

# THE DONALDSONVILLE CHIEF.

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## Prohibition and Law

The following interesting editorial appearing under the above caption, is taken from a recent issue of the New Orleans States:

"Abraham Lincoln was right in a great many things. Moreover he had a remarkable vision. Since he wrote: 'Prohibition will work great injury to the cause of temperance, it is a species of appearance within itself, for it goes beyond the bounds of common sense in that it attempts to control man's appetite by legislation and makes a crime out of things that are not crimes.' A prohibition law strikes a blow at the very principles on which our government was founded."

"What Lincoln foresaw actually is happening now, since without any opportunity for the people to be heard on the subject of taxation, taking the advantage of the air has forced a drastic prohibition law on them."

"We should the other day but we did not believe that judges of our higher courts ought to doff the raiment and speak in public on 'political' questions. We do not therefore wish to be understood as commending Associate Justice Clark of the United States Supreme Court for having said: 'The justice Clark all speaks in New York three weeks ago and says: 'The eighteenth amendment required millions of men and women to abruptly give up habits and customs of life which they thought innocent or wrong, but which, on the contrary, they believed to be necessary to their reasonable comfort and happiness, and which, as we all know, respect and honor for that law but for all law has been put on an unprecedented demoralizing basis in our country, the one of which it is difficult to see how it can be done.'"

"A few years ago in New York three judges of the court, on general sessions were forced to excuse two juries for failure to convict and to rebuke a man who declared they would not hold the testimony of a policeman."

"In his remarks Judge Fall said: 'Practically every man called jury duty nowadays is willing to violate the prohibition law, and he knows all his friends are willing to do the same thing. That is itself is the breaking down, in one spot at least, of the respect for the law which every citizen should have.'"

"Once that respect for the law is shattered, a breakdown all along the line is not extraordinary. It is exactly like a break in a wire conducting electricity. Although the air is charged with electricity and powerhouses are working overtime, one break in the wire and connection is destroyed."

"There have been cases tried in the courts in New Orleans in which it seemed conviction for violation of the Volstead law was inescapable. Yet the juries promptly returned verdicts of not guilty giving the accused the benefit not only of a reasonable but all doubt."

"All this is distressing from the standpoint of the good citizen who thinks all laws should be obeyed regardless of the circumstances under which they are rammed down the throats of the people."

"But when a high judge of the nation brings proof of the correctness of vision of the president most revered next to the father of his country, when New York grand juries and courts refuse to present or convict men obviously guilty of violation of the law and when petit juries in Louisiana and all over the country do likewise, it may well be asked whether or not the incidental undermining of society is worth the price of the Volstead law."

"The New York Evening World aptly asks: 'What will be the end unless something is done to modify a law which even judges admit is contrary to the reason and common sense of the sovereign man, and which therefore, puts a dangerous and increasing strain upon popular respect for the law?'"

"There is a way out. There is some sentiment in favor of a bonus for the soldiers, but the country is overwhelmed, against either an increase in direct taxation or an attempt to raise the necessary revenue by means of an indirect sales tax."

"Congress can help respect for the law and provide for the bonus by a modification of the Volstead act. If it will take a stand against the Anti-Saloon League and authorize the manufacture, sale and consumption of light wines and beers, without bringing back the old saloon, it will revive that respect for the law which existed before the Volstead act was passed."

"We should not wish to be understood as condoning violation even of an unjust and unpopular law. But Mr. Cleveland used to insist that we ought to treat a condition differently from the case now when Justice Clarke and Judge Talley say millions of citizens are disposed to look tolerantly upon the breaches of the Volstead act as an infringement upon their liberties."

**Why Colds Are Dangerous.**

It is the serious diseases that colds lead to that make them dangerous. They prepare the system for the reception and development of the germs of influenza, pneumonia, tuberculosis, diphtheria, scarlet fever, whooping cough and measles. You are much more likely to contract these diseases when you have a cold. For that reason you should get rid of every cold as quickly as possible. Chamberlain's Cough Remedy will help you. It is widely known as a cure for bad colds.—(Adv.)

It is reported from Lake Charles that during last week the American Rice Growers' Association sold a total of 250,000 bags of rough rice in Louisiana and Texas, 200,000 bags of which was sold in Louisiana, at prices ranging from \$3.75 to \$4 a barrel for numbers 1 and 2 blue rose.

Advertise in The Chief.

## NEGRESS WINS BIG OIL SUIT

Land Worth \$20,000,000 in Claiborne Parish Involved.

After many years of litigation, Lillie C. Taylor, a negro woman, has been finally decreed by the state supreme court to be entitled to the ownership and possession of all lands in Claiborne parish said to be worth nearly \$20,000,000. The district attorney of Claiborne parish, some time back, brought suit in the district court to have himself named as owner of the estate of Louis McGee, another of Lillie Taylor's suitors, (the state was a "party" one, as the legitimate heirs are being.)

Upon the dismissal of his suit in the district court he appealed to the Supreme Court, which finally upheld the lower court. Lillie Taylor was decreed by the supreme court, vesting her former opinion concerning the lands to be hers, to be the acknowledged daughter of Louis McGee, of 1808, a negro former owner of the property.

In the latter case the court held that acknowledgment of parentage might be made in other forms than that provided by Article 233 of the Revised Civil Code. It had been contended in this case that Lillie Taylor, as the illegitimate child of Louis McGee, had never been acknowledged by him and could not inherit the property.

The higher court held that she had been acknowledged as the natural child legally, although under the revised act.

Third Party Ownership.

In an interview granted by William S. Kenyon, Republican, following his retirement from the United States senate to become United States circuit judge for the eighth judicial circuit, he declared that sentiment is growing in America for the creation of a third political party. The United States senate is in the grip of a sinister "social" party, far-reaching and absolute. There is too much politics in congress to allow the members to deal honestly with public questions. Radical changes must be made in the legislative system if the senate and house are to be responsive fully to the needs of the people.

She Suffers it Mildly.

While suffering with a severe attack of the grip and threatened with pneumonia, Mrs. Annie H. Cooley, of Middlefield, Conn., began using Chamberlain's Cough Remedy and was very much benefited by its use. The pains in the chest soon disappeared, the cough became loose, expectation easy and in a short time she was as well as ever. Mrs. Cooley says she cannot speak too highly in praise of this remedy.—(Adv.)

Subsidiary to the Chief.

## USUAL CANE ACREAGE

Prices Will Be Low But Planters Will Make Money, Says Janes.

In a statement issued recently, L. J. Janes of the Bureau of Crop Estimates of the federal government, made the assertion that despite the record slump of sugar prices in 1921, Louisiana planters are expecting to set on 288,000 acres in cane about the same acreage as last year.

Mr. Janes pointed out that the acreage of planters are setting out this year although hampered by rain and cold weather. Cane planted has not been damaged by the cold weather, he declared.

Mr. Janes believes Louisiana and other cane planters will make money this year although the prices received will be comparatively low. He asserts that farm labor will be half what it was in 1920 and considerably less than in 1921.

Mr. Janes will leave for a tour of the rice belt the last of next month, having received scores of inquiries from Louisiana planters as to the proper acreage in rice acreage.

Mr. Janes finds a tendency among cotton planters to decrease the 1922 acreage, expecting higher prices because of the law of supply and demand. He believes that many will set out slightly larger acreage because of the upward trend shown in cotton prices in recent months.

Will Furnish Market News to Lower Rio Grande Valley.

An agreement for conducting a market news service in the lower Rio Grande valley on a joint basis has been entered into by the federal and state departments of agriculture of Texas. It is proposed to give to the producers and shippers in the valley an intensive distribution of information concerning market conditions and prices of cabbages and possibly other truck crops. Mimeographed reports will be issued from San Benito or some other equally favorable point for the collection of market information.

Next Week's Bill at the Grand.

Sunday—Alice Lake in "The Greater Claim" and a comedy.

Monday—Wm. A. Brady's great drama, "Life" and Pathe News.

Tuesday—"The Foolish Matrons," Music by Chamberlain.

Wednesday—Paramount production "Princess of New York."

Thursday—Lionel Barrymore, in "The Master Mind."

Friday—Wesley Barry in "Bob Hampton of the Placer" and a Lonesome Luke comedy.

Saturday—Episodes of "White Eagle" and "Thunderbolt Jack," a two-reel comedy and Pathe News.

## STATE CANNOT FIX RAIL RATES

Supreme Court Hands Down Decision in Important Case.

The supreme court of the United States by a unanimous decree, upheld the authority of the Interstate Commerce Commission, under the transportation act of 1920, to fix state-assigned railroad fares when necessary to remove "undue unreasonable" and unjust discrimination against interstate commerce. The court held that "commerce is a unit and does not regard state lines."

Chief Justice W. H. Taft was the organ of the court said:

Congress in its control of its interstate commerce system is seeking into transportation to make the system adequate to the needs of the country by securing for it a reasonable compensatory return for all the work it does.

"The states are seeking to use that same system for interstate traffic. That entails large duties and expenditures on the interstate commerce system, which may justify it unless compensation is received for the interstate business property. The interstate business property is that for the interstate business. Congress as the dominant controller of interstate commerce may therefore, restrain undue limitation of the earning power of the interstate commerce system in doing state work. It can impose any reasonable conditions on a state's use of interstate carriers for interstate commerce if it deems necessary or desirable. This is because of the supremacy of the national power in this field."

Farm Bureau Adopt Resolution.

At a meeting of the state executive committee of the Louisiana Farm Bureau Federation held in Baton Rouge last Saturday, the following resolution was unanimously adopted:

Be it resolved, that this, the executive committee of the Louisiana Farm Bureau Federation now in meeting duly assembled, do hereby express our appreciation and thanks to the extension department and county agents for the valuable assistance rendered the Farm Bureau in its organization work, and:

"Be it further resolved, that copies of these resolutions be forwarded to the presidents of the police juries of the state, to the county agents and to the parish papers."

The state convention of the Louisiana Posts of the American Legion will be held in Baton Rouge, August 17 to 19, inclusive. These dates will also be the occasion for a reunion of veterans of all wars in American history, the plan being to bring a better understanding and spirit among the various veterans.

The latest in confection goodies—Skimo Pies. Try one; you'll relish it.—K-Ray Pharmacy.

## ELECTION DECLARED NULL

Judge LeBlanc Upholds Contention That Ballots Used Were Illegal.

In the district court last Monday morning, Judge Sam A. LeBlanc handed down a decision in the contested town election case, in which he upheld the contention of the plaintiffs, the defeated Republican candidates, that the ballots used at said election were illegal and therefore the whole of the election was null and void. The election was held on May 7, 1921, and it will be remembered that the ballots on the occasion contained the names of Henry Goette and L. J. Echeverria, in the wrong order. The former's name was printed as the party's candidate for commissioner of streets and parks, whereas he was a candidate for commissioner of finance, and the latter was made to appear as the party's candidate for commissioner of finance, when in fact he was the candidate for commissioner of streets and parks.

Shortly after the election the suit was filed to have the election declared null and an injunction was sought to restrain the Democratic candidates from qualifying. The injunction was granted, and the Democrats took office. Subsequently the election was dissolved. Exceptions were filed to the petition of the Republicans which were overruled and the case taken to the Supreme Court. The latter tribunal affirmed the ruling of the lower court, and the case was tried on its merits last December.

The following is the decision of Judge LeBlanc in full:

"The plaintiffs, Klebert A. Aucoin, L. J. Echeverria and Henry Goette, were the nominees of the Republican party who were to participate as such in the municipal election to be held in the city of Donaldsonville on May 7, 1921. This suit is brought by them to have the said election declared null and void."

"Exceptions of no cause of action and to the jurisdiction of this court have been previously tried and submitted and both overruled. An opinion was rendered on Sept. 30, 1921, on both."

"As alleged by the plaintiffs and as appears from the evidence their nominations were properly certified to the secretary of state as the candidates of the Republican party as follows: For mayor and commissioner of public safety, K. A. Aucoin; for commissioner of finance and utilities, Henry Goette; for commissioner of department of public parks and streets, L. J. Echeverria."

"As further alleged by them and as shown by a sample of the ballot used at said election, the names of L. J. Echeverria and Henry Goette were not printed on the ballot as candidates for the offices of commissioner of the department of public parks and streets and commissioner of finance and utilities respectively, as their nominations had been certified to, but they were printed in exactly the reverse order; that is, Goette's name appeared on the ballot as candidate for the office of commissioner of streets and parks and Echeverria's name appeared as candidate for the office of commissioner of finance."

"The contention of the plaintiffs is, of course, that this was not a legal ballot and therefore the election cannot have valid effect."

"The law seems to guard with a jealous eye the right of a candidate for public office, in any election, to have his name properly presented to the voters. The ballot used in the election is for the office of his candidacy, and the Supreme Court has repeatedly decided that those provisions of law governing the preparation of the ballot are not merely directory but strictly mandatory, and where the ballot is not made in conformity to the requirements of the law it is not a legal ballot, and if used in an election, it renders the whole election null. Mize vs. McElroy, 44 An. 299; Thornhill vs. West, 131 La. 479; Maguire vs. Lechbaum, 139 La. 429; Hart vs. Picou, 147 La. 1018."

"This question as well as the one of proper interest in the parties plaintiff was carefully considered by the court in passing on the exception of no cause of action and further study has not led me to change the opinion I held then. On the question of want of proper interest, that opinion has been further strengthened by two decisions of the Supreme Court since that time, viz: Hall vs. Godchaux, 90 So. 145 and Paynevs. Court, 90 So. 104."

"Since passing on the exception of no cause of action, two of the plaintiffs, Aucoin and Goette, have voluntarily withdrawn from the suit and have filed a motion in proper person asking that the suit in so far as they are concerned, be dismissed, and in which they pray further that the respective opponents for the offices for which they were candidates be declared elected. Counsel representing these defendants contend most strenuously that with the retirement of these two plaintiffs the suit, in so far as their clients are concerned, is at an end and the court is bound to declare them elected. I cannot agree with these learned counsel. The whole of the election was either legal or the whole of it was illegal. The cause which rendered it illegal affected the whole of it. Moreover, the suit as filed was that of the three candidates of the Republican party for the offices to be elected under the commission form of government in the whole city of Donaldsonville and not that of each candidate for each of the respective offices to be elected. All three prayed for the same judgment; that is, to have the whole election declared null, and not any one prayed for an individual judgment, and whilst the two plaintiffs who have withdrawn must be considered the right to retire as they please from the suit, their action cannot control the remaining plaintiff in his desire if he chooses to stay and prosecute the suit to final judgment."

"I am satisfied that the evidence

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| EXTRA VALUES!                                                                         | EXTRA VALUES! |
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| 36-inch Silk Messaline, all colors, \$2 value, next week, per yard, only              | 1.39          |
| 36-inch Beach Cloth, for jumper dresses, all colors, 50c quality, next week, per yard | 35c           |
| Ladies' Gingham Dresses, made in new styles worth \$2.50 each, next week              | 1.98          |
| Ladies' Muslin Gowns, white and flesh, 75c value, special for next week, each         | 49c           |
| Coigate's Ribbon Dental Cream, large size tube, worth 25c, special price, only        | 19c           |
| Men's Blue Work Shirts, well made, \$1 value, next week, only                         | 65c           |
| Men's Brown Scout Shoes, worth \$3 a pair, next week, only                            | 2.35          |
| Children's Black and Brown Button Shoes, sizes 6 to 8, next week, per pair            | 98c           |
| Ladies' Black and Brown Kid Strap \$5 Sandals, special price, per pair                | 3.48          |

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### THEATRE WILBERT Sun., March 5

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sustains the allegations of the petition and that the ballot used in the election in this case was not a legal ballot, the same not having been prepared in conformity with the mandatory provisions of the law. It stands that every ballot voted in the election, having been of the same character, the entire election is null, not a single legal ballot having been cast." Hart vs. Picou, supra.

"For the foregoing reasons and the further reason of the law and the evidence being in favor thereof, it is therefore ordered, adjudged and decreed that there be judgment herein in favor of the plaintiff, L. J. Echeverria, declaring the said election held in the city of Donaldsonville on May 7, 1921, to be null and void. It is further ordered adjudged and decreed that the defendants pay all costs."

"Thus done, read, rendered and signed in open court, parish of Ascension, Louisiana, this 27th day of the month of February, 1922."

Burnside Notes and Leaks.  
By Henry C. Braud.

It is my pleasure to report the return of J. P. Torregrossa, after having spent three weeks at the Toure Infirmary where he underwent a second operation for stomach trouble. He is looking good, is in fine spirits and apparently has a new lease on life.

Mr. and Mrs. Saxon had as a visitor this week, Mrs. H. B. Heidelberg, of Clarksdale, Miss., a sister of Mr. Saxon. After a stay of two days, she proceeded to Biloxi, Miss., to visit her parents, Dr. and Mrs. I. G. Saxon.

Everyone will enjoy this: Abe Martin says "We didn't know Jake Bentley's brother was rich till we read that his trial wouldn't come up till next July." This is absolutely true. Why Fatty Arbuckle has had two trials with no conviction is because of his reputed wealth. Plenty money and good lawyers will keep your case on the docket for a long, long time.

Six Louisianians are reported to have paid income taxes on incomes of \$300,000. Blessed are the poor in wealth and salary, for they shall pay no income tax. That's me!

Within a year of a quarter of a century, for it was on March 4, 1898, that twenty-four years ago today, that the Burns and Donaldsonville Packet Company started their trim little boat, Gracie Kent, in the Burnside and Donaldsonville passenger traffic, connecting with the trains of the Y. and M. V. Railroad. The company was formed by James P. Armistead, Capt. W. S. Cary, Carroll Barkton, Capt. P. T. Babin, Alfred Beckler and the writer. The Gracie Kent, then ten months old, was purchased from Capt. John Kent of Stillwater, Minn., for \$8000 cash. The boat ran five years in the trade and was sold to Bacon and Gillican, of St. Louis, Mo., for \$4500 cash. With the purchase of the Gracie, the company had the good fortune to have the engineer remain with the boat. Thus it was that Fletcher B. Miller became a valued citizen of Donaldsonville for fourteen years. He built a home and all three of his children, two girls and one boy, Misses Ruth and Marion and Donald, were born there. Note the name of the son, "Donald." It was he who designed plans for the building of the steamers Virgie and Ruth. He supervised the construction of the former at the foot of Walnut street, New Orleans, in 1903, and the latter at the Dubuque, Iowa Iron Works, Dubuque, Iowa, in 1909. Mr. Miller, from engineer of the Virgie rose to master and pilot and was manager of both boats, and became a large stockholder of the company.

Wishing to return to his old west home he sold his stock in 1912 and went west. He is now filling an important and responsible position in Rock Island, Ill.

The one who made it possible for the company to succeed from the start was Captain P. T. Babin. It was he who had to come in contact

with the public. A man of limited education but of good judgment and full of energy and activity, he soon became as clerk, the drawing board of the business. Polite, affable, jovial and attentive to the passengers, he soon became very popular, especially with the women and children; so much so that at every Christmas time he was the recipient of boxes of cigars from his lady friends. The "old man" was a unique character. Without knowing it he possessed a streak of humor. For instance, a man supposed to be a rich sugar planter visited the Virgie at Point Houmas and asked for a ticket to Baton Rouge, the price being \$1.00. He rendered the clerk a check for \$20,000 in payment, and was told to take the boat for his change. On another occasion, a business man, a stranger, on his first visit to Donaldsonville, inquired about the best hotel, and whether it was run on the European or American plan. His prompt answer was that there was only one hotel—the Nichols—and that it was run by a Dutchman. Capt. J. G. Davidson, who retired four years ago after serving fifteen years as master and pilot of the Virgie, contributed much to the success of the business. He is now living in Baton Rouge and is 77 years old.

The veteran Capt. Cary, who commanded the Gracie Kent for five years, has been the master of the ferryboat Ruth for twelve years. George H. Chapman, who began a fireman on the Virgie, has been her capable and efficient engineer for the past twelve years.

All in all the company has made a wonderful success in the preservation of its steam boat property in the handling of over 300,000 passengers without a single loss of life or injury to limb or body and in having kept its stockholders satisfied with dividends. Of course, now it is sharing in the universal depression and slump in the revenues of all business.

Women to Rule World by 1977.

Prof. R. L. Powers of the University of Southern California expressed the opinion a few days ago, that by 1977 at the latest, women will rule the world and men will do the house work and care for the children. The reason for the professor's belief is that the widespread advancement of woman in recent years, has stimulated her to all sorts of activities, which have already begun to trench her as the dominant sex. She is courted in business, politician, far overthrown unless they please her and she has won first place in the news of the day. Her manly feet merely as ruler of the world is thus merely a matter of swift development, says the professor.

Carpenter and Plumbing Work.

When you are in need of carpenter or plumbing work give me a trial. My prices are reasonable and all work is executed in a neat and workmanship manner. If you can template having any work done just tell me to call and I will be glad to discuss the matter with you. No job too large, none too small. CAMILLE ESNEAULT, Carpenter and plumber, Donaldsonville, La.

Prime Minister David Lloyd George announced in the British House of Commons a few days ago that the British protectorate over Egypt has been terminated and that Egypt was free to work out such national institutions as might be suited to the aspirations of her people.

A bill has been introduced in congress providing for a ship subsidy of \$32,000,000 a year for an American merchant marine, to be paid by the diversion of ten per cent of the nation's custom receipts. The bill is said to have the approval of President Harding and the shipping board.