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OFFICIAL CITY AND COUNTY NEWSPAPER

**A friend loves at all times, and a brother is born for a time of adversity. Proverbs 17:17**

## Three Residents Off Three Perspectives On 'Historic' Day In Court

### Judge Rules In Favor Of Rep. Bailey Against Illinois Governor Pritzker

By Beth Fancher

A courtroom full of people, sitting socially distant from the next person, watched as Illinois State Representative Darren Bailey's lawyers argued his lawsuit against Illinois Governor J.B. Pritzker, who Bailey claimed had exceeded his authority and is in violation of civil rights of the State's residents, during the April 27, hearing in the Clay County Courthouse, Louisville.

Judge Michael J. McHaney, Chief Circuit Judge, Fourth Judicial Circuit, handed down the verdict in favor of Bailey, which included a temporary restraining order. The lawsuit also stated Gov. Pritzker overextended his power by issuing additional stay-at-home orders after his original disaster proclamation expired on April 9.

The courtroom was full of people, including family, friends, media, political advisors, local board members, Clay County State's Attorney Andrew Koester and those just interested in what the lawsuit could mean to the future of those wanting to go back to work.

"I know it is in violation of the Governor's order to allow large groups, but I will take full responsibility because I feel the public has the right to hear these court proceedings which affects everyone's lives," Judge McHaney told the courtroom full of approximately 80 people.

Bailey stated that he filed this lawsuit on behalf of himself. He said he was advised by his attorney to file this case on his own behalf but he wanted the people of his district to know that he was doing this for all of those in the 109th District.

"I'm going to stand up for my constituents, the citizens of my district, who have asked me for help and many told me they were ready to go back to work and resume a normal life, after the Governor extended the stay-at-home orders through May 30," Bailey said earlier Monday afternoon. "This is about the people of Illinois waking up, rising up and saying enough is enough and let's take our State back."

### Cancer Crusaders Forced To Cancel 2020 Annual Event

With very heavy hearts and great sadness, we only have one choice but to cancel our annual Crusade Event," Nancy Mills announced on Facebook Thursday evening. "We would never want to expose any of our cancer patients and participants to any kind of sickness. Those fighting cancer are at a higher risk."

This announcement was made on Facebook, following Governor J.B. Pritzker's decision to extend the lockdown until the end of May.

"The Board of Directors made this very difficult decision," she added.

Their gun raffle and patio set raffle are still going on and the announcement of winners has been rescheduled to a later date. The Crusaders will keep everyone updated as to when they will do this.

Tickets prices for both are one for \$5 or five for \$20. If anyone wants to purchase tickets, message Mills and arrangements can be made to get tickets filled out and money dropped off.

"We are so unsure of the future and fundraisers, but these two items will be raffled off as soon as we can," Mills noted.

"We are so sorry about this, but we have no choice," Mills concluded. "Please be patient with us about these raffles."

"We hope you are staying safe and healthy during this time. Well wishes come from all committee members and the Board of Directors during this trying time."



109th District Representative Darren Bailey was positive on his way into court on April 27 and that confidence was later justified when Judge Michael J. McHaney, Chief Circuit Judge, Fourth Judicial Circuit, ruled in Rep. Bailey's favor. (John Bayler Photo)

### College Student Collin Moseley Experiences, 'The Room Where It Happened: History in Clay County's Courtroom'

By Collin Moseley

It is no secret by now what happened in Clay County, on April 27, 2020. As most things in today's world, the ruling of the first hearing of Bailey vs. Pritzker reached national news before Judge McHaney's signature had a chance to dry.

Knowing this, and the fact that other more judicially comprehensive articles will be written in the Clay County Republican, this article does not serve to regurgitate such information as that.

There are many things that, on a day as historic as April 27, will typically go unsaid, unreported, and unrecognized.

In an attempt to decrease those items, and to put politics aside, this article, one of three on this topic in this paper, seeks to uncover those hidden details of what it was like to be one of the ultimately few people on the steps, down the halls, and in the room where it happened.

Approximately an hour before the hearing even began, around 50 members of the crowd, myself included, found themselves next to the Clay County Veterans' Memorial, located on the South Lawn of the Clay County Courthouse. The gathering was a prayer service, led by Jennifer Billingsley and Brent Bailey, on behalf of not just Representative Darren Bailey, but even Governor Pritzker, their families, and everyone involved or affected by the proceedings that day. I found myself toward the back of this crowd, and I listened as Jennifer shared Bible verses and began the first half of a prayer which Brent finished. At the end of the prayer, already feeling assurance in my heart, Stacey Earleywine led the group in an empowering chorus of "Amazing Grace". Following this, it was time to make that

### Clay County Ministerial Alliance Food Pantry Remains Open--For Now

By Mary Anne Maxwell

The Clay County Ministerial Alliance Food Pantry in Flora remains open for now during the COVID-19 pandemic.

But they have made some changes in how they operate. "It is drive-through right now," Esther Walker, food pantry manager, said. "Everyone stays in their car and we put their food in the trunk—one family per car."

She explained, although families are still supposed to come to the pantry once a month, they can come more often if they need food. However, they still cannot come every week.

"A lot of people have lost their jobs," Walker explained. She also pointed out, they are not accepting boxes or bags at this time.

According to Walker, they are still able to get food. "We're getting plenty of food," she added.

They have two trucks per week from the Food Bank in Champaign and the Walmart Distribution Center and other places. The Maschhoff's Pork donated 150 hams. Those were given out before Easter. Blairs Slaughtering and Processing donated 350 pounds of pork and beef and that meat is being given out every week. The Food Pantry has also received donations of large amounts of food as well as financial donations to buy food.

"We can use more volunteers," Walker noted. "Volunteers temperatures are taken before they enter the food pantry."

They also have gloves, masks, and hand-sanitizer for volunteers to use.

This month numbers of families have been between 128 and 100. The Food Pantry is open from 9 to 11 a.m.

"We're going to keep the Food Pantry open as long as we can," Walker concluded.

### Photographer Forced To Use Words Instead Of Camera To Cover Event

By John Bayler

Let me start this by saying my job at the Clay County Republican is to sell ads and take pictures, I am not a reporter and don't pretend to be one. Smitty wanted my perspective on the hearing so I'm writing this as someone who grew up with a father as a lawyer and someone who has researched matters of law and watched proceedings in courtrooms.

Outside of the Harvest Festival I can't remember when I've seen such a crowd on The Square. I was surprised and pleased there were no anti-Bailey protesters, at least if there were, they didn't make their presence known. I waited outside the courthouse with other members of the press until we were allowed to go in at 1:15 p.m. Before entering the Sheriff addressed the crowd telling them how things would work and other rules of the day. Upon entering members of the Clay County Hospital staff checked for fever and offered face masks to whoever wanted one. We all then passed through the metal detector. Once cleared we made our way upstairs using the east stairs so not to interfere with persons using the lift on the west side. In the courtroom the benches were marked with blue tape to provide for social distancing. Employees of the county were seated in the jury box and in chairs on the opposite side of the courtroom. Walking to a seat in the jury box (as a member of the County Board I was invited to sit there.) I noticed that the double gates were propped open so no one would have to touch them to enter the area of the lawyers, judge, clerk and employees.

The judge had given permission to take photographs without flash before and after the proceedings, but none during the hearing. I didn't know how I would feel taking pictures in a courtroom before a legal proceeding, but in my typical photographer persona I quickly was separated from the event taking place. (Often times photographers shooting an event are so concerned with getting pictures they get a feeling of separation from the event. Almost like they are invisible.) As I was trying to get every possible picture I noticed a feeling in the room of nervous yet excited anticipation as to what they were going to see and hear. I'm sure it was the first time in a court of law for many of the spectators. At approximately 1:45 p.m., the judge entered the room with all spectators rising. The Judge Michael McHaney then addressed the spectators what he would and would not allow and also that he took full responsibility for allowing them to witness this proceeding

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## Letter To The Editor

### One Size Does Not Fit All!

By Robert Sellers, President CCH

Recently, Representative Darren Bailey of the 109th District sued Governor Pritzker and his right to extend the stay-at-home executive order. Representative Bailey won the first round of the legal challenge in the Clay County Circuit Court on April 27th, granting Bailey a temporary restraining order.

The restraining order only applies to Representative Bailey, but it opens the door for additional challenges by all Illinoisans. It comes as no surprise that the Governor and his team are appealing that decision. That appeal will be heard in the Fifth District Appellate Court in Mt. Vernon at some future date.

The Illinois Health and Hospital Association, Illinois State Medical Society, and the American Nurses Association submitted an amicus brief supporting Governor Pritzker's executive order. I believe the amicus brief is well intended and shows that these three organizations care about the safety and health of all Illinoisans and our healthcare workers. As we all know Illinois is divided into two different worlds: Chicago and the rest of the State. To my point, you don't see the Mayor of Carbondale on the news everyday like we see Mayor Lightfoot. Of course the reality is that the management and operations of Chicago are much larger than the rest of the state, but not any more important to each of us. This is a mindset that has prevailed for a very long time and I would contend that this is the same mindset in the three organizations listed above. It should not have to be said, but all three organizations are headquartered in Chicago with satellite facilities in Springfield.

Darren Bailey represents nine counties that make up the 109th District. In his district, as of April 29th, there were 63 positive Covid-19 residents. Since the Governor used Jasper County as support for his position, it should be known that of the 63 positive cases in the 109th District, 44 of those are in Jasper County. Of those 44 positive cases, 40 of those are residents and staff from

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## Residents Took Five-Year Path Toward Building New Clay County Hospital

By Mary Anne Maxwell

The journey to building the new Clay County hospital began with a dream of new Clay County Hospital CEO John Monnahan. He was brought to town in 1987 in the midst of some "great financial difficulties," but when the finances were turned around in just a few years, he began sharing that dream during manager's meetings. That dream was to have a new building.

The years if 1994 and 1995 were spent in planning such things as how big each respective area would be, budgets, what equipment would be put in the project—furniture, fixtures and equipment. This budget would be separate from the construction costs.

In 1996, they began to formulate a complete plan to submit to the state for the Certificate of Need. They met with architects through 1997.

In November of 1997, the Certificate of Need was approved, and each department continued meetings with architects to complete their department's drawings down to where plug-ins and phone jacks would be.

A ground-breaking ceremony was held March 17, 1998. Although it was a little early, this date for the ground-breaking was a reward for Monnahan (who was Irish) for his hard work on the project.

In April of that same year, the firm of SM Wilson was hired as the general contractors on this project. Larry Williams was hired as the project coordinator.

The planning board was given the OK to begin construction in 1998. Jim Allison, Director of Plant Services, along with CEO Monnahan, were designated to oversee construction from beginning to end.

A Color Committee was also appointed in 1998 in August to work on the design of the inside of the building. They worked with architects and with furniture specialists.

In November 1998, Tony Schwarm came on board as the new CEO.

A "Name the Street" contest was held to name the street the hospital would sit on. Mayors of surrounding communities were asked to submit an entry from their area. The winning entry was "Stacy Burk Drive". Stacy Burk was a co-op student at the hospital in the 80s in the Therapy Department. Her parents owned the farm the hospital sits on. When she went to college, she contracted meningitis and died before completing her studies.

Beginning in September 1999, they started receiving equipment and fixtures, including sterilizers, operating lights, infant security systems, delivery room lights, movable file storage shelving, dictation system, signage, walk-in freezer, refrigeration, convection oven, and a lot of other items.

They began gearing up for the move in October 1999. An Open House was held on October 22 of that year. Approximately 1,200 people attended that event. During the IDPH (Illinois Department of Public Health) Inspection in mid-November they found some minor issues that needed to be corrected before they could rule on hospital occupancy.

A timeline for moving was set in January 2000. Instead of relying on outside movers, they instead relied on members of the community for that purpose. Some of those involved were McDaniel Trucking for semis and drivers, Clay County Boy Scouts, Clay County Rehab, local sororities, community volunteers, and numerous family members of hospital employees.

On Feb. 2, they received word from IDPH that they had completed their second inspection, giving the go-ahead for the move into the new facility.

Patient room furniture plus new office furnishings were installed. Then began the process of cleaning before opening day. The week of Feb. 13, the building was cleaned from top to bottom.

On Feb. 18, moving began in earnest with moving the general storeroom and purchasing with the help of McDaniel Trucking. Later that afternoon all the patient beds were made up.

On Monday morning Feb. 21, patients at the Mill Street location had their breakfast there and were moved to the Stacy Burk location in time for lunch.

Each employee was given a half dollar size coin to commemorate depicting the move-in date and an outline-drawing of the new building.

The five-year project had been completed.

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**Smart Moves for Women  
Business Owners**

Mother's Day is upon us. If you're a mother, you'll enjoy the recognition you get from your family on this day. And given the health concerns caused by the coronavirus, your appreciation of family may be even greater this year. As we all know, mothers have a difficult job. And many mothers also run their own businesses – another demanding task made even more difficult these days. What special challenges do women face who embark on careers as business owners?

Of course, motherhood itself presents a major challenge. As a society, we have not achieved gender equity yet, in terms of family responsibilities, so mothers – even busy business owners – still face time constraints and interruptions from work to care for children. And it's not just children, either – the vast majority of caregivers for elderly relatives are women, according to a study from Northwestern University. So, many women business owners may be coping with multi-generational family issues.

You can't change the demographic pressures you may face, but, as a business owner, you can take some steps to help improve your financial outcomes. Here are a few ideas:

Seek networking opportunities. You can find useful, and empathetic, allies in other women business owners, who may be able to direct you to valuable resources. To illustrate: Women's businesses often lack financial support to a greater degree than men's, and it is unfortunately not uncommon for women to be denied loans because of gender and cultural biases. But if you become active in a network of women business owners, you could find some leads to financial institutions that have showed themselves to be free of gender-based prejudices.

Be extra aware of investment risks. Everyone should always be aware of investment risk, of course, but if you have most of your assets tied up in your business, you may need to be extra diligent. You're already taking a fair amount of risk by just having a business, so you may need to balance this risk in your investment portfolio by choosing the mix of investments that can help you move toward your goals without subjecting you to excessive market volatility.

Establish a retirement plan for yourself. Have you established a retirement savings plan for yourself? About one-third of business owners haven't, and 40 percent are not confident they can retire before 65, according to data compiled by SCORE, a nonprofit organization that works with small businesses. Fortunately, you have several good retirement plan options, including an "owner-only" 401(k), a SEP-IRA, a SIMPLE IRA or even a solo defined benefit plan, which functions like a pension.

Create a succession plan. You may need a strategy for transferring or selling your business. Do you want to keep the business in the family? If so, who do you want to take it over? Or would you prefer to simply sell it to someone else? Your decisions, whatever they are, will affect your financial picture and possibly that of your family, so you will want to consult with your tax, legal and financial advisors to arrive at a plan that works best for your needs.

You've got some twists and turns ahead of you on the road to financial security. But planning ahead, considering various possibilities and seizing your opportunities can help you smooth out the journey.



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**It's All About The Food**

By Debby Devore



Hello again! The days have been so pretty. I bet you are loving them as much as I am. I'm sure I've mentioned before that I love taking a drive on nice days. I was able to do just that last week when I had a doctor's appointment in Mt. Vernon. It also gave me a chance to eat somewhere new on the way home.

I decided to stop and try some BBQ nachos. My friend, Paula, had told me earlier in the week that everyone was talking about these nachos from Midwestern BBQ and Catering in Salem, being really good. It was late afternoon on the way home and the only thing I had eaten that day was a quick bowl of rice for lunch so I was hungry and ready to stop.

I am not usually a BBQ nacho fan but I was willing to try them. Shredded pork layered on nachos and loaded with warm cheese, jalapenos, sour cream, tomatoes and anything else you might want to add. The nachos were delicious. I ordered the small, which was just \$3 and plenty for me. I was surprised by the price, very cheap and I couldn't even eat it all. A large order is \$6.00 and would probably feed either one very hungry person or could be shared by two. I don't know this, I didn't see it, just assuming it's twice the size. Yeah, I know, I shouldn't assume. In my defense, I bet it's a good guess! In hindsight, I wish I would've asked. The small is plenty for one person though. Midwestern BBQ & Catering is located right across from the Casey's gas station on Rt. 37, about a mile from

the main intersection in Salem going South. It has been there for several years and we've stopped there before to check out the flea market merchandise that was outside. I didn't see any evidence of the flea market so it may be a small restaurant only now. There is some outside seating but not much, a picnic table or two. It's primarily, a get it and go, drive thru place. Besides the pork BBQ, they also have beef burgers, brats, ribs and pork chops. Seven different sides are available to purchase with your sandwiches or meal and priced separately. Midwestern BBQ & Catering's official address is 1150 Broadway in Salem if you want to use GPS. Their phone number is 618-367-0907 if you want to call before you go. Hours are Tuesday thru Saturday 11 A.M to 7 P.M. They are closed Sunday and Monday. Should they run out of meat, I was told they will close early so you may want to call before you drive over. I was glad my friend Paula told me about the nachos at Midwestern BBQ because honestly, I probably wouldn't have ever stopped. I will stop again though next time I'm hungry for BBQ nachos.

It appears that the country and our state is finally opening up again and I, for one, am glad. I know that not all of us are happy about this, but surely if we all use common sense, we can get through this healthy and a little wiser.

Until next week, I'll leave you with this scripture: *For God gave us a spirit not of fear but of power and love and self-control.* 2 Timothy 1:7

**Clay City  
News  
By Jean Taylor**

Hope everyone had a wonderful Mother's Day.

Happy birthday to Joanne Tomasek, Frank Goff, Ray Hull and everyone else that is having a birthday. Happy birthday to all.

There's not much or any news so I'll try and put something in for the news. I'll be glad when everything goes back to normal.

What is smaller than a banana? Would you say a quarter, olive and raisins is smaller.

***Humor***

My three-year old was carefully studying the bookends on the coffee table. They were miniature of the famous statue The Thinker.

He asked me what the men was doing and I told him thinking. He replied thinking where he left his clothes.

Giving a tour of our farm to our city nephew to distant field to see antique machinery.

He replied your farm is so big it stretches clear back to the past.

For all that likes to make things and put in your yard. You might try this.

Take a old bicycle rim and tire put on end of a pole. Paint them in your favorite colors.

Let the wind take over so tires will spend

Sympathy goes to the families of Betty Greenwood, Ashelee Horsley, Patti O Ryan and everyone that lost a love one. Prayers to all.

Until next time stay healthy, wash hands regularly and stay at home.

**God Bless the USA and everyone**

*Everybody  
wants  
happiness,  
Nobody wants  
pain,  
But you can't  
have a  
rainbow,  
Without a little  
rain.*

**John Bayler's Photographs Show  
Work On River Bridge Progressing**

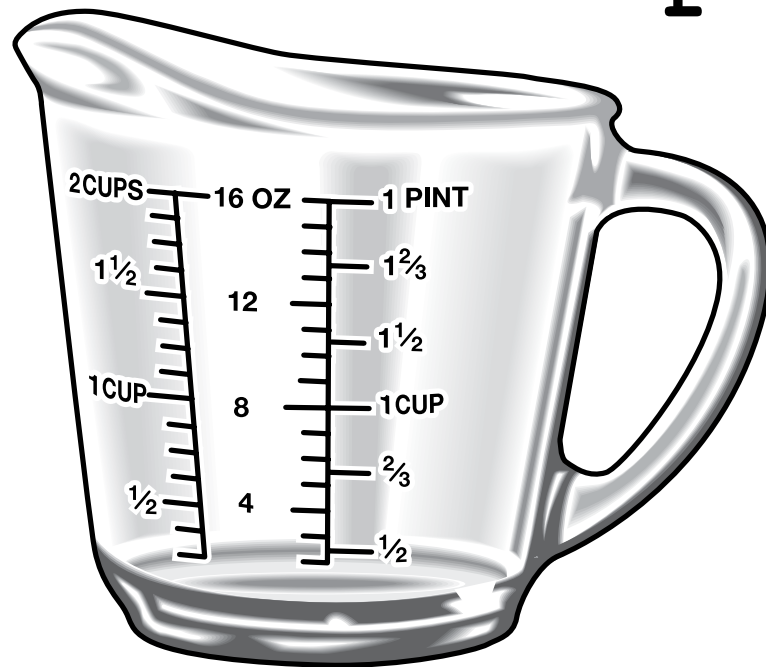


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## Letter To The Editor

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a single nursing home. As a comparison, in the eight counties surrounding Chicago there are 45,827 positive Covid-19 residents. We all know the economy is suffering and will continue to suffer under the stay-at-home order. The real question should be, why should the same rules in Chicago be applied to the 109<sup>th</sup> District or any other parts of the State?

I agree with the Governor that every life is precious and one death is one too many. As health-care workers and citizens, we should be very concerned about Covid-19. The Governor is also right about the limited number of ICU beds in the District, but he should also realize, or I should say, give credit to the small rural hospitals in the District for the outstanding care we do provide. There are very smart, dedicated providers and staff working every day to care for the residents of the 109<sup>th</sup> District. Covid-19 has challenged our infection control approach to providing care, but rural hospitals have always been in the business of stabilizing and transferring. This approach has not changed as a result of Covid-19. The system works.

Covid-19 will still be here after the Governor's extension of his stay-at-home order expires. Our scientists will develop treatments and vaccines to combat the disease, but it will take time. Our economy and the residents of the 109<sup>th</sup> District may not have that amount of time. The District should not be subject to the same rules as a major metropolitan area. Allow the local governments, in conjunction with their health departments and health-care facilities, to determine the rules that best meet the needs of their county.

*Yours respectfully, Bob Sellers*  
**Disclaimer:** All views expressed are of the opinion of the writer and do not represent the opinions of any entity whatsoever which I have been, am now, or will be affiliated.

# Judge Rules In Favor Of Rep. Bailey Against Governor Pritzker

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of The Square, walking into the Clay County Courthouse among the cheering crowd. Some people held signs asking to go back to work. Other signs referred that there is a difference downstate and others thanked Bailey for what he was doing.

Sheriff Andy Myers informed the crowd there was room for only so many in the courtroom and they would have their temperature taken before going in the courtroom and through the metal detector. Video cameras, cell phone usage as well as any cameras were not allowed in the courtroom.

Among the crowd were reporters from several different media outlets.

These included Edgar County Watchdogs, Navigator, Edwards County; Effingham Daily News; Greg Sapp, WXF and WKJ; Mark Maxwell, WCIA, Springfield/Champaign office and Villager Voice Newspaper, Norris City. Thomas G. DeVore and Erik Hyam of DeVore Law Office, LLC, Greenville, represented the plaintiff Bailey and Governor J.B. Pritzker was represented by Attorney Tom Verticchio, from the Attorney General's Office.

DeVore argued the counties' board of health are the only group that has the authority to make the decision about closing down the counties. He said the Emergency Management Act doesn't give the power to the governor to quarantine the whole state. DeVore referenced the State of Illinois, Illinois Department of Public Health Pandemic Influenza Preparedness and Response Plan, which was first completed in 2005 with minor changes as recent as this year.

"The Governor declared a disaster in March to not exceed 30 days," Judge McHaney said. "Then he overstepped his authority to extend the stay-in-place notice another month. Our Bill of Rights is being shredded. I can't even go to a State park and put my fishing pole in the lake but the Walmart stores can fill with people panicking as they fight for items. By shutting down the State, our Governor is taking away people's livelihood and their lives."

In his opening statement, Verticchio presented documentation from the Illinois Health and Hospital Association with representatives present. He argued the governor has the right to order State residents to stay-at-home for the month and that he had a right to issue a second order for another month of stay-at-home requirement.

This order includes a few new decrees allowing for some outdoor activities, allowing some surgeries and medical treatment. It also allows for some retailers to reopen for fill online and pickup orders.



*These group of ladies from Richland and Edward Counties were some of the people who came to the April 27 hearing at the Courthouse in Louisville, wielding their signs with their thoughts about the proceedings and what is going on in Illinois. (Beth Fancher Photo)*

A phased opening of Illinois State Parks will begin with restrictions. Campgrounds will continue to remain closed although fishing and hiking will be allowed in the parks that are open. The only State parks in the area on the list to open May 1, is Stephen A. Forbes State Park, in Marion County and Shelby Lake. The governor is also requiring that as of May 1, anyone over two years of age is to wear a mask in public, when unable to be socially distant.

Bailey said he will continue to fight the governor's executive action and said he was experiencing irreparable harm as result of the stay-at-home order.

"Our governor has acted as if he knows best, but he doesn't know what's best for all 12 million residents in our state," Bailey said.

"We have a mechanism in place through the Illinois Department of Public Health and how to act during a pandemic, which was laid out many years ago."

Rep. Bailey said a story first appeared on the Edgar County Watchdogs website, which offered up an internal memo of the State's Attorney Appellate Prosecutor Office, indicates there are serious doubts inside that judicial agency as to the legality of Gov. Pritzker's Executive Orders.

This judicial agency provides training and support for local state's attorneys on constitutional, statutory and case law issues. The internal memo, written by David J. Robinson, who holds the position of Chief Deputy

Director of the State's Attorney Appellate Prosecutor's Office, stated concerns about the Governor exceeding the 30 days extension.

Illinois Representative Blaine Willhour, 107th District, which includes all or portions of Bond, Clinton, Effingham, Fayette, and Marion counties was interviewed before the court began.

"I agree with what Darren says," Representative Willhour stated. "We are looking for transparency from the governor but the issue is when it limits our personal liberties, destroys our livelihood. There's a lot of information that the legislative body should be getting and we're not getting this stuff. We were elected to represent our people and we haven't been able to do this. We are a co-equal branch of government and we are getting no say in this. The people of Illinois have no mechanism to hold the governor accountable. We recognize that some of these things should happen. There is a time we have to take bold action and I support Representative Bailey and am fully on board."

Illinois Representatives and Senators are sheltered at home like the rest of all the residents in the State.

The following is a quote from Jonathan Piperakis, 25, of Flora. Piperakis was one of the observers who sat in on the proceedings with Representative Bailey on April 27. He grew up in Mt Erie but after marrying Josie McAllister, they moved to Flora, where they are raising their two children. He has become involved in local politics when Bailey ran for State Representative. He is currently a part of the County GOP Precinct Committee.

"As Americans I believe it is our duty to stand up against our tyrannical government," Piperakis said. "For far too long the citizens of Illinois have been passive to what's going on. It's time for America and my fellow Illinoisans to hold the government accountable. That is exactly what Darren Bailey is doing. I am grateful to see the crowd that came to support Bailey, but the response needs to be larger. I would like to urge your readers to show up at the polls and to get politically active. Enough is enough."

"As JB's attorney stated in the court room, 'The only thing stopping Mr. Pritzker from extending this quarantine up to five years, are citizens like Mr. Bailey.'

"We need bold leaders with common sense to run this great Nation and it's up to the citizens to put them in authority. Illinois, it is time for you to support and pray for our leaders, together we will can turn this state around!"

"As President Ronald Reagan said, 'When you can't make them see the light, make them feel the heat.'"

## College Student Collin Moseley Experiences, 'The Room Where It Happened: History in Clay County's Courtroom'

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monumental move to the north side of the Courthouse.

The line stretched back at first only to the Northwest corner of the Courthouse sidewalk. However when it came time to enter, the line bent around the sidewalk almost long enough as to be out of sight to the west. Naturally, as someone who has an undying love for politics, I found myself at the top of the steps with the other news and media outlets awaiting entry. The mood was light, but it seemed everyone had something on their mind, like they knew something was coming. But, no one dared to acknowledge any

anxiety. At about 1:10 p.m., Representative Bailey and his team entered the Courthouse through a tunnel of clapping supporters. A scene I had only ever viewed through the glass of a television would now be something I stood five feet away from. With the doors set to open at 1:15 p.m., the crowd was addressed shortly before that by the first person to really speak in any official capacity that day: Clay County Sheriff Andy Myers. "My job is to protect everybody's interests here" Sheriff Myers stated, "that's public safety, that's the Courthouse, and that's the people's Constitutional Rights." The Sheriff went on to explain capacity limitations, the process for people once we hit the limit and so forth (making a brief humorous remark about the nice grass outside and hoping it would stay that way).

The Sheriff also explained what was and was not allowed in the courtroom as far as devices and so forth. Finally, Sheriff Myers shared, "I appreciate everyone's

cooperation, and your interest in what is going on in our State." At this point, I must give an immense amount of credit to Sheriff Myers and his deputies for the absolutely tremendous job of keeping the Courthouse secure, while still having everything operate very smoothly. This was thrown on the Sheriff's desk with very little time to prepare, and yet it seemingly went off with no issues.

Shortly after the Sheriff, we were admitted into the Courthouse, quickly met by staff members from Clay County Hospital screening every person who entered that building. Also, I might add, a process done very well.

Past this, everyone proceeded up the stairs into the courtroom where we were met by deputies coordinating the seating arrangement. The bench seats were marked every so many feet as an attempt to honor social distancing. After almost no down time, Chief Deputy Spitzner disappeared behind his post (The

Judge's Chambers), and the room suddenly stood still until the words "All Rise" from Sheriff Myers. Enter then, the Honorable Judge Michael J McHaney, Chief Circuit Judge, Fourth Judicial Circuit. While giving his opening statements, Judge McHaney sought to make one thing very clear, "I know it is a violation of the Governor's orders to allow large groups, but I will take full responsibility because I feel the public has the right to hear these court proceedings which affects everyone's lives." After this, the Honorable Judge called the case, and opening statements began.

Without going into every judicial detail, there is a need to share some things. Gov. Pritzker's counsel introduced himself as Tom Verticchio, who we now know is the Assistant Chief Deputy Attorney General for the State of Illinois.

Mr. Bailey's counsel, which flanked Rep. Bailey on both sides, introduced themselves as Thomas DeVore and Erik Hyam, who are of DeVore Law Offices in Greenville. Both sides presented for almost 40 minutes each, and admittedly I found myself with an even greater amount of respect for the Honorable Judge's position than ever. Because, no matter what side you are fighting for, there is almost always a way to make a compelling argument at least for some amount of time or until questioned. Regardless, it was clear these proceedings had the undivided and passionate attention of the 60 or so people who ended up being allowed into the courtroom, and I only saw one person exit the room through the almost two hour period we inhabited it. Nevertheless, we know how it ended. Judge McHaney ruled, rather passionately, in Mr. Bailey's favor. In regards to the orders of the Governor, The Honorable McHaney cited, "a person's Constitutional rights do not just disappear."

Hearing this ruling, I looked around expecting to see an incredible amount of elation. I did see this, but I more frequently found looks of disbelief, people really not believing it had actually happened. Of course, when it was final, more and more their elation appeared.

Turning attention back to the Bench, it was clear that Judge McHaney was prepared to take on

whatever may be coming his way.

But, what happened after? As the public, lawyers, and staff flooded out the south door of the Courthouse, I can honestly say there were people in tears. Representative Bailey emerged from the doors, emotional, with the first words "Our Freedom, and our Constitutional Rights were upheld today." After a speech from Mr. Bailey, several interviews took place with the vast amount of news and media which covered the proceedings, and it was nearly a half hour before everyone had dispersed.

After this, I made my way over to the District Office of the 109th Representative District, just across the street from the Clay County Courthouse. I can tell you, while the hearing may have adjourned long before this, the fight was certainly ongoing in the office. Phones ringing off the hook and papers being run back and forth, interviews being scheduled, and yet still an atmosphere of accomplishment. It was clear to everyone that this was the first battle of their war, but there seemed to be no hesitation in the pressing on of history.

Smitty asked me to write this story in the first person, kind of like an editorial, and certainly in a style unlike most articles. I give no association to political parties in this, nor do I give any allegiance to either side of this case. What I do give, however, is complete gratitude for living in a Country like the United States, where we are allowed to do such a thing as watch justice unfold in the courts of the people. History, at least Illinois history, was absolutely made in a county I am proud to call home, in a Courthouse that is near and dear to the hearts of my family and me. As someone who aspires to one day politically represent, in some way, this great area, I can firmly say, with complete conviction, I am proud to share my experiences with you, from the front row, in the room where it happened.

**Collin Moseley**  
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# Sun Shines Bright On 'Historic' Day At Clay County Courthouse



Photos By John Bayler



*Continued From Page One*

because he thought this needed to be transparent. It was probably the first time a group of more than 10 people not in a work place had been in the same room since Shelter At Home started.

The first matter to come before the court was the amicus brief filed by the Illinois Hospital Association. An amicus brief is filed by a party that is not part of the proceedings, but have a strong interest in the matter. The Judge allowed the brief, but warned the Association's lawyers they were only observers.

Representative Bailey's attorney, Thomas DeVore, then presented his case. Attorney DeVore had two arguments. The Governor had exceeded his authority by declaring a disaster under the Illinois Emergency Management Agency Act and the Illinois Pandemic Influenza Preparedness and Response Plan should have been followed by the Governor.

The Illinois Emergency Management Agency Act is usually used by the Governor in time of natural disasters, i.e... floods, tornadoes earthquakes etc. The Act sets the time for the disaster to 30 days and does not allow the Governor to tie another 30 days onto it. The Judge then stated that the Speaker of the House could convene the House and amend the Act to allow for another 30 days. Attorney DeVore agreed.

The Illinois Pandemic Influenza Preparedness and Response Plan was originally set up one hundred years ago to deal with pandemics after the Spanish Flu. In short the act gives authority to each county's Health Department to decide what is best for that county.

Attorney Verticchio then argued that there was no time to act under the health codes. That millions of people could die and this is "no joke"; the Judge then stopped and stated that the Governor must think it's funny because when asked about opening up certain counties the Governor laughed. At one point the AG stated that this was a broad area, at which time the Judge commented, "You could drive a Mack truck through this thing."

After Attorney Verticchio rested, the Judge asked Attorney DeVore if he had anything more to add except that there hadn't been anything this tyrannical since a group of men met on a ship and threw boxes of tea in the water. With that DeVore said "No".

As the Judge started to give his decision it seemed like everyone in the courtroom took a deep breath and held it. The Judge went on to say that individual rights do not stop with a pandemic and the Governor can't ignore the Fifth Amendment, the Constitution, and the Bill of Rights. Ruling in Bailey's favor. You could almost hear everyone exhaling as a sense of joy came over the room.

It was evident to me that the Judge had done his own research on this since the suit was filed last Thursday and was prepared to ask questions. The banter between the Judge and attorneys reminded me of reports from the Supreme Court with the Justices asking questions. At one point asking how fishing in his boat at Forbes Lake would endanger anyone. As the attorneys set up a time for a status hearing, which I'm sure they knew would never happen the Sheriff instructed how he would empty the courtroom.

Once downstairs we were directed to leave through the south doors where the crowd waited for Bailey and his legal team. As they exited the courthouse the cheer went up and people gathered around holding their cell phones as Bailey and DeVore made a statement and answered questions from the press.



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