§ 3-3-5. How far counties on Mississippi River and Gulf of Mexico extend.

The counties lying immediately on the Mississippi River shall, respectively, have and possess jurisdiction and extend to the western boundary of the state, within the space embraced, by extending their boundary lines which strike the river, on a continuous direct course to the extreme boundary of the state, including all islands that may be within the limits just defined; and the counties bordering on the Gulf of Mexico, to wit: Jackson, Harrison and Hancock, shall, respectively, have and possess jurisdiction and extend to the southern boundary of the state within the space embraced by extending their boundary lines which strike the Gulf of Mexico, or the inlets thereto, on a continuous direct course to the southern boundary of the state, including all islands that may lie within the limits thus defined.

SOURCES: Codes, 1857, ch. 2, art. 2; 1880, § 23; 1892, § 347; Laws, 1906, § 405; Hemingway's 1917, § 3819; Laws, 1930, § 3887; Laws, 1942, § 3022.

Cross References — County boundaries generally, see §§ 19-1-1 et seq.
Concurrent criminal jurisdiction, see §§ 99-11-5 et seq.

JUDICIAL DECISIONS

1. In general.

Lands under nonnavigable waters subject to ebb and flow of tide are within public trust given to states upon their entry into Union; therefore, state had power to issue oil and gas leases for those lands despite claims of private claimants who traced their record title to lands to prestatehood spanish land grants. Phillips Petro. Co. v. Mississippi, 484 U.S. 469, 108 S. Ct. 791, 98 L. Ed. 2d 877 (1988), reh'g denied, 486 U.S. 1018, 108 S. Ct. 1760, 100 L. Ed. 2d 221 (1988).

RESEARCH REFERENCES

CJS. 81A C.J.S., States §§ 11-13.

§ 3-3-7. Legal holidays.

(1) Except as otherwise provided in subsection (2) of this section, the following are declared to be legal holidays, viz: the first day of January (New Year's Day); the third Monday of January (Robert E. Lee's birthday and Dr. Martin Luther King, Jr.'s birthday); the third Monday of February (Washington's birthday); the last Monday of April (Confederate Memorial Day); the last Monday of May (National Memorial Day and Jefferson Davis' birthday); the fourth day of July (Independence Day); the first Monday of September (Labor Day); the eleventh day of November (Armistice or Veterans' Day); the day fixed by proclamation by the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States (Thanksgiving Day); and the twenty-fifth day of December (Christmas Day). In the event any holiday hereinbefore declared legal shall fall on Sunday, then the next following day shall be a legal holiday.

(2) In lieu of any one (1) legal holiday provided for in subsection (1) of this section, with the exception of the third Monday in January (Robert E. Lee's and Martin Luther King, Jr.'s, birthday), the governing authorities of any municipality or county may declare, by order spread upon its minutes, Mardi Gras Day or any one (1) other day during the year, to be a legal holiday.

(3) August 16 is declared to be Elvis Aron Presley Day in recognition and appreciation of Elvis Aron Presley's many contributions, international recognition and the rich legacy left to us by Elvis Aron Presley. This day shall be a day of recognition and observation and shall not be recognized as a legal holiday.

(4) May 8 is declared to be Hernando de Soto Day in recognition, observation and commemoration of Hernando de Soto, who led the first and most imposing expedition ever made by Europeans into the wilds of North America and the State of Mississippi, and in further recognition of the Spanish explorer's 187-day journey from the Tombigbee River basin on our state's eastern boundary, westward to the place of discovery of the Mississippi River on May 8, 1541. This day shall be a day of commemoration, recognition and observation of Hernando de Soto and European exploration and shall not be recognized as a legal holiday.

(5) Insofar as possible, Armistice Day shall be observed by appropriate exercises in all the public schools in the State of Mississippi at the eleventh hour in the morning of the eleventh day of the eleventh month of the year.

SOURCES: Codes, 1880, § 1132; 1892, § 3514; Laws, 1906, § 4011; Hemingway's 1917, § 2045; Laws, 1930, § 5024; Laws, 1942, § 5946; Laws, 1924, ch. 343; Laws, 1940, ch. 138; Laws, 1948, ch. 365; Laws, 1966, ch. 563, § 1; Laws, 1970, ch. 460, § 1; Laws, 1987, ch. 301; Laws, 1987, ch. 398; Laws, 1988, ch. 566; Laws, 1993, ch. 301, § 1; Laws, 1997, ch. 339, § 1, eff from and after July 1, 1997.

Cross References — Designation of the first week in May as Hernando de Soto Week, see § 3-3-8.

Legal holidays being excepted from days state offices are to be open and staffed, see § 25-1-98.

Office hours of court house officers, see § 25-1-99.

Regulation of banking hours, see § 81-5-97.

JUDICIAL DECISIONS

1. In general.

Minutes of a board of supervisors meeting are legally signed on the day following that fixed by law, where such day is a holiday. Gordon v. Monroe County, 244 Miss. 849, 147 So. 2d 126 (1962).

City ordinance adopted on a legal holiday is not void. Griffith v. City of Vicksburg, 102 Miss. 1, 58 So. 781 (1912).

ATTORNEY GENERAL OPINIONS

Municipalities are not required to observe all state holidays set forth in statute. Ellis, May 28, 1991, A.G. Op. #91-0330.