NBCON-ALD

**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO NOMINATION PAPERS OF CANDIDATES
FOR THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION
FOR MAYOR, CLERK, TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO**

Objections of: CONWAY C. NEWTON	)	
	)	
To the Nomination	)	
Papers of: INEZ ANDREWS	)	No.: 99-EB-ALD-191
	)	
Candidate for the office of	)	
Alderman of the 18th Ward,	)	
City of Chicago		

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of CONWAY C. NEWTON to the nomination papers ("Nomination Papers") of INEZ ANDREWS, candidate for the office of Alderman of the 18th Ward for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, Chicago, Illinois; and having heard and determined the Objections to the Nomination Papers in the above-entitled matter finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

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

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objector(s) and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 28, 1998 and was continued from time to time.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objector, CONWAY C. NEWTON, by counsel; and the Candidate, INEZ ANDREWS, by counsel.

6. The Electoral Board assigned this matter to Hearing Examiner JOHN ASHENDEN for further hearings and proceedings.

7. Paragraph 5 of the Objector's petition alleges that the Candidate is not a registered voter at the address shown on her Nomination Papers as required by law.

8. Paragraph 6 of the Objector's petition alleges that the name listed on the statement of candidacy, statement of economic interests and nominating petitions is not shown to be a registered voter in the 18th Ward of the City of Chicago as required by law.

9. Section 10-5 of the Election Code (10-5/10-5) states in part that a candidate must file a statement of candidacy that states the residence of the candidate and that the candidate is a qualified voter therein. Section 3.1-10-5 of the Municipal Code (65 ILCS 5/3.1-10-5) states in part that a candidate for Alderman of the City of Chicago must be a registered voter.

10. The Electoral Board finds that the name and address listed on the Candidate's statement of candidacy and nominating petitions is Inez Andrews, 7725 South Hoyne, Chicago, Illinois. The Electoral Board finds that "Inez Andrews Eddingburg" is a registered voter at 7725 South Hoyne, Chicago, Illinois.

19. The Hearing Examiner heard testimony that the surname "Andrews" was acquired by the Candidate through a first marriage. The surname "Eddingburg" was acquired by the Candidate through a third marriage. The Candidate is well known gospel singer in the community by the name "Inez Andrews" and that the Candidate has consistently used this name in the community for more than twenty years.

20. The Electoral Board finds that the Candidate is a registered voter as "Inez Andrews Eddingburg" at the address listed on her Nomination Papers and that the surname "Andrews" is from the Candidate's first marriage. The Electoral Board finds that Section 10-5.1 of the Election Code does not clearly state that the Candidate's use of only her first surname is a violation of the statute.

21. For the reasons stated above, the Board finds that the Nomination Papers of INEZ ANDREWS are valid.

22. The Electoral Board further finds that there were objections filed against the Candidate's Nomination Papers in case 99-EB-ALD-047 that were overruled.

IT IS THEREFORE ORDERED that the Objections of CONWAY C. NEWTON to the Nomination Papers of INEZ ANDREWS, candidate for election to the office of Alderman of the 18th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of INEZ ANDREWS, candidate for election to the office of Alderman of the 18th Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be held on February 23, 1999.

Dated: Chicago, Illinois, this Second day of February, 1999.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Theresa M. Petrone, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.