

 Georgia Bar
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Dealing with Distressed Real Estate
in Today's Uncertain Times

The Story of Georgia's Boundaries:

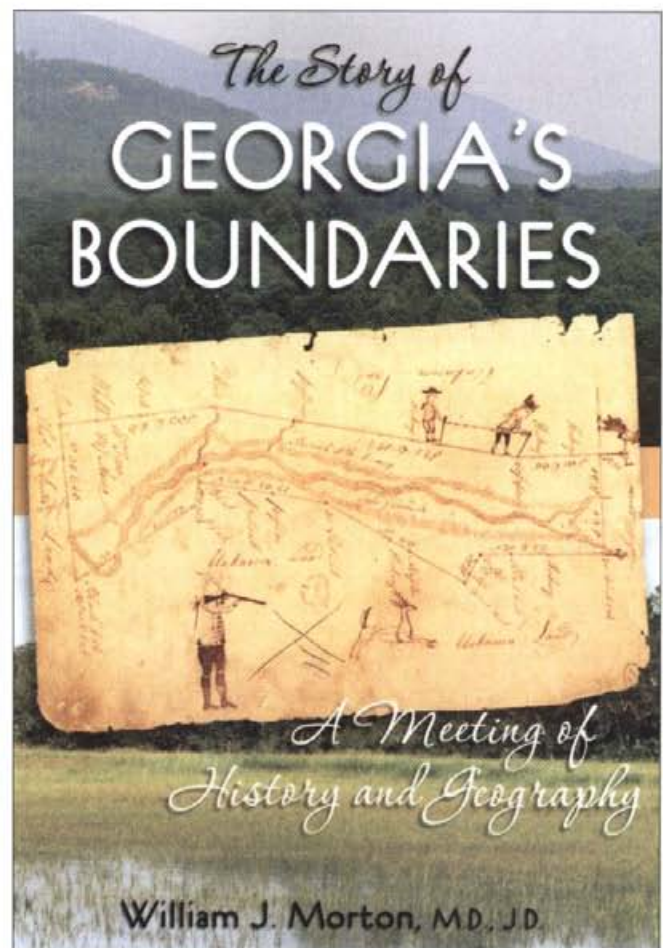
A Meeting of History and Geography

by William J. Morton, M.D., J.D., Georgia History Press, 159 pages

reviewed by Robert J. Stubbs

The *Story of Georgia's Boundaries* is a detailed analysis of the evolution of the boundary lines of Georgia written by William J. Morton. While this book focuses on the development of the present boundaries of Georgia, it also presents a brief history of the state. As Morton notes, in order to understand the development of Georgia's boundaries, one must go back to the earliest period of European exploration. These explorers often came in conflict with the Native Americans who were no doubt perplexed to find out that they had been "discovered."

When Georgia's charter was initially granted by King George II, the boundaries of the state were two parallel lines drawn from the headwaters of what was then perceived to be the headwaters of the Altamaha and Savannah Rivers west to South Seas, i.e., the Pacific Ocean. From this rather audacious start, Georgia began to take shape. During much of the colonial period, the colony served as a buf-



fer between territory claimed by Spain and France and the more populated and prosperous English colonies to the north. Georgia's boundaries changed during this period but, as Morton points out, such changes had no appreciable effect since the area was largely unexplored by Europeans.

Morton then goes on to discuss the effect of the period surrounding the Revolutionary War on the delineation of Georgia's boundaries. It is interesting to note how little was known about the interior of much of what became the United States. This is especially true of the land west of the Appalachians as well as most of Georgia. Early settlement of the western part of Georgia, which was later to become most of Mississippi and Alabama, was driven more by profit and land speculation than anything else.


The first attempt to precisely define one of the boundaries of Georgia dealt with the Beaufort Convention of 1787 in which the

boundary with South Carolina was supposedly established. Of course, even this early attempt was subject to later litigation and was not finally resolved until 1999.

Morton goes on to discuss many intriguing situations and characters involved in establishing Georgia's boundaries including the early surveyors Andrew Ellicott and James Camak, Montgomery's Corner, the Yazoo land fraud and the first Walton County, which led to an altercation between residents of Georgia and North Carolina that became known as the "Walton War."

It is these early surveys that have created problems that until recent times did not seem to be important. However, now with water supply issues brought about by the recent drought and court decisions, the fact that the location of Georgia's northern boundary has apparently been in error is of significant importance. Disputes between not only South

Carolina, as described above, but also Alabama, Florida and now Tennessee are part of this historical record.

This book will place the disputes in proper historical context and, although not dispositive of the ultimate resolution on terms favorable to Georgians, will at least explain how our boundaries have come to exist in fact even though the factual boundaries conflict with those that were originally established. It will be of interest not only to real estate practitioners but a much wider audience given recent developments in the ongoing litigation between Georgia and its neighbors. 



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