

Private Wrongs Law - Title 28 - Liberian Code of Laws Revised

TITLE 28

Private Wrongs Law
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Chapter 10. **POWER OF ATTORNEY**

- § 10.1. Statutory short form of general **power of attorney**
- § 10.2. Construction; real estate transactions
- § 10.3. Construction; chattel and goods transactions
- § 10.4. Construction; bond, share and commodity transactions
- § 10.5. Construction; banking transactions
- § 10.6. Construction; business operating transactions
- § 10.7. Construction; insurance transactions
- § 10.8. Construction; estate transactions
- § 10.9. Construction; claims and litigation
- § 10.10. Construction; personal relationships and affairs
- § 10.11. Construction; benefits from military service
- § 10.12. Construction; records, reports and statements
- § 10.13. Construction; all other matters
- § 10.14. Modifications of the statutory short form **power of attorney**

§ 10.1. Statutory short form of general power of attorney

1. Form stated. The use of the following form in the creation of a **power of attorney** is lawful, and, when used, it shall be construed in accordance with the provisions of this chapter:

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE DEFINED IN THE LIBERIAN CODE OF LAWS REVISED, TITLE 28, SECTIONS 10.2 THROUGH 10.14, WHICH EXPRESSLY PERMITS THE USE OF ANY OTHER OR DIFFERENT FORM OF POWER OF ATTORNEY DESIRED BY THE PARTIES CONCERNED.

Know All Men by These Presents, which are intended to constitute a GENERAL POWER OR ATTORNEY pursuant to Title 28 (Private Wrongs Law), section 10.1 of the Liberia Code of Laws Revised:

That I _____ do hereby appoint

_____ insert name and address of the principal (insert name and address of the agent or each agent if

more than one is designated) my, attorney (s)-in-fact to act _____(if more than one agent is designated and the principal wishes each agent alone to be able to exercise the power conferred, insert in this blank the word "severally". Failure to make any insertion or the insertion of the word "jointly" will require the agents to act jointly.)

First: in my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters as each of them is defined in Chapter 10 of the Private Wrongs Law to the extent that I am permitted by law to act through an agent:

(Strike out and initial in the opposite box any one or more of the subjects as to which the principal does NOT desire to give the agent authority. Such elimination of any one or more of subjects (A) to (K), inclusive, shall automatically constitute an elimination also of (L). To strike out any subject the principal must draw a line through the text of that subject AND write his initials in the box opposite.)

- (A) real estate transactions ()
- (B) chattel and goods transactions ()
- (C) bond, share and commodity transactions ()
- (D) banking transactions ()
- (E) business operating transactions ()
- (F) insurance transactions ()
- (G) estate transactions ()
- (H) claims and litigation ()
- (I) personal relationship and affairs ()
- (J) benefits from military service ()
- (K) records, reports and statements ()
- (L) all other matters ()

(Special provisions and limitations may be included in the statutory short form **power of attorney** only if they conform to the requirements of section 10.14 of the Private Wrongs Law.)

Second: with full and unqualified authority to delegate any or all of the foregoing powers to any person or persons whom my attorney(s)-in-fact shall select.

In Witness Whereof I have hereunto signed my name this _____ day, of _____ 19_____

(Signature of Principal)

(ACKNOWLEDGMENT)

(The execution of this statutory short form **power of attorney** shall be duly acknowledged by the principal in the manner prescribed by the Property Law for the acknowledgment of a conveyance of real property.)

2. Other forms not barred. No provision of this chapter shall be construed to bar the use of any

other or different form of **power of attorney** desired by the parties concerned.

3. *"Notice" required in statutory short form.* Every, statutory short form **power of attorney**, to be valid, must contain, in bold face type or a reasonable equivalent thereof or underlined, the "Notice" which is printed in bold face type at the beginning of this section.

4. *When **power of attorney** is "statutory short form powers."* A **power of attorney is a "statutory short form power of attorney"**, as this phrase is used in the following sections of this chapter, when, but only when it is in writing and has been duly acknowledged by the principal and it contains the exact wording of the clause marked "First" set forth in paragraph 1 of this section, except that any one or more of subjects (A) to (L) may be stricken out and initialed by the principal, in which case the subjects so stricken out and initialed and also subject (L) shall be deemed eliminated. A "statutory short form **power of attorney**" may contain modifications or additions of the types described in section 1 O. 1 4 of this chapter.

5. *Joint action by more than one agent.* If more than one agent is designated by the principal, such agents. In the exercise of the powers conferred, must act jointly unless the principal specifically provides in such statutory short form **power of attorney** that they are to act severally.

§ 10.2. Construction; real estate transactions

In a statutory short form **power of attorney**, the language conferring general authority with respect to "real estate transactions," must be construed to mean that the principal authorizes the agent:

(a) To accept as a gift, or as security for a loan, to reject, to demand, to buy, to lease, to receive, or otherwise to acquire either ownership or possession of any estate or interest In land;

(b) To sell, to exchange, to convey either with or without covenants, to quit-claim, to release, to surrender, to mortgage, to encumber, to partition or to consent to the partitioning, to revoke, create or modify a trust, to grant options concerning, to lease or to sublet, or otherwise to dispose of, any estate or interest in land;

(c) To release in whole or in part, to assign the whole or a part of, to satisfy in whole or in part, and to enforce by action, proceeding or otherwise, any mortgage, encumbrance, lien or other claim to land which exists, or is claimed to exist, in favor of the principal;

(d) To do any act of management or of conservation with respect to any estate or interest in land owned or claimed to be owned, by the principal, including by way of illustration, but not of restriction, power to insure against any casualty, liability or loss, to obtain or to regain possession or to protect such estate or interest by action, proceeding or otherwise, to pay, to compromise, or to contest taxes or assessments, to apply for refunds in connection therewith, to purchase supplies, to hire assistance or labor and to make repairs or alterations in the structures or lands;

(e) To utilize in any way, to develop, to modify, to alter, to replace, to remove, to erect or to install structures or other improvements upon any land in which the principal has, or claims to

have any estate or interest;

(f) To demand, to receive, to obtain by action, proceeding or otherwise, any money, or other thing of value to which the principal is, or may become, or may claim to be entitled as the proceeds of an interest in land or of one or more of the transactions enumerated in this section, to conserve, to invest, to disburse or to utilize anything so received for purposes enumerated in this section, and to reimburse the agent for any expenditures properly made by him in the execution of the powers conferred on him by the statutory short form **power of attorney**;

(g) To participate in any reorganization with respect to real property and to receive and to hold any shares of stock or instrument of similar character received in accordance with such plan of reorganization, and to act with respect thereto, including by way of illustration, but not of restriction, power to sell or otherwise to dispose of such shares, or any of them, to exercise or to sell any option, conversion or similar right with respect thereto, and to vote thereon in person or by the granting of a proxy;

(h) To agree and to contract, in any manner, and with any person and on any terms, which the agent may select, for the accomplishment of any of the purposes enumerated in this section, and to perform, to rescind, to reform, to release or to modify any such agreement or contract or any other similar agreement or contract made by or on behalf of the principal;

(i) To execute, to acknowledge and to deliver any deed, revocation, declaration or modification of trust, mortgagee, lease, notice, check or other instrument which the agent may think useful for the accomplishment of any of the purposes enumerated in this section;

(j) To prosecute, to defend, to submit to arbitration, to settle, and to propose or to accept a compromise with respect to, any claim existing in favor of, or against the principal based on or involving any real estate transaction or to intervene in any action or proceeding relating thereto;

(k) To hire, to discharge, and to compensate any attorney, accountant, expert witness or other assistant or assistants when the agent shall think such action to be desirable for the proper execution by him of any of the powers described in this section, and for the keeping of needed records thereof; and

(l) In general, and in addition to all the specific acts in this section enumerated, to do any other act or acts which the principal can do through an agent, with respect to any estate or interest in land. All powers described in this section shall be exercisable equally with respect to any estate or interest in land owned by the principal at the giving of the **power of attorney** or thereafter acquired, and whether located in the Republic of Liberia or elsewhere.