

March 13, 2012

Oath's of Office

- **James Weaver Kirkpatrick, III**, Haywood County Commissioner, a lawyer,
- **Mark S. Swanger**, Haywood County Commissioner,
- **Bill L. Upton**, Haywood County Commissioner,
- **Michael Bonfoey**, Haywood County District Attorney (DA), a lawyer,
- **Amanda Owens**, Administrative Assistant to the County Manager,
- **June L. Ray**, NC Alarm Systems Licensing Board, Haywood County Clerk of Superior Court.
- Templet for Oaths.

Update

The following are copies of various Oath's of Office for Kirk Kirkpatrick, Mark Swanger, Bill Upton, Michael Bonfoey, Amanda Owens and June Ray.

There is one correctly administered and signed oath. Can you guess which one it is?

There is one set of oaths conspicuously missing. Can you guess whose that is?

- James Weaver Kirkpatrick, III, commissioner for the county of Haywood, sworn on December 2, 2002. It was obtained from the Haywood County clerk of court on October 14, 2010.
- James Weaver Kirkpatrick, III, commissioner for the county of Haywood, sworn on December 6, 2010. It was obtained from the Haywood County clerk of court on January 9, 2012.
- Mark S. Swanger, commissioner for the county of Haywood, sworn on December 6, 2010. It was obtained from the Haywood County clerk of court on January 9, 2012.
- Mark S. Swanger, member of the Board of Equalization and Review of Haywood County, sworn on March 28, 2011. It was obtained from the Haywood County clerk of court on January 9, 2012.
- Bill L. Upton, commissioner for the county of Haywood, sworn on December 6, 2010. It was obtained from the Haywood County clerk of court on January 12, 2012.
- Bill L. Upton, member of the Board of Equalization and Review of Haywood County, sworn on March 28, 2011. It was obtained from the Haywood County clerk of court on January 12, 2012.
- Michael Bonfoey, Haywood (and other counties) District Attorney, dated 1/1/2007, signed by Monica Leslie, District Court Judge.
- Michael Bonfoey, Haywood (and other counties) District Attorney, dated 1/1/2007, signed by Monica Leslie, different signature, District Court Judge. [Note: Different filing dates, different oaths, dated on same day.]
- Amanda Owens, Deputy Clerk of Haywood County, Feb. 6, 2012.

- June L. Ray, North Carolina Alarm Systems Licensing Board [what the ...?], dated June 28, 2010. Got this one by accident. From the Department of Justice (DOJ) website, “The purpose of the Alarm Systems Licensing Board is to administer the licensing, education and training requirements for persons, firms, associations and corporations engaged in the alarm systems business in North Carolina. The board is totally fee funded and staffed by departmental employees directed on a daily basis by the Director, who is appointed by the Attorney General.” This sounds like it might be a nice lucrative job/office. Wouldn’t any of you like to be on this board?
- June L. Ray, Office for Clerk of Superior Court, dated December 6, 2010, signed by Brad Letts, Senior Resident Superior Court Judge. Note in the last paragraph: “ ... I also solemnly swear that I do not, directly or indirectly, hold any other lucrative office in the State; ...”.
- Finally, a templet of what an oath should look like [re: NC State Constitution, NC General Statues].

Does anyone notice anything striking about these oath’s?

Only one (1) of these oaths comply with the requirements of the North Carolina State Constitution and North Carolina General Statues, as shown in the templet following these oaths. That is the oath by June Ray, Clerk of Superior Court. [re: NCGS § 11-11. **Oaths of sundry persons; forms.**]

So why is June Ray the only one to sign a correct oath? The oath that June Ray signed on June 28, 2010 for the North Carolina Alarm Systems Licensing Board is comically inept in comparison.

Why are the oaths that June Ray is administering to officials in Haywood County unlike the oath she herself signed for Clerk of Superior Court?

Where do these people get off by signing any oath that comes along, including June Ray? Are these people creating their own oaths? And Kirkpatrick and Bonfoey are lawyers.

Answer to previous question: “There is one set of oaths conspicuously missing. Can you guess whose it is?”

David Francis, Haywood County Tax Collector.

To my knowledge, there are only two individuals in Haywood County that have signed a proper oath of office.

What are the implications?

Monroe A. Miller Jr.
19 Big Spruce Lane
Waynesville, NC 28786

02R1169

02-34-58

OCT 14 2010

Oath of Office

N.C. General Statute §11-7 ~ Oath to Support Constitutions

I, **JAMES WEAVER KIRKPATRICK, III**, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

N.C. General Statute §11-11 ~ General Oath of Office

I, **JAMES WEAVER KIRKPATRICK, III**, do swear that I will well and truly execute the duties of the office of **COUNTY COMMISSIONER** according to the best of my skill and ability, according to law; so help me, God.

 (SEAL)

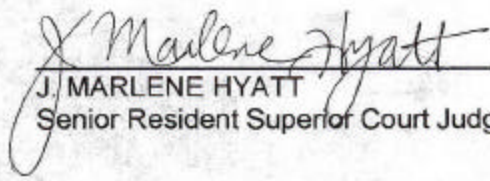
SUBSCRIBED AND SWORN to before me this 2nd day of December 2002.

FILED

2002 DEC -2 PH 4:39

HAYWOOD COUNTY, C.S.C.

BY _____

 (SEAL)
J. MARLENE HYATT
Senior Resident Superior Court Judge

10-18 JAN 9 2012 10 R 214

FILED



2010 DEC -6 A 10:45
HAYWOOD COUNTY, C.S.C.
BY _____

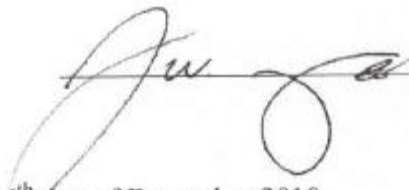
OATH OF OFFICE

N.C. General Statute §11-7 – Oath to Support Constitutions

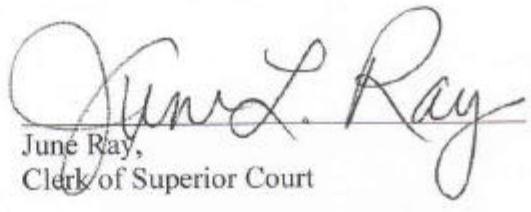
I, **JAMES WEAVER KIRKPATRICK, III**, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

N.C. General Statute §11-11 – General Oath of Office

I, **JAMES WEAVER KIRKPATRICK, III**, do swear that I will well and truly execute the duties of the office of **VICE-CHAIRMAN OF THE HAYWOOD BOARD OF COUNTY COMMISSIONERS**, according to the best of my skill and ability, according to law; so help me, God.

 (SEAL)

Sworn to and subscribed before me this 6th day of December 2010.

 (SEAL)
June Ray,
Clerk of Superior Court

10-18

JAN 9 2012

10R213

FILED



2010 DEC -6 A 10:45

HAYWOOD COUNTY, C.S.C.

BY _____

OATH OF OFFICE

N.C. General Statute §11-7 – Oath to Support Constitutions

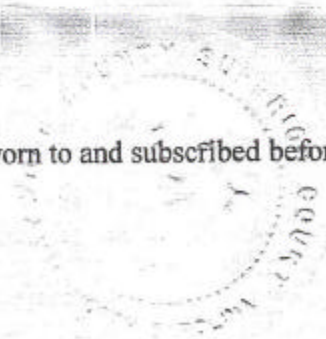
I, **MARK S. SWANGER**, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

N.C. General Statute §11-11 – General Oath of Office

I, **MARK S. SWANGER**, do swear that I will well and truly execute the duties of the office of **CHAIRMAN OF THE HAYWOOD BOARD OF COUNTY COMMISSIONERS**, according to the best of my skill and ability, according to law; so help me, God.

Mark Swanger (SEAL)

Sworn to and subscribed before me this 6th day of December 2010.



Jane L. Ray (SEAL)
Jane Ray,
Clerk of Superior Court

11-4

JAN 9 2012

11 R 198

I, MARK S. SWANGER, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent, therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Equalization and Review of Haywood County, North Carolina, and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations, so help me God.

Mark S. Swanger
(Signature)

SUBSCRIBED AND SWORN to before me, this the 28 day of March, 20 11.

Deanna C. Holland
CLERK SUPERIOR COURT

FILED
2011 MAR 28 PM 1:11
JUDICIAL DISTRICT, E.S.C.
DNC

10-18 JAN 12 2012 10R211



FILED

2010 DEC -6 A 10:46

HAYWOOD COUNTY, C.S.C.

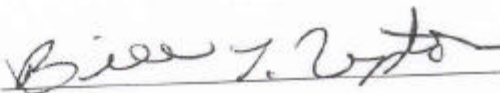
OATH OF OFFICE

N.C. General Statute §11-7 – Oath to Support Constitutions

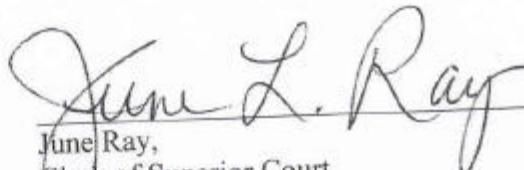
I, **BILL L. UPTON**, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

N.C. General Statute §11-11 – General Oath of Office

I, **BILL L. UPTON**, do swear that I will well and truly execute the duties of the office of **HAYWOOD COUNTY COMMISSIONER** according to the best of my skill and ability, according to law; so help me, God.

 (SEAL)

Sworn to and subscribed before me this 6th day of December 2010.

 (SEAL)
June Ray,
Clerk of Superior Court

11-4

JAN 12 2012

11R 199

I, Bill L. Lupton, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent, therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Equalization and Review of Haywood County, North Carolina, and that I will not allow my actions as a member of the Board of Equalization and Review to be influenced by personal or political friendships or obligations, so help me God.

Bill L. Lupton
(Signature)

SUBSCRIBED AND SWORN to before me, this the 28 day of March, 2011.

Angela C. Holland
CLERK SUPERIOR COURT

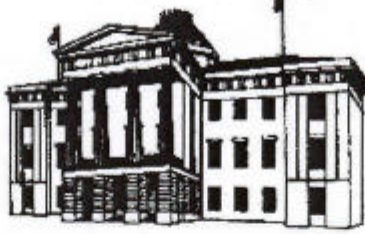
2011 FEB 28 PM 1:11
CLERK SUPERIOR COURT
C.S.C.
PC

JAN 02 2007

07-02-116

07 R 1

State of North Carolina



MICHAEL F. EASLEY
GOVERNOR

Oath of Office

I, Michael Bonfoey, do solemnly swear that I will support the Constitution of the United States, so help me God.

I, Michael Bonfoey, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability, so help me God.

I, Michael Bonfoey, do solemnly swear that I will administer justice without favoritism to anyone or to the State; that I will not knowingly take, directly or indirectly, any fee, gift, gratuity or reward whatsoever, for any matter or thing done by me or to be done by me by virtue of my office, except the salary and allowances by law provided; and that I will faithfully and impartially discharge all the duties of District Attorney of the North Carolina General Court of Justice, to the best of my ability and understanding, and consistent with the Constitution and laws of the State; so help me God.

Michael Bonfoey
Michael Bonfoey

Sworn to and subscribed before me, this the 1st day of January, 2007.

Monica Leslie
Monica Leslie, District Court Judge

FILED
2007 JAN -2 A 8:56
HAYWOOD COUNTY, N.C.

JAN 12 2007

07-03-09

07R23

State of North Carolina



MICHAEL F. EASLEY
GOVERNOR

FILED
2007 JAN 12 PM 4:15
HAYWOOD COUNTY, C.S.C.
BY _____

Oath of Office

I, Michael Bonfoey, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I, Michael Bonfoey, do solemnly swear that I will well and truly serve the State of North Carolina in the office of District Attorney for the State in the county(ies) of Cherokee, Clay, Graham, Haywood, Jackson, Macon, and Swain.

I, Michael Bonfoey, will, in the execution of my office, endeavor to have the criminal laws fairly and impartially administered, so far as in me lies, according to the best of my knowledge and ability; so help me, God.

Michael Bonfoey

Michael Bonfoey

Sworn to and subscribed before me, this the 1st day of January, 20 07

Monica H. Leslie

Monica Leslie, District Court Judge

BOARD OF COMMISSIONERS

MARK S. SWANGER, CHAIRMAN
J. W. "KIRK" KIRKPATRICK, III, VICE CHAIRMAN
L. KEVIN ENSLEY
BILL L. UPTON
MICHAEL T. SORRELLS



12R21

COUNTY MANAGER
MARTY STAMEY

LEON M. KILLIAN, III
COUNTY ATTORNEY

HAYWOOD COUNTY

STATE OF NORTH CAROLINA

FILED
2012 FEB -6 PM 12:14
BY HAYWOOD CO., C.S.C.

OATH OF OFFICE

DEPUTY CLERK OF HAYWOOD COUNTY

I, Amanda Owens, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as DEPUTY CLERK TO THE HAYWOOD COUNTY BOARD OF COUNTY COMMISSIONERS, so help me God.

Amanda W. Owens

Amanda Owens
Deputy Clerk

Sworn to and subscribed before me, this 6 day of Feb, 2012.

June L. Ray
June L. Ray
Clerk of Superior Court



MAR 12 2012

STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
20301 MAIL SERVICE CENTER • RALEIGH, NC 27699-0301

BEVERLY EAVES PERDUE
GOVERNOR

FILED
2010 JUN 29 PM 1:12
HAYWOOD COUNTY CLERK

I, June L. Ray, do solemnly swear (affirm) that I will support the Constitution of the United States.

I, June L. Ray, do solemnly swear (affirm) that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said state, not inconsistent with the Constitution of the United States.

I, June L. Ray, do solemnly swear (affirm) that I will well and truly execute the duties of my office as a member of the North Carolina Alarm Systems Licensing Board according to the best of my skill and ability, according to law, so help me God.

June L. Ray
June L. Ray

Haywood County, NC
Sworn to and subscribed before me, this
the 28th day of June, 2010.

Patricia S. McGuinness
Signature



Patricia S. McGuinness
Print

My commission expires on May 22, 2012

For Office Use Only
I hereby certify that this is a true and accurate copy of the original Oath of Office executed on the ____ day of _____, 20__.



10-18

10R 242

FILED

MAR 12 2012

2010 DEC -6 P 4: 31

HAYWOOD COUNTY, C.S.C.

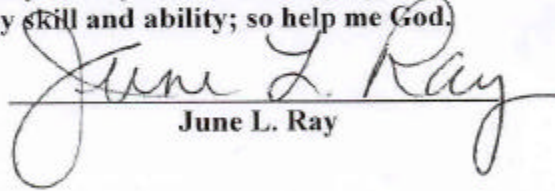
OATH OF OFFICE FOR CLERK

BY _____

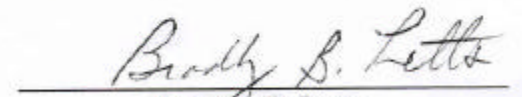
I, JUNE L. RAY, do solemnly swear that I will support and maintain the Constitution and laws of the United States and the Constitution and Laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Clerk of Superior Court of Haywood County, so help me God.

I do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God.

I do swear that, by myself or any other person, I neither have given, nor will I give to any person whatsoever, any gratuity, fee, gift, or reward, in consideration of my election or appointment to the office of Clerk of Superior Court of the county of Haywood; nor have I sold or offered to sell, nor will I sell or offer to sell, my interest in the said office; I also solemnly swear that I do not, directly or indirectly, hold any other lucrative office in the State; and I do further swear that I will execute the office of Clerk of Superior Court for the County of Haywood without prejudice, favor, affection, or partiality, to the best of my skill and ability; so help me God.


June L. Ray

Sworn and subscribed to before me, this the 6th day of December, 2010.


Bradley B. Letts
Senior Resident Superior Court Judge

This example would properly reflect the execution and format for oaths which would be used by a person when delivering their oaths for public office, at the county level of government within the State of North Carolina;

LETTERHEAD

County of One of the One Hundred (Seal)

**STATE OF NORTH CAROLINA
COUNTY OF ONE OF THE ONE HUNDRED
OATH OF PUBLIC OFFICIAL**

"I, Jane/John Q. Public Official, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as *the appointed or elected Public Official in One of the One Hundred Counties*, so help me God.

Date Signature: Jane/John Q. Public Official

Sworn and subscribed to before me this day of the month, in the year.

Signature: Jane/John Q. Public Official, Authorized by Law to Receive Lawfully Required Oaths

"I, Jane/John Q. Public Official, do solemnly and sincerely swear (or affirm) that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me God."

"I, Jane/John Q. Public Official, do solemnly swear (or affirm) that I will well and truly execute the duties of the office of *appointed or elected Public Official in One of the One Hundred Counties*, according to the best of my skill and ability, according to law; so help me, God.

Date Signature: Jane/John Q. Public Official

Sworn and subscribed to before me this day of the month, in the year.

Signature: Jane/John Q. Public Official, Authorized by Law to Receive Lawfully Required Oaths

