch. 2, §1114(a), 53 Stat. 160; Oct. 21, 1942, ch. 619, title V, §504(a)(c), 56 Stat. 957; Feb. 25, 1944, ch. 63, title V, §503, 58 Stat. 72).

This section consolidates a part of section 525, sections 264 and 523 of title 28, U.S.C., 1940 ed., part of section 1114(a) of title 26, U.S.C., 1940 ed., section 11-402 of the District of Columbia Code, 1940 ed.,

As respects acknowledgments, sections 264, 523 and 525 of title 28, U.S.C., 1940 ed., and section 11-402 of District of Columbia Code, 1940 ed., referred only to the Court of Claims and the District Court for the District of Columbia. However, section 555 of said title 28, before amendment in 1944, provided for the collection of a fee by district court clerks for taking acknowledgments. The 1944 amendment provided for the fixing of fees by the Judicial Conference of the United States. If notaries and other minor officials may take acknowledgments there seems to be no reason why clerks of Federal courts and their deputies should not have such power.

Words "Except as provided in section 591 of this title," in section 525 of title 28, U.S.C., 1940 ed., were