



## For the Record

By

*F. Barry Wilkes*

Clerk and Court Administrator  
Liberty County, Superior Court, State Court and Juvenile Court

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### Liberty County's Land Records: A Plethora of Information

In many counties of Georgia, the lack of or gaps in many public records is blamed on the Union Army's month-long march through Georgia in the winter of 1864 when, in fact, the real reasons are a century and a half of complacency on the part of some officials entrusted to protect and preserve such records, lack of proper recordkeeping techniques, shoddy and inept recordkeeping practices, corruption, fraud, and intentional alteration and/or destruction of records, and the lack of appropriations required to properly store and preserve such records. Fortunately, that is not the case in Liberty County.

Colonial records of St. John's, St. Andrew's and St. James' parishes, from which Liberty County was formed, date from 1732. Those records are not housed locally but are stored in the Georgia Department of Archives in Morrow (for more information about the Archives, visit its website at <http://www.georgiaarchives.org>). There are hand-written indices for those records in the Office of the Clerk of Superior Court of Liberty County (hereinafter referred to as "Clerk's Office").

Also stored in the state archives are grants of lands from King George II, land grants from James Oglethorpe and the other trustees of Georgia to European immigrants who were willing to colonize Georgia and establish homesteads, and "headright grants" in which, as an inducement for persons to migrate to Georgia, the governor of Georgia, beginning in 1783 by and through authorization of the state legislature, was permitted to grant 200 acres of land to the head of a family, plus an additional 50 acres for each other person in the family, including slaves.

Local land records created and filed after this period date from 1777, when Liberty County became a county. Until 1986 when I implemented the county's first automated, computer-based system for filing and recording land records, all county land records, including land and headright grants, were "transcribed" by the clerk, meaning that the clerk created and filed an exact replica of the original document conveying ownership or security interests in the real property. Typewritten transcriptions began soon after the typewriter was invented and became affordable; then, when Xerox created a machine for copying images of documents, "photocopied" records became standard.

Handwritten land records and indices thereto are very hard to read since most were written in Old English and ornate cursive styles (depending on who the clerk at the time was). The paper on which the records were recorded was not archival quality and, in many instances, the ink used to transcribe records has bled, faded, or waned with time, which causes documents to be less legible. The same factors have

diminished the quality of typewritten records. However, using a magnifying glass and exercising a lot of patience, almost all land records can be deciphered.

Copies of land plats and indices for them dating back to 1777 are on file locally in the Clerk's Office. Historical plats are often vague and provide minimal information about the actual location of the property they were meant to delineate. For example, plats of land and headright grants are often drawings of a geometric shape such as a square or rectangular, with the number of acres in the parcel indicated and the names of owners of adjoining properties at the time denoted but with no specific information provided to indicate the actual geographic location of the property. The only way to determine for certain where the property is located in the county is to conduct a comprehensive search of all deeds from the time the land was initially granted to a landowner until a subsequent deed or plat is identified that provides more precise information about the property's location.

Older plats were created at a time when land was measured in rods, a unit of length that equals 5 ½ yards or 16 ½ feet. The measurement equaled one-fourth of a surveyor's chain. It was a convenient method for measuring land because whole number multiples of a rod equals one acre of a square measure. (The perfect acre is a rectangular area consisting of 43,560 or, in other words, 160 square rods). Often rod measurements are inaccurate, with parcels of land surveyed using that method frequently containing acreage more or less than measured. The result is that landowners are often disappointed or, on the other hand, elated when they went to sell their land and have it resurveyed only to discover that they either own more or less land than they originally acquired.

Plats created during the past decade provide detailed information about the metes and bounds of property, including specific and intricate geographic coordinates for property lines. Using modern surveying equipment, the actual location of a parcel of land is much more precise and actual property lines can usually be pinpointed within a fraction of an inch.

All land records filed in the Clerk's Office since 1777 have been digitized and are being re-indexed on the Office's real estate management system so that anyone can access such records online anytime online at [www.gscca.org](http://www.gscca.org), the official website of the Georgia Superior Court Clerks' Cooperative Authority, the state entity that provides access to real estate information for all 159 counties of the state.

Manually created and automated real estate and personal property records of the county may be viewed and copied on-site in the real estate vault of the Clerk's Office in the Liberty County Justice Center at 201 South Main Street, Suite 1200, in Hinesville.

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