STATE OF ILLINOIS)
) SS. BCCON.WC
COUNTY OF COOK)

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO THE NOMINATION PAPERS OF CANDIDATES FOR
THE OFFICES OF STATE SENATOR, REPRESENTATIVE IN
THE GENERAL ASSEMBLY AND WARD COMMITTEEMAN OF THE
CITY OF CHICAGO FOR THE MARCH 19, 1996
GENERAL PRIMARY ELECTION

Objections of: Gardner E. McFadden	)	
	)	
To the Nomination	)	
Papers of: Sam Burrell	)	**No.: 96-EB-WC-020**
	)	
Candidate for the Office	)	
of Ward Committeeman for the 29th Ward	)	
of the City of Chicago, Democratic Party	)	

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD, and RICHARD A. COWEN, organized by law in response to a Call issued by MICHAEL J. HAMBLET, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nomination Papers of Candidates for the Offices of State Senator, Representative in the General Assembly and Ward Committeeman of the City of Chicago, having convened on January 2, 1996, at 10:00 a.m., and having heard and determined the Objections to the Nomination Papers 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 Nomination Papers of the Candidate herein were duly filed.

3. A Call to the hearing on said Objections was duly issued and served upon the members of the Electoral Board, the Objectors and the Candidate, by mail and by personal service, as

provided by statute.

4. A public hearing was held on these Objections commencing on January 5, 1996.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objector(s) by counsel; and the Candidate counsel.

6. The Board ordered an examination of the registration records 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.

7. During this records examination the Board directed all parties to appear and be present, either personally and/or by their authorized representatives, duly appointed and authorized by said parties.

8. The Candidate and/or his duly authorized representatives having been present during the examination of registration records at all times.

9. The Objector(s) and/or his duly authorized representatives having been present during the examination of registration records at all times.

10. The examination of the registration records was completed and the Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents.

11. The Board has considered all evidence and arguments tendered by the parties.

12. The Board finds that the records and master file examinations disclosed that:

    a. The statutory minimum of signatures required for placement on the ballot is 370;

    b. The number of signatures filed by the Candidate total 915;

c. The number of signatures deemed invalid because of objections sustained total 546;

d. The remaining number of signatures deemed valid total 369;

The written report of the result of the registration records examination is contained in the Board's file in this case and is available upon request of a party.

13. The Board finds that paragraph(s) 4-9 of the Objector(s)' Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

14. The Board finds that the person who signed as the circulator of petition sheets 3,4,13,14,15,and 21 did not in fact circulate said petition sheets and the objections to said sheets are sustained. Williams v. Butler, 35 Ill.App.3d 532.

15. The Board finds that the circulator of sheets 20, 23, 24 and 25 did not in fact reside at the address shown on the petition sheets and the objection to said sheets are sustained.

16. The Board finds that the Board's clerk improperly sustained objections to the circulator of sheet number 6 on the grounds that he was not registered to vote at the address shown on the petition sheet. The Board further finds that under the holdoings in Whelan v. County Officers Electoral Board of DuPage County, 256 Ill.App.3d 555, 629 N.E.2d 842, and Bass v. Hamblet, 266 Ill.App.3d 1110, 641 N.E.2d 14, the circulator of sheet 6 was a registered voter at another address within the 29th Ward at the time he circulated sheet 6 and the objections to said sheet are overruled and the 13 valid signatures on said sheet shall be credited toward the total number of valid signatures for the Candidate.

17. The Board finds that objections to the signatures of Rose Ann Guilty and Doris Marshall were improperly sustained by the Board's clerks and by the Hearing Officer and that said signatures are valid and shall be credited toward the total number of valid signatures for the Candidate.

18. The Board finds that the number of valid signatures on the

Candidate's nominating petition (384) exceeds the minimum number of signatures required by law to be placed upon the ballot as a candidate for election to the office of Ward Committeeman for the 29th Ward of the City of Chicago, Democratic Party.

19. For the reasons stated above the Board finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED, that the Objections of Gardner E. McFadden to the Nomination Papers of Sam Burrell, Candidate for election to the office of Ward Committeeman for the 29th Ward of the City of Chicago, Democratic Party, are hereby sustained in part and overruled in part and that said Nomination Papers are hereby declared VALID and the name of Sam Burrell, Candidate for election to the office of Ward Committeeman for the 29th Ward of the City of Chicago, Democratic Party, SHALL be printed on the ballot for the General Primary Election to be held on March 19, 1996.

Dated: Chicago, Illinois, this 2nd day of February, 1996.

MICHAEL J. HAMBLET, Chairman

ARNETTE R. HUBBARD, Member

RICHARD A. COWEN, Member