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## PICOU AGAIN NOMINATED BY SUBSTANTIAL MAJORITY

### Voters Repudiate DIRTY TACTICS of the Opposition

A vacancy having been created in the office of Sheriff of this Parish due to the death of Hon. Wm. J. Hart on August 19th, 1920, the Governor called a special election for October 12th. to fill said vacancy.

Thereupon, the Parish Committee met and ordered a primary election for the 1st. of October.

At a subsequent meeting of the Parish Committee to receive notifications of candidacy, three candidates qualified, viz: E. H. Alexander, Wm. B. Hart and Emile A. Picou.

Each candidate submitted names of two electors to act as commissioners in each of the six polling precincts of this parish.

Up to the 28th. of September, and for about three months prior thereto, Dr. Feucht, Vice-Chairman, acted as Chairman of the Parish Committee in the absence of Chairman Berthelot from the Parish. Mr. Berthelot returned here on September 28, 1920.

Due to a combination or "dicker" between Alexandre and Hart, the former notified Dr. Feucht, Vice-Chairman, of his withdrawal from the race on September 28, 1920, TWO DAYS BEFORE THE ELECTION.

Dr. Feucht immediately sent a telegram to the Secretary of State advising him of said withdrawal. The Secretary of State never acknowledged receipt of this telegram, and on the same day (September 28th.) the Parish Committee received a telegram from the Secretary of State to the effect that the ballots were printed and would be shipped on that day.

The evidence shows conclusively that on September 28, 29th. and 30th. the three days prior to the election, representatives of the Parish Committee called at the Express Office to get the official ballots printed by the Secretary of State but that same had not arrived.

The evidence is positive and stands uncontradicted that these ballots reached the Express Office at Edgard on October 1st. THE DAY OF ELECTION, at about 8:30 A. M. Under the law the polls open at 6 o'clock, A. M. No one was informed of the arrival of the ballots until the day after the election.

Section 15 of the Primary Law says: "That the Secretary of State... SHALL send a sufficient number of ballots etc. to the respective chairmen of the respective committees in each of the several parishes, so as to be received by them at least THREE DAYS PREVIOUS TO THE DAY OF ELECTION."

In view of these facts and the above provision of the law, the Parish Committee was justified in reaching the conclusion that Alexandre's withdrawal was too late to prevent his name from ap-

pearing on the official ballot sent from Baton Rouge and, hence, the Committee, through Dr. Feucht the acting Chairman, caused the name of Alexandre to be printed on the substituted ballots used at said election.

There can be no question that the Committee, in the absence of the official ballots had the legal right to cause substituted ballots to be printed, under Section 17 of the Primary Law which says: "That in case the ballots to be furnished to any voting place in accordance with the provisions of this act, shall fail, for any reason, to be delivered, or in any case after delivery they shall be destroyed or stolen, or should errors or omissions occur in them, it shall be the duty of the Chairman to cause other ballots and cards of instruction to be prepared SUBSTANTIALLY in form and number of the ballots wanting and to be furnished, etc."

Hart being defeated, by Picou at the election of October 1st. by a majority of 8 votes filed a suit contesting the election on the following grounds:

(1) That the officials (Parish Committee) under whose direction said election was held had "illegally and fraudulently conspired together to defeat the will of the people;

(2) That the Secretary of State did timely send to the Parish Committee the official ballots, but that same were not used;

(3) That the name of Alexandre appeared on the ballots used

(4) That sample ballots distributed were identical with the fraudulent ballots used.

(5) That substituted ballots used did not contain detachable slip with number thereon

(6) That ballots were illegally marked outside of the poll and voted

(7) That polling booths were not in conformity with law; that commissioners were not sworn; that there were no cards of instruction.

It was admitted that the substituted ballots used at said election did not contain the detachable and numbered slips and that no cards of instruction were printed for the reason that under the circumstances it was physically impossible for the printer to do this kind of work; it was also admitted that the name of Alexandre appeared on the ballots used for the reason above-mentioned; all the other allegations of Mr. Hart's petition were specifically denied and not a scintilla of evidence was produced by Hart's attorneys showing or tending to show that said election was not carried on in an honest and fair manner.

The evidence shows, as well as the opinion of the lower court, that the election was honestly conducted and that there was fraud, intimidation interference, brow beating or dishonest voting during the election. Judge Middleton, in his opinion, speaking of the irregularities alleged to have been committed, frankly says: "The Court is frank to say that it does not believe that these violations were deliberate or for the purpose of assisting either candidate.

In spite of the loose manner in which the election was conducted, THERE WAS PRACTICALLY NO EVIDENCE OF FRAUD."

The Court, however, could and should have stated, because it is a fact, that there is no evidence AT ALL in the record that a single dishonest vote was cast; that a single vote was prepared outside of the polling booth; that a single voter was intimidated or threatened; that a single voter was watched while marking his ballot, except those who were entitled to and asked for assistance; that every vote which was cast was not honestly counted and tabulated.

The Court should also have stated, because it is the truth, that there is not a scintilla of evidence in the record to show that the system known as the "endless chain" was practiced or attempted.

Not a single witness pretended that he had ever heard that the "endless chain" was used in this election. The fact that every one of the 1200 ballots which were printed were accounted for and were found in the boxes when the ballots were counted in open Court is evidence that it was not practiced in this election.

Petitioner Hart prayed that the election of October 1st. be declared null and void; that, in the alternative, if the Court should decree the election to be valid then that he Hart, should be declared the nominee for the reason that he received the larger number of votes cast and that a recount of the ballots would show this to be true.

**The ballot boxes were opened and the ballots counted in open Court with the result that PICOU'S MAJORITY was INCREASED to NINE (9) Votes.**

Instead of abandoning his case at that stage of the proceedings, as was expected, Hart and his coterie of "hard losers" persistently sought and obtained the judicial annulment of the whole election for the sole purpose of taking "two bites at the cherry," and all to no avail.

The only thing accomplished was the saddling of heavy additional election expenses on the innocent taxpayers of this parish.

The election was annulled because of the fact that the ballots used did not contain the detachable and numbered slips and also because the polls were not surrounded by a railing 50 feet from the ballot box. Everyone testified that at said polls the secrecy of the ballot was preserved and that these same polling places had been used for election purposes for time immemorial.

That the election of October 1st. was honestly conducted is now universally conceded in view of the result of the second primary wherein Mr. Picou again defeated Mr. Hart by the larger majority of 14 votes.

The undisputed and uncontradicted evidence show that although Hart and all his commissioners (and he had a majority of the commissioners at each poll) knew on the morning of the election that the official ballots had not arrived, and that substi-

tuted ballots without the detachable slip were used, neither he nor his representatives made any protest, or complained, or took any steps to stop the election or correct the irregularity.

On the contrary, they ALL VOTED, took their chance of WINNING, participated in the election and did not begin to "HOLLER" until the results came in showing that he was DEFEATED.

## INDICTMENT QUASHED

### L'Observateur's Charge Against Picou Absolutely Unfounded

Slandorous Publication intended as Election Propaganda Proves Boomerang

Our scurrilous contemporary, L'Observateur, in its last issue made a final attempt to have the people swallow its candidate for Sheriff by trying to besmear the character of the opposing Candidate, Sheriff-Elect Picou.

In glaring head-lines it sought at the last minute to convince the intelligent voters of this parish that Judge Picou had an indictment against him since 1913 for Extortion in Office.

It copied what purported to be an extract of the minutes of the Court, and maliciously FAILED to reproduce that part of the minutes of the Court which gave Judge Picou "carte blanche" and fully EXONERATED him of the charge made against him in which minutes read as follows:-

### Indictment Quashed

Extract from Court Minutes of Monday, December 15, 1913.

28th Judicial District Court Parish of St. John the Baptist, State of Louisiana

vs  
Emile A. Picou  
Violation of Act 59 of 1888

The trial of this case was called to be taken up, when L. R. Rivarde, of counsel for accused, filed a motion to quash indictment, which motion was sustained by the Court, and on motion of counsel for accused the Court ordered that the accused be DISCHARGED and his BOND CANCELLED.

We submit, that said slanderous accusation was knowingly false and malicious, and made for the sole and only purpose of injuring the candidacy of Judge Picou, and COWARDLY made at the LAST MINUTE when it was impossible for JUDGE PICOU to make this public DENIAL through the press.

### NOTICE!

The annual meeting of the stockholders of the GARY STATE BANK, to elect a board of directors to serve during the ensuing year, will be held in Gary State Bank, on Tuesday, November 9th, between the hours of 3 and 5 P. M.

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