STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

ECT

BEFORE THE MUNICIPAL OFFICERS ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICE OF ALDERMAN OF THE CITY OF CHICAGO, 27th WARD.

IN RE: OBJECTION OF)
)
Dorothy Morgan)
TO THE NOMINATING PETITION OF)
)
Edward Allen, Jr.)
CANDIDATE FOR THE OFFICE OF ALDERMAN)
OF THE CITY OF CHICAGO, 27th WARD.)

CASE NO. 83-EB-ALD- 64

D E C I S I O N

The duly constituted Municipal Officers Electoral Board, consisting of Michael E. Lavelle, James R. Nolan and Corneal A. Davis, organized by law in response to a Call issued by Michael E. Lavelle, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nomination Petitions for the Office of Alderman of the City of Chicago, 27th Ward, having convened on January 13, 1983, at 2:00 p.m. in Room 1707, Richard J. Daley Center, Chicago, Cook County, Illinois and having heard and determined the objections to the petition in the above entitled matter, finds that:

1. The said Electoral Board has been legally constituted according to the laws of the State of Illinois;

2. Objections to the nominating petition of the candidate herein were duly filed;

3. A call to the hearing on said objections was duly issued and was served upon the members of the Electoral Board, the objector and the candidate by mail and by personal service as provided by statute;

4. A public hearing was held on these objections commencing January 13, 1983;

5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the objector, ~~pro se (or)~~ by counsel; and the candidate, ~~pro se (or)~~ by counsel;

6. The Board heard and considered all evidence and arguments tendered by those appearing at the hearing;

7. The Board ordered an examination of the precinct binders to be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board;

8. During examination of the precinct binders, the Board directed all parties to appear and to be present, either personally and/or by their authorized representatives duly appointed and authorized by said parties;

9. The candidate and/or his duly authorized representatives were present during the examination of the binders at all times;

10. The objector and/or his duly authorized representatives were present during the examination of the binders at all times;

11. Examination of the precinct binders was terminated by the Board's staff. ~~objector (or) candidate;~~

12. The Board having heard oral argument and considered all evidence hereby **denies** candidate's motion to strike objection; and overrules the objections on the grounds that disqualification for public office arising from an arrearage in accounts by the candidate with the municipality applies solely to the office and not to the election. See People v Hamilton 24 Ill. App 609 (1888) Also see Ch 24, Ill.Rev.Stats. Secs. 3-4-15; 3-11-10. The Board further finds that a single entrance exists for 3222 and 3220 W.Madison Street and therefore the address given by the candidate in the nomination papers, including the statement of candidacy, is valid.

B. The number of valid signatures on the nominating petition exceeds ~~(or) is less than~~ the minimum number of signatures required by law to be placed upon the ballot as candidate for election to the Office of Alderman of the City of Chicago, 27th Ward.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Objections of Dorothy Morgan, to the Nominating Petition of Edward Allen, Jr. Candidate for election to the Office of Alderman of the City of Chicago, 27th Ward, are hereby ~~sustained (or)~~ overruled in conformity with the findings of Paragraph 12 hereof and the said petition is hereby declared valid ~~(or invalid)~~ and the name of Edward Allen, Jr., as Candidate for election to the Office of Alderma of the City of Chicago, 27th Ward, shall ~~(or shall not)~~ be printed on the ballot for the Aldermanic Election to be held on February 22, 1983.

Dated: Chicago Illinois this 24th day of January, 1983

Michael E. Lavelle
(CHAIRMAN)

James R. Dalen.
(MEMBER)

Edward J. Bowen
(MEMBER)