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Title 32

PUBLIC LANDS LAW

Table of Contents

<i>Chapter</i>	<i>Page</i>
1. Land Commissioners—Sec. 1	1185
2. Public Surveyors—Sec. 10	1186
3. Sale of Public Lands—Sec. 30	1188
4. Allotment of Public Lands—Sec. 50	1190
5. Leasing of Public Lands—Sec. 70	1192
6. Escheats—Sec. 90	1193
7. Miscellaneous—Sec. 110	1193
8. Repealers—Sec. 130	1194

Chapter 1. LAND COMMISSIONERS

Cross references:

Land Commissioners as officers of Department of Justice, see Executive L., sec. 162.

Private practice by Land Commissioners restricted, see Executive L., sec. 163.

§ 1. **Appointment of Land Commissioners.**—The President by and with the advice and consent of the Senate, shall appoint a Land Commissioner in each county. The duties performed in the counties by the Land Commissioners shall be performed in the Hinterland by the District Commissioners.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1285; OBB 133, Public Domain, art. VI, sec. 1.

§ 2. **Duties of Land Commissioners.**—Each Land Commissioner if satisfied that public land about to be sold is not privately owned and is unencumbered shall issue a certificate to a prospective purchaser to that effect. He shall also under the circumstances required by law draw up deeds of public lands sold under the procedure prescribed in section 30 of this Title or allotted under the provisions of Chapter 4 thereof.

Prior legislation: L. 1858, 24, sec. 1; OBB 133, Public Domain, art. VI, sec. 1.

§ 3. **Records by Land Commissioners.**—Each Land Commissioner shall keep in his office an accurate chart of the plots and parcels of public land in the county for which he was appointed, and shall note thereon all public lands which have been surveyed for sale with an indication of their boundaries and all public lands which are sold or transferred under the provisions of Chapters 3 and 4 of this Title. The Land Commissioner shall also file in his office all certificates received by him from a surveyor of public lands describing the boundaries, number, and situation of a particular lot or parcel of land. He shall also keep in a book furnished

for the purpose a correct account of all public lands sold or transferred within the county.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1287; OBB 133, Public Domain, art. VI, secs. 1, 5.

§ 4. **Reports.**—Land Commissioners shall make regular quarterly reports to the Department of Justice of all their activities accompanied by charts showing all transfers of title to public lands in their respective counties.

They shall also submit monthly reports to the Bureau of Revenues of all land grants issued by them during each month of the year.

Prior legislation: L. 1937, ch. XXV, art. 2, sec. 9; 1933-34, ch. III, sec. 12.

§ 5. **Responsibility for neglect.**—A Land Commissioner shall be held responsible for any damage sustained by any person through mismanagement or neglect of the duties of his office.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1287; OBB 133, Public Domain, art. VI, sec. 5.

Chapter 2. PUBLIC SURVEYORS

Cross references:

Public Surveyors as officers of Department of Justice, see Executive L., sec. 162.

Private practice by Public Surveyors restricted, see Executive L., sec. 163.

§ 10. **Appointment of Public Surveyors.**—The President, by and with the advice and consent of the Senate, shall appoint Public Surveyors in the counties and provinces.

Prior legislation: OBB 133, Public Domain, art. VII, sec. 1.

§ 11. **Duties.**—A public surveyor shall, on the order of the President, survey public lands about to be allotted to immigrants or others; and on order of the President, he shall survey public lands about to be sold.

The surveyor of a lot or parcel of public lands shall ascertain its situation, the number of the lot or parcel of land surveyed, its boundaries, the corners or angles, and the number of acres, and shall include all such information in a certificate which he shall give to the grantee or prospective grantee.

A public surveyor shall notify the Land Commissioner of his county of all surveys made by him at the order of the President of public lands about to be allotted to immigrants or others, and he shall indicate such surveys on the plot kept in the office of the Land Commissioner.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 1275, 1276; OBB 133, Public Domain, art. VII, secs. 2, 5.

§ 12. **Reports.**—A Public Surveyor shall make a full and accurate report concerning all plots or parcels of public land surveyed by him to each Quarterly Session of the Circuit Court held in the county for which he was appointed. Together with the report he shall submit plots showing the acreage, boundaries, and situation of such lands. The report with the accompanying plots shall be transmitted by the Court to the Superintendent, who shall forward them to the Secretary of State for filing in the Bureau of Archives. The Secretary of State shall also see that the reports of all public surveyors are presented to the Legislature.

A public surveyor shall make a quarterly report to the Department of Justice together with copies of the plots filed with the Circuit Court in accordance with provisions of the foregoing paragraph.

Prior legislation: L. 1933-34, ch. III, sec. 12; L. 1901-02, 11 (2nd).

Cross reference:

Bureau of Archives established in Department of State, see Executive L., sec. 61.

§ 13. **Payment of fees to Public Surveyors.**—A Public Surveyor shall be entitled to payment on the basis of a receipt from the grantee or prospective grantee of public lands stating that the lot or parcel of land described therein has been surveyed and that a certificate of the survey has been received from the surveyor. The receipt shall be endorsed by the Land Commissioner. A Public Surveyor shall be entitled to payment at the following rate: For each ten acre plot surveyed at any one time to order, not exceeding five plots, three dollars; for each ten acre plot surveyed in like manner not exceeding ten nor less than six plots, two dollars and fifty cents; for each ten acre plot not exceeding twenty nor less than eleven plots, two dollars and twenty-five cents; for every ten acre plot over twenty plots, two dollars; and for every town lot, one dollar.

In addition, a Public Surveyor shall be paid at the following rate for extensions of surveys for land allotments indicated by him on the plot kept in the office of the Land Commissioner: For each ten acre block up to five at any one time, twelve and one-half cents each; for each ten acre block of five or upwards at any one time, ten cents each; for town lots, up to five, six and a quarter cents each; for town lots five in number and upwards at any one time, five cents each. The Land Commissioner shall compare the additions made by the Public Surveyor on the plot with the field notes of the survey, and if the additions shall be found to be correct, he shall endorse the receipt for the survey, certifying thereon that the block has been plotted.

Any Public Surveyor who shall fraudulently obtain a receipt from any person certifying that lands have been surveyed when no survey was made, shall be subject to a fine of not less than fifty nor more than one hundred dollars, and shall be dismissed from office.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 1277 and 1278; OBB 133, Public Domain, art. VII, secs. 3, 4.

§ 14. **Determination of differences between surveyors.**—If a difference shall arise between two Public Surveyors as to the correctness of a survey of any lot or parcel of land surveyed separately by them, it shall be settled by the decision of the majority of the Public Surveyors in the county, or if there is no majority, by the decision of the Land Commissioner.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1275; OBB 133, Public Domain, art. VII, sec. 1.

Chapter 3. SALE OF PUBLIC LANDS

§ 30. **Procedure.**—A citizen desiring to purchase public land located in the Hinterland shall first obtain consent of the Tribal Authority to have the parcel of land deeded to him by the Government. In consideration of such consent, he shall pay a sum of money as token of his good intention to live peacefully with the tribesmen. The Paramount or Clan Chief shall sign the certificate, which the purchaser shall take to the office of the District Commissioner who

acts as Land Commissioner for the area. The District Commissioner shall satisfy himself that the parcel of land in question is not a portion of the Tribal Reserve, and that it is not otherwise owned or occupied by another person and that it therefore may be deeded to the applicant. He shall thereupon issue a certificate to that effect.

A citizen desiring to purchase public land in the County Area shall apply to the Land Commissioner of the county in which the land is located, and the Land Commissioner if satisfied that the land in question is not privately owned and is unencumbered shall issue a certificate to that effect.

An applicant for the purchase of public land, having received from the District Commissioner or Land Commissioner a certificate as provided in the foregoing paragraphs, shall pay into the Bureau of Revenues the value of the land he desires at a minimum rate of fifty cents per acre. He shall obtain an official receipt from the Bureau of Revenues which he shall attach to his application to the President for an order directed to the surveyor of that locality to have the land surveyed. If the President shall approve the application, he shall issue the order to the surveyor to have the land surveyed. The applicant shall then present the order to the named surveyor who shall do the work. The applicant shall pay him all his fees. A deed shall thereafter be drawn up in the office of the Land Commissioner, authenticated by him, and given to the purchaser who shall submit it with all the accompanying certificates to the President for signature. The deed shall then be probated.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 1285, 1286; OBB 139, Act regulating the sale of public lands, secs. 1-4.

§ 31. **Prices of public lands.**—Except marshy, rocky, or barren land, which may be sold to the highest bidder, public land shall be sold at the following prices:

Land lying on the margin of a river	One dollar per acre
Land lying in the interior	Fifty cents per acre
Town lots	Thirty dollars per lot

Prior legislation: OBB 133, Public Domain, art. VI, sec. 3.

§ 32. **Fee of Land Commissioner on sale of land.**—A Land Commissioner shall receive a fee of five per cent from the Government on all public lands sold by him. If the sale becomes null and void through failure of the purchaser to pay the purchase price within ninety days, the person who defaulted in the purchase shall be

responsible to the Land Commissioner for the amount of his percentage on the voided sale, and on his failure to pay such percentage, it may be recovered in an action of debt or other appropriate civil action.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), secs. 695, 1285 (4); OBB 133, Public Domain, art. VI, secs. 1, 2.

Chapter 4. ALLOTMENT OF PUBLIC LANDS

§ 50. **Drawing of land by immigrants.**—On arrival in Liberia, every immigrant who shall have attained the age of twenty-one and who shall have filed a declaration of intention to become a citizen as provided in section 83 of the Aliens and Nationality Law, shall be entitled, if single, to draw from the public lands a town lot or ten acres of farm land, and, if married, a town lot or twenty-five acres of farm land; provided that a husband and wife shall be entitled to draw only a town lot or twenty-five acres of farm land for both of them. Persons who have drawn land under the provisions of this section shall receive from the President as evidence of their right to the land a certificate specifying the number of the lot or parcel and the time when it was drawn.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1273; L. 1866-67, 60 (1st), sec. 4; OBB 133, Public Domain, art. IV, secs. 1, 2; 1841 Digest, pt. I, Act pertaining to lands, reservations, apportionments and improvements of the same, secs. 2, 3, 4, 2 Hub. 1463.

Cross reference:

Allotment of public lands not to include transfer of mineral substances, see Natural Resources L., sec. 144 (4).

§ 51. Perfecting of title to allotted lands.

1. An immigrant who has drawn public lands under the provisions of the foregoing section shall be entitled to a deed in fee simple for such lands when (a) He shall become a naturalized citizen; and (b) he shall have brought two acres of the land under cultivation if it is farmland, or if a town lot, he shall have erected thereon a house which shall meet the following requirements: (1) It must be of sufficient size to accommodate his family; (2) It must

be of good workmanship; and (3) It shall be built of stone, brick, or other substantial materials, or if of frame or logs, it shall be weatherboarded and roofed with tile, slate, or shingles.

2. When any immigrant shall be entitled to a deed in fee simple to public land under the provisions of this Chapter, he shall present authenticated evidence of his right to such a deed to the Land Commissioner or Registrar of Deeds of the county wherein the land is located. The official to whom he presents such evidence shall then make out a deed for the land and transmit it to the President, who shall sign it provided that he shall find that it has been properly executed.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1274; L. 1858, 24, sec. 1; OBB 133, Public Domain, art. IV, sec. 1; 1841 Digest, pt. 1, Act pertaining to lands and reservations, apportionments and improvements of the same, sec. 1.

§ 52. **Transfer of allotted lands before title acquired.**—Any transfer, sale, or lease of public lands by a person who has drawn such lands before he shall have acquired title to them in fee simple, shall be invalid. In case of the death of a person who has drawn public lands before he shall have acquired title to them in fee simple, the right to such lands shall descend to his heirs in the Republic, who may perfect the title on fulfillment of the requirements prescribed in section 51 of this Chapter.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1274; OBB 133, Public Domain, art. IV, sec. 5; 1841 Digest, pt. I, Act pertaining to lands and reservations, apportionments and improvements of the same, sec. 6, 2 Hub. 1463.

§ 53. **Allotments of public lands to aborigines who become civilized.**—Aborigines of the Republic of Liberia who shall become civilized shall be entitled to draw public lands to the same amount as immigrants and to receive deeds to such lands under the provisions of section 51, paragraph 2 of this Chapter; provided that an aborigine who has drawn or shall draw lands under the provisions of this section shall be entitled to a deed in fee simple for such land only when (a) He shall have completed a frame dwelling house thereon covered with plank, sheet iron, tiles, or shingles, or a house of stone, brick, logs, or mud, of sufficient size to accommodate himself and family; and (b) If the land is farmland, he shall have brought at least one quarter thereof under cultivation by planting

coffee trees, palm trees, rubber, cocoa, or other trees or plants bearing marketable products.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 2; L. 1904-05, 11 (2nd), sec. 1; L. 1887-88, 3 (2nd).

Chapter 5. LEASING OF PUBLIC LANDS

Cross reference:

Use of public lands for mill sites in connection with mines, see Natural Resources L., sec. 167.

§ 70. **Leases to foreigners.**—The President is hereby authorized to lease any portion of the public lands not appropriated for other purposes to any foreign individual, corporation, or company for engaging in agricultural, mercantile, or mining operations in Liberia. The term of any such lease shall not exceed fifty years, but the lessee may renew the lease for another term of fifty years upon such terms as the contracting parties may agree. The terms and conditions of any lease or renewal of a lease of public lands shall become effective only after ratification by the Legislature.

Nothing in this section shall be deemed to affect or modify any provision of section 301 of the General Business Law.

Prior legislation: L. 1875-76, 17; L. 1875-76, 18 (1st).

Cross references:

Lease of public lands to aliens and citizens establishing place of business in the Hinterland, see General Business L., sec. 301.

Restrictions on leasing of private land to aliens, see Property L., sec. 20.

§ 71. **Leases for legations.**—The President is hereby authorized to lease any part of the public domain he deems suitable to foreign governments for their use as legation sites. Such leases may be for a period of not to exceed ninety-nine years.

Prior legislation: L. 1948-49, ch. XI.

Chapter 6. ESCHEATS

Cross reference:

Use of funds from sale of escheated lands for educational purposes, see Education L., sec. 121.

§ 90. **Claims against the Government for escheated lands.**—Any claimant to real property which has escheated to the Government may, if he does not choose to commence action before a court of law or equity, make claim directly to the Department of Justice by filing promptly in that Department a full statement of his case verified by affidavits of reliable witnesses or other evidence of a satisfactory character. The Attorney General shall investigate the claim, and if he finds it to be substantiated by the evidence, he shall prepare an opinion for the President advising transfer of the property to the claimant. If the President shall decide in favor of the claimant, the Registrar of Deeds under the direction of the Department of Justice shall prepare a deed to be signed by the President, transferring title to the land to the claimant. The deed shall be delivered only after the claimant shall have refunded to the Government the amount of any commission paid the County, Territorial, or District Attorney on the escheat of the property.

Prior legislation: L. 1933-34, ch. III, sec. 8; L. 1882-83, 16, sec. 3.

Cross reference:

Commissions from escheated lands for County, Territorial, and District Attorneys, see Executive L., sec. 158.

Chapter 7. MISCELLANEOUS

§ 110. **Correction of deed to public lands.**—Upon the application of any person holding a deed for public lands drawn or purchased from the Government which he believes to contain errors with respect to the number, situation, or boundaries of the land, the President shall make such investigation as he may deem advisable, and if he finds that an error does in fact exist, he shall, after the deed containing the errors has been cancelled by a court of equity, deliver to the applicant under his hand and official seal

a corrected deed, which shall be registered by the Registrar of Deeds.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1279; OBB 172, Act authorizing the settling of land difficulties, sec. 8.

§ 111. **Determination of claims for public lands.**—All claims against the Government for public land shall be heard by the Permanent Claims Commission established by section 140 of the Executive Law.

Prior legislation: Rev. Stat. (adopted L. 1929, ch. VII), sec. 1129.

Chapter 8. REPEALERS

§ 130. **Statutes repealed.**—The following statutes are hereby repealed:

1824 Digest, 11th, 16th–22nd, 2 Hub. 1268	1828 Code, Digest, art. XLII, 2 Hub. 1272, 1295
1828 Code, Digest, art. X, 2 Hub. 1272, 1279	1828 Code, Digest, art. XLIX, 2 Hub. 1272, 1296
1828 Code, Digest, art. XI, 2 Hub. 1272, 1279	Com. L. (Aug. 19, 1827), 2 Hub. 1344, 1345 (3rd)
1828 Code, Digest, art. XVI, 2 Hub. 1272, 1283	Com. L. (Aug. 19, 1824), 2 Hub. 1344, 1345 (6th)
1828 Code, Digest, art. XVII, 2 Hub. 1272, 1284	Com. L. (Aug. 19, 1824), 2 Hub. 1344, 1346 (1st)
1828 Code, Digest, art. XVIII, 2 Hub. 1272, 1285	Com. L. (Aug. 19, 1824), 2 Hub. 1344, 1346 (2nd)
1828 Code, Digest, art. XIX, 2 Hub. 1272, 1285	Com. L. (Aug. 19, 1824), 2 Hub. 1344, 1346 (3rd)
1828 Code, Digest, art. XXII, 2 Hub. 1272, 1287	Com. L. (Oct. 1824), 2 Hub. 1344, 1346 (4th)
1828 Code, Digest, art. XXXI, 2 Hub. 1272, 1292	Com. L. (Oct. 22, 1827), 2 Hub. 1344, 1346 (6th)
1828 Code, Digest, art. XXXII, 2 Hub. 1272, 1292	Com. L. (Oct. 22, 1827), 2 Hub. 1344, 1347 (1st)
1828 Code, Digest, art. XXXIII, 2 Hub. 1272, 1293	Com. L. (Oct. 22, 1827), 2 Hub. 1344, 1347 (2nd)
1828 Code, Digest, art. XLI, 2 Hub. 1272, 1295	Com. L. (Aug. 24, 1827), 2 Hub. 1344, 1349 (3rd)

- Acts 1839, Act regulating agriculture and internal improvements, sec. 6, 2 Hub. 1378
- Acts 1841, Act to amend an act regulating the fees of officers of the Commonwealth, sec. 9, 2 Hub. 1420
- Acts 1841 (Pub. 1843), Unpublished act passed Jan. 1841, sec. 3, 2 Hub. 1450
- 1841 Digest, pt. I, Act pertaining to lands and reservations, apportionments and improvements, secs. 1, 2, 3, 4, 6, 2 Hub. 1463
- OBB 133, Public Domain, art. IV, secs. 1, 2, 3, 5; art. VI, except 3rd sent. of sec. 4; art. VII
- OBB 172, Act authorizing the settling of land difficulties in the settlement of Caldwell, sec. 8
- L. 1858, 24, sec. 1, last sent.
- L. 1862-63, 7 (1st), last sent.
- L. 1863-64, 24 (2nd), sec. 3
- L. 1866-67, 60 (1st), sec. 4
- L. 1875-76, 17
- L. 1875-76, 18 (1st)
- L. 1882-83, 16, sec. 3
- L. 1887-88, 3 (2nd) in so far as it relates to the granting of public lands
- L. 1901-02, 11 (2nd) in so far as it affects public surveyors
- L. 1904-05, 11 (2nd), sec. 1
- L. 1904-05, 36 (1st), sec. 3
- J. P. Code (adopted L. 1907-08, 16), sec. 106
- Rev. Stat. (adopted L. 1929, ch. VII), secs. 2, 695, 1129, 1273-1279, 1285, 1286, 1287
- L. 1933-34, ch. III, secs. 8, 12
- L. 1937, ch. XXV, art. 2, sec. 9 in so far as it requires Land Commissioners to submit reports
- L. 1948-49, ch. XI