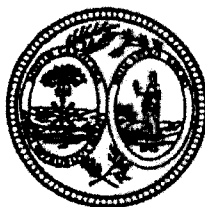


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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

February 10, 2005

The Honorable Cynthia Forte
Register of Deeds, Berkeley County
223 North Live Oak Drive
Moncks Corner, South Carolina 29461

Dear Ms. Forte:

In a letter to this office you questioned whether when recording an original document, would it be permissible to validate and stamp with the book and page number only the first page of the document. For instance, you indicated that on the first page of the original document, the book and page number could be read. However, when scanning the document, the remaining page numbers would be digitized onto the scanned image. You indicated that at that point, the image appearing on a computer screen as well as any printed images would reflect recording information on all pages. You have questioned whether such practice would be acceptable since the original document would not match exactly the recorded copy since only the original document would bear the book and page number. Based upon your letter, I am assuming that the present practice in your office is for all pages of an original document to reflect the appropriate book and page number and the procedure whereby only the first page would reflect such would be a departure from the present practice.

Please be advised that I am unaware of any State statute specifically commenting on the question you raised. Generally, the register of deeds when performing her duties pursuant to the recording statutes should be considered a ministerial officer whose duties are absolute and prescribed by law. Ops. Atty. Gen. dated September 29, 1983 and January 20, 1982. An opinion of this office dated October 27, 1977 stated that as to a clerk of court acting as register of mesne conveyances or the register of mesne conveyances herself, "(t)he duties of said officer with respect to the maintenance of public recordation of deeds, mortgages, etc. is largely perfunctory, involving little discretion in the exercise thereof. Such duties are usually prescribed by statute or court rules." Inasmuch as it is my understanding that the procedure suggested by you would be a change from the present procedure, it is my

Henry McMaster

The Honorable Cynthia Forte
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recommendation that there be no deviation from the present procedure utilized in recording an original document in the absence of specific legislation authorizing such.

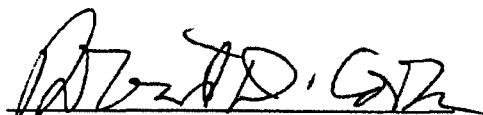
With kind regards, I am,

Very truly yours,



Charles H. Richardson
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Assistant Deputy Attorney General