

APPENDIX 3

USING THE *MISSISSIPPI CODE OF 1972, ANNOTATED*

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WHAT IS THE *MISSISSIPPI CODE*?

The *Mississippi Code* is a collection of all the laws, or statutes, passed by the legislature and signed by the governor which govern the State of Mississippi. It includes the *Mississippi Constitution*, adopted in 1890 and the *Constitution of the United States*. It contains the latest versions of statutes as amended by the legislature and contains references, or annotations, to court cases interpreting the statutes.

The *Code* is presently 21 volumes plus a two-volume paperback Index. Volume 1 begins with the *U.S. and Mississippi Constitutions* and the Mississippi statutes follow. Each statute is referenced with a three-figured number starting with section (§) 1-1-1 in Volume 1 and ending with § 99-43-49 in Volume 21(A). These numbers represent the title, chapter, and section of the *Code*. Statutes, or *Code* sections, on counties and county officers can be found in Volume 5 at § 19-1-1 and the sections that follow (*et seq.*). For example, a statute describing the jurisdiction of county supervisors is found in § 19-3-41.

DOES THE *CODE* CONTAIN THE LATEST VERSION OF THE STATUTES?

Each year after the legislature meets the *Code* is updated. This usually occurs in July or August. The publisher of the *Code* will send out supplements or “pocket-parts.” These newsprint supplements are inserted into a pocket in the back cover of each volume and will contain the latest amendments and court cases. Sometimes this pocket-part will become too big to be inserted in the volume, and the publisher will simply provide a free-standing paperback supplement for that volume. Always check to make sure your copy of the *Code* contains the latest supplement. When looking up a code section it is a good idea to always check the supplement first; if the section is printed in the supplement there is no reason to look further in the main volume.

HOW DO I FIND THE STATUTES ON A PARTICULAR SUBJECT?

The statutes may be searched using the *Code*'s table of contents and two indexes.

The Index to the *Code*

If you have no idea where to begin, look up the subject in which you are interested in the two-volume index that is arranged alphabetically. First define to yourself your question or subject matter. For example, you may be interested in what the supervisor's duties are with regard to garbage collection in the county. You might begin by looking in the Index under “garbage”, or “supervisors”, or “counties”. Under “S” in the index you will find no entry for county supervisors. Under “C” there is a large list of entries under “county board of supervisors” but no entry for garbage or for solid waste. However, in the “G” section of the index you will find the entry “GARBAGE AND TRASH”. Under that entry you will find a number of headings one of which is “Solid waste management. General provisions, 17-17-1 to 17-17-507.” You can then go to those code sections listed and read the statutes. After each statute there may be cross-references to other similar statutes, research and practice references, annotations to attorney general's opinions and judicial decisions which help to explain the background, meaning, and current interpretation of the statute.

As you can see, there will often be some trial and error involved at least until you become familiar with the *Code* and its Index. If you do not find any references to your subject on your first attempt, try to think of another word that might be used to describe your subject. For example, you might find references to the laws that you are looking for under “Solid Waste”.

The Index to Each Volume

You may already know that many county government statutes are found in Volume 5 of the *Code*. Instead of using the large Index for the entire *Code*, you could go directly to Volume 5 and turn to the much smaller index found in the last few pages. There you can look up the same words using the detailed list of statutes contained only in that particular volume dealing with your subject.

The Table of Contents

After you become somewhat familiar with the contents of the *Code* you may find it easier to look up a statute simply by “eyeballing” the *Code*. On the spine of each volume is printed the subject matter with which that particular volume deals. For example, the spine of Volume 14 (reproduced on this page) indicates that the topics, “Highways, Bridges and Ferries” are covered in the volume. After this topic description, the spine of the book indicates that the *Code* sections found in the volume are §§ 65-1-1 to 69-35-33. You might want to begin with this volume and find out what the supervisors’ duties are in maintaining roads. Pull this volume. On the inside of the front cover the first page you will find is the Table of Contents. This table lists the subject matter and *Code* sections contained within. As you go down the list you will find several different subjects one of which is “Public Roads and Streets; Private Way . . . § 65-7-1”. If you then turn to that statute you will find a more detailed table of contents listing each statute and describing in a few words the subject with which the statute deals. For example, “§ 65-7-1. Jurisdiction over county roads...” and “§ 65-7-3. Standard for working roads.”, etc.

**MISSISSIPPI
CODE
1972
Annotated**

**Titles
65 to 69**

Highways,
Bridges and
Ferries

Alcoholic
Beverages

Agriculture,
Horticulture
and Animals

**§§65-1-1
to
69-49-1**

14

A statute will often be followed by cross references to other *Code* sections dealing with a related topic. For example, § 65-7-1 is followed by a cross-reference to a statute that requires all bridges and culverts to be the same width as the roadway, namely § 65-21-1.

Using the Internet

You can also find the *Code*, without all the references to cases and attorney general’s opinions, on the Internet. You can find it on the Secretary of State’s web site at www.sos.state.ms.us. There you may search the *Code* by using keywords or by typing in the *Code* section.