

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 expires on the 30th day of April, 1963, 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, 1963, 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 ORDERED 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, 1963.

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, 1963.

APPROVED: A. C. Kettcham  
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, 1963 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, 1963.

Given under my hand and official seal this 7<sup>th</sup> day of January, 1963.

Millicent Morgan  
Millicent Morgan