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ORDINANCE NO. 511

ORDINANCE ABOLISHING THE OFFICE OF POLICE
MAGISTRATE IN THE CITY OF NOKOMIS, MONTGOMERY
COUNTY, ILLINOIS

WHEREAS, SECTION 12 of Article VI of the Constitution of the State
of Illinois, as amended the 6th of November, 1962, provides as follows;

"Subject to law, the circuit judges in each circuit shall
appoint magistrates to serve at their pleasure; provided
that in Cook County, until and unless changed by law, at
least one-fourth of the magistrates shall be appointed
from and reside in the area outside the corporate limits
of the City of Chicago."

AND

WHEREAS, the foregoing provision shall go into effect in Illinois
the 1st of January, 1964, and will apply to the appointment of magistrates
having jurisdiction in the City of Nokomis, Illinois, and

WHEREAS, the term of office of the present Police Magistrate ex-
pires on the 30th day of April, 1965, and the office of the same is now
vacant, and

WHEREAS, if a successor is elected to succeed the present police
magistrate, his term of office will be for four years, beginning the 1st
of May, 1965, his term continuing for over three years beyond the time that
Section 12 of Article VI of the Constitution of Illinois goes into effect, and

WHEREAS, the Supreme Court of Illinois has held in People ex rel.
Wellman vs. Washburn, 410 Ill. 322, 102 N. E. 2nd 124, that

"Election of a Police Magistrate was not mandatory and
was within discretion of City Council."

NOW

THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NOKOMIS,

MONTGOMERY COUNTY, ILLINOIS; THAT

Section 1. The office of police magistrate be abolished and it is
hereby abolished in the City of Nokomis, Illinois, effective May 1, 1965.

Section 2. The City Clerk of Nokomis, Illinois, be hereby directed to accept no petitions of candidates for the election to the office of Police Magistrate for the City of Nokomis, Illinois, and to provide for no such office on any ballot used in the next municipal election of City officers.

Section 3. The City Clerk of Nokomis, Illinois, be and she is hereby directed to publish this ordinance at the earliest opportunity following its passage by the Council, approval by the Mayor, and attestation the the City Clerk.

Passed at a regular meeting of the City Council of the City of Nokomis, Montgomery County, Illinois, held at the City Hall in said City of Nokomis on January 7, 1965.

APPROVED: A. C. Kettler
Mayor

ATTEST: Millicent Morgan
City Clerk

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS }
 } SS
COUNTY OF MONTGOMERY }

I, Millicent Morgan, do hereby certify that I am the duly appointed and now acting City Clerk of the City of Nokomis, Illinois; that I have caused Ordinance No. 511, which was duly passed by the City Council of the City of Nokomis, Illinois, at a regular meeting thereof held on January 7, 1965 and was approved by the Mayor of said City on said date to be published in the Free Press Progress, a newspaper of general circulation in the City of Nokomis, Illinois on January, 10, 1965.

Given under my hand and official seal this 7th day of January, 1965.

Millicent Morgan
Millicent Morgan