

Miscellaneous +  
Odd Jobs: Quirky Duties  
of Chancery Clerks

File Chancellor's and Court Reporters itemized statements of expenses when a hearing is held by agreement of the parties, outside the place of the Chancellor's residence.  
Miss Code Ann. § 9-5-105

Chancellor may require clerk to post add'l bond amt, above + beyond \$100,000.  
§ 9-5-131

Must file certificate of completion of course of continuing education with ~~the~~ Judicial College with Circuit Clerk § 9-5-132. If not filed, Chancery Clerk is prohibited from receiving any fee or compensation from any source during time in which it was withheld, 18 hrs are required, 12 of which ~~may~~ must be via Judicial College. 6 may be court service/attendance

Abstracting Decree for Money. Within 10 days after the expiration of a term of court, the clerk shall furnish an abstract of any decree for money issued by the Chancellor to the Circuit Clerk for enrollment on Sudget Roll § 9-5-159. Fee? see AG opinions on getting a fee

Final Records in Chancery. 9-5-161

Keeper of Newspapers. 9-5-167

29-1-93

Receive a certified list from the Circuit Clerk of "allowances" made by the Circuit Court during each term which are payable out of the County Treasury. 9-7-129

Receive from the Circuit Clerk a "certified copy" of the entries made in the Circuit Clerk's "Jury fee book." 9-7-131

Receive a list of all circuit judgments in which the Sur Tax is imposed 9-7-133

Receive the Circuit Clerk's list of executions (Fines, penalties + forfeitures) which have accrued to the County or State

Prohibited from issuing any warrant violative of 19-11-27 even if Board has approved (last year of term statute) also ~~19-13-9~~

Examine books of all county officers and report to grand jury the results 19-17-17

Receive itemized statement of fees received by the tax collector for collecting amounts for taxing authorities other than the BOS (eg special districts, cities etc) 25-7-21

Provide Tax Assessor and Tax Commission with a certified copy of the metes + bounds of any new or altered taxing district including a new municipality or addition (annexation) to an existing municipality 27-35-75

Mail Notice of adjournment of the meeting at which final approval of the tax rolls by the Tax Commission to any taxpayer who has objected to an assessment. Such notice shall be accompanied by an affidavit from the clerk stating the date upon which the notice was mailed. This triggers a 20 day time for appeal. (Appointed taxpayer has 20 days after date the notice is actually mailed.)  
27-35-119

Issue payment of any excess or overbid to the "owner" of property sold at a tax sale where the sale is not redeemed, except that the request by the owner must be made within 2 years from the expiration of the period of redemption.  
27-41-77. Payment comes from the county general fund or order of BOS after certification by the clerk

27-43-4 - \$1.00 fee for filing certificate of municipal clerk regarding delinquent municipal accounts

Allow a partial redemption of lands sold in solido ~ via a large tract ~ which are later subdivided so as to allow new owner of divided part to redeem only that part he owns. Clerk may undertake such investigation as he deems necessary and must conduct a hearing & give purchaser & others notice at which hearing he must apportion the taxes due at the ratio of said portion to the entire value  
27-45-7 and 27-45-9

Receive, on an annual basis, the physical inventories prepared by the Inventory Clerk  
31-7-109

31-7-115. Published audit report

Drainage, Water, Fire, and other districts ~ serves as sign or receiver report of audit

41-43-38. Receive + file report of annual account of cemetery trust fund. If own fault, he must mail/certified notice

75-65-3 Receive + file <sup>Issue</sup> permit for business owner to hold a close out sale, fire smoke or water damage sale

Cocke v. Halsey, 41 US 71, 10 LEd 891 (U.S. 1842)

Brady v. Howe, 50 Miss. 607 (Miss. 1874)

Hinds County BOS v. Abnie, 934 So. 2d 992 (Miss. 2006)

Superior Oil Co v. Foote, 65 So. 2d 453 (Miss. 1953)  
same re: appeal court fees

Hooker v. Sivley, 187 F. 3d 680 (5th Cir. 1999)  
• Clerk may not reject a pleading for lack of conformity with requirements of Form

Gulf Coast Drilling v. Permenter, 214 So. 2d 601 (Miss. 1968) It is not duty of dealer to apprise each act of ruler of court

Vinson v. Benson, 805 So. 2d 571 (Miss. App. 2001)

App. + Error K# 628 (2)

Courts K# 116 (2)

Dep. in Court K# 3

Courts K# 55

Default Judgment - entry of default - some discretion  
Namely - comment to Rule 55.

Supervisor's Road Affidavit

