

THE LAFAYETTE GAZETTE.

OFFICIAL JOURNAL OF THE PARISH AND TOWN OF LAFAYETTE.

VOL. V.

LAFAYETTE, LA., SATURDAY, MAY 29, 1897.

NO. 13.

THE ANSWER

Filed Denies That Any Fraud Was Committed by the Democrats.

Judge S. D. Read, of Calcasieu, to whom the contested election case was transferred by Judge Debaillon, who recused himself, presided over the District Court Thursday. The case was fixed for trial for June 23. The defendants filed a bill of exception to the jurisdiction of the court on the ground of the unconstitutionality of the acts of the Legislature under which the contest was brought. Messrs. Winston Overton, Chas. D. Cafery and Orther C. Mouton, the defendants' counsel, filed the following answer to the petition of the contestants:

"Now into court come defendants in above entitled and numbered cause, who, reserving their rights under the exceptions of want of jurisdiction *ratione materiae*, for answer to plaintiffs' petition, deny all and singular the allegations thereof, except in so far as they may be hereinafter admitted, and for further answer allege:

"They admit that Chas. D. Cafery was a candidate for mayor and your other defendants for councilmen of the town of Lafayette, La., at the municipal election held in said town on the third day of May, 1897, for election by the people; they aver that said election was held under the provisions of act No. 137 of 1896 and on the date fixed in the charter of said town; that said election was held according to law, the legal ballots counted by the commissioners of election as shown by their returns; that said act 137 of 1896 applies to municipal elections; that your respondents have received a majority of the legal votes cast at said election and returned elected according to law.

"Respondents further aver: That the commissioners, the clerk and watchers at said election were appointed by the supervisors of election under the provisions of act No. 137 of 1896; that the municipal authorities of the town of Lafayette had no power or authority to appoint commissioners of election; that the power to appoint commissioners of election by the charter of said town is repealed by said act 137 of 1896, and the appointment of commissioners by the city council as alleged by plaintiffs was made in error of law and was ultra vires; that your respondent C. D. Cafery, presiding at said meeting of the council did in open and public session state that it had no such power and that same was now lodged with the supervisors of election under act 137 of 1896; that when application was made to your respondent, C. D. Cafery, as mayor, to call a meeting of the Council to give plaintiffs the appointment of a commissioner, his answer, a copy of which will show, informed them of these facts with the statement that their remedy was to apply to the supervisors of election whose duty it was under the law to make the appointment of the officers and commissioners of election:

"Respondents further answering aver: That the object and purpose of the Australian system of voting adopted in this state by act 137 of 1896 is to preserve the secrecy of the ballot, prevent intimidation, corruption and bribery; that at the only previous election held under this law in Nov. 1896 the purpose of the law in these respects had not and could not be carried out from the manner and place the officers had located the booth and box; that the object of the authorities in placing the box and booths in the court-room of the court-house (the polling place established by law) was to secure a secret ballot, prevent intimidation, corruption and bribery, and without any injury to any one entitled to vote; that the watchers appointed for both sides and challengers were within said court room at a distance of a few feet and near the barriers placed

there under the law, in full view of the whole proceedings; that no objections were raised by said watchers or challengers to any irregularity, to the legal rights of any one to vote or any unfairness in the conduct of the election.

"Respondents further aver: That notwithstanding all precautions taken by the officers of the law as above stated, they have been informed and verily believe, and therefore charge, that one or more of the leading spirits in the management of the campaign for, or some supporter of, the People's Ticket, voted, or caused the voting, of an illegal ticket without the detection of the commissioners at the time, for the purpose of keeping the official ballot given said voter to your respondents unknown, and then retired from the presence of the commissioners still retaining in his possession the official ballot provided by said commissioner; all this concocted for the purpose of destroying the secrecy of the ballot and to exercise undue influence, intimidation etc., contrary to the intent and spirit of the law, by preparing said ticket so obtained and causing another voter, to cast it and return the official ballot obtained by the latter from said commissioners, to be again used for the same purpose; all in fraud of law and to the great injury of your respondents; that thirty-five such votes were cast against your respondents and in favor of plaintiffs.

"Respondents further answering aver: That they specially deny that the commissioners of election proceeded to count the ballots in the absence of the watchers who had been selected by the plaintiffs to inspect the count of the vote; but on the contrary, allege that said counting of the votes was proceeded with only after said watchers had been selected, and in the presence and under the inspection of every ballot by the watchers present.

"Respondents further answering aver: That the provisions of act 137 of 1896 above referred to, concerning the manner of marking the tickets or ballots and declaring the ballots otherwise marked as illegal, are mandatory; that the rejection of such illegal ballots is made the mandatory duty of the commissioners under the various provisions of said act, and said commissioners had no discretion in that regard; that the ballots so rejected were rejected by the commissioners of election in the presence and with the approval of the watchers selected to inspect the count of the votes by plaintiffs, save in a few instances when the objections were frivolous; that they have been informed and charge that those cast for plaintiffs, if any, and rejected were either marked, defaced or torn for identification, and as such illegal, or improperly marked so that the intention of the voter could not be ascertained; but that many, if not a majority, of the ballots rejected were cast for your respondents or some of them, many of which rejected for the latter reason should be counted, many of which were rejected by the commissioners by error.

"Further answering they aver: That the officers of the election furnished two official stamps, one for each booth, with which to mark the ballot; that one of said stamps was accidentally or intentionally broken by some voter to your respondents unknown; that said commissioners being provided with those two stamps, and desiring to allow one voter at a time within each booth, that the right of suffrage of all the citizens could be exercised without unnecessary obstacles or delay, procured as soon as possible a pencil with a rubber at one end, the rubber end to be used to mark the ballot, and placed same in one of the booths with instruction to the voter how to use it; that without this, only one voter could have entered within the barriers at a time, necessitating unavoidable delay, consuming double the time and probably cause some voters to forego their privilege, or loose their right because of their inability to reach the commissioners before the closing of the polls; that the pencil rubber was used indifferently by the voters voting for plaintiffs and defendants, the ballots prepared with it received by the commissioners and counted in the official count when not otherwise marked than provided by law.

"That the voter Kelly voted, but if he did not, it was due to his own indifference, because by waiting a

few minutes he would have been allowed to enter the other booth which was provided with an official stamp; that using said pencil rubber, in the absence of the official stamp caused no injury to plaintiffs, nor did it deprive any one of his right to vote, and the voice of the people was heard.

"Respondents further aver: That they have been informed and therefore charge that the object and purpose of the officers in procuring two instead of only one booth was because there is only one voting precinct established by law in said town of Lafayette; that with only one precinct where the registration showed a large increase of voters, the time required with only one booth might not be sufficient, especially with an industrious population the most of whom could only give but a limited time to exercise their suffrage, to receive all the votes, and thus some would be deprived of this most inestimable prerogative; the object in view was in favor of a full expression of the popular will; that this arrangement secured the exercise of the right of suffrage to all, caused no injury to plaintiffs or any voter, but on the contrary better secured the rights of the people.

"Respondents further aver: That they have been elected at said election by the people legally voting, returned as such according to law and duly commissioned and qualified.

"Wherefore, premises considered, respondents respectfully pray that plaintiffs' demand be hence rejected with costs; and that the illegal votes cast for said plaintiffs as above stated be rejected and your respondents declared duly elected and quieted in the possession of their offices of Mayor and Councilmen respectively, at costs of plaintiffs."

THE VETERANS

Spend a Day at Beausejour Springs.

Gardner Camp of United Confederate Veterans gave a picnic at Beausejour Springs last Saturday. The number of people present was not as large as expected, but nevertheless there was a fair attendance, and all present had an enjoyable time. Among the members of the camp on the ground were: D. A. Cochrane, A. Lisbony, T. A. McFaddin, M. T. Martin, Faustin Vincent, J. A. Laneville, T. D. Weir, Aurelien Primeaux, Clemile Landry, Jules U. Broussard, J. B. Benoit, Desire Savoie, Hilaire Savoie, J. Duplex Breaux, Numa Breaux, Lucien St. Julien, Jules St. Julien, Arthur Greig, Ambroise Mouton, J. K. Grier, Ben Avant, John S. Rand.

Mrs. Frank Gardner, sponsor for the camp, was the guest of the veterans and spent part of the day on the grounds.

The officers of the camp are: D. A. Cochran, captain; C. Debaillon, adjutant; A. Lisbony, 1st lieutenant; T. A. McFaddin, 2nd lieutenant; J. A. Laneville, quartermaster; Faustin Vincent, flag bearer; T. D. Weir, chaplain.

The Same Trouble.

The following item from the Opelousas Clarion will go to show that Lafayette is not the only town that is meeting with difficulties in trying to secure a system of waterworks and electric lights. Our neighbors in Opelousas have already encountered several obstacles in their efforts to procure these much-needed improvements. The Clarion says:

Again there is a hitch in the erection of our waterworks and electric lights system. There must be some evil spirit working against Opelousas and her interests. This is the second time that she actually contracted for waterworks, and yet it now seems that a third contract with another party will be necessary.

The hitch this time is that Mr. B. F. Rounds, the successful bidder for the contract, has not yet appeared to furnish his bond although the thirty days given him in which to do so have expired. But this will only cause delay, as the people are determined to have waterworks.

CARENCRO NEWS.

Items of Interest Gathered by The Gazette Correspondent at Carencro.

A new cottage is being built on the lot facing the property of Mr. L. Guilbeau. Mr. Theo. Gelvin, the popular and experienced contractor, has charge of the brick work.

Horse-back riding that seemed so popular among our young people some time back, seems to have completely died out.

Mr. and Mrs. C. F. Latiolais and Mr. and Mrs. Felix Andrus were visitors in Broussard last Sunday.

Mr. Frank Jeanmard returned home last Monday after passing several days in Breaux Bridge. We notice that Frank's visits to the little city of the Teche are quite frequent lately. Business of course!

Croquet is once more becoming quite popular in Carencro.

The long, shady lane north east of town affords delightful driving and is without doubt one of the finest roads in the country. This road was graded and improved by Mr. Stelly who has proven himself an expert in that line of work. He has no superior anywhere. Taken as a whole the sixth ward has excellent roads.

Work has commenced on the plant of the Carencro Union Ginnery Co. The outfit will be completely overhauled and improved. Four new 70-saw gins will replace the smaller ones formerly used, greatly increasing the ginning capacity. The cotton storage house will be enlarged, giving plenty room for the seed cotton. A large substantial shed will be built, affording shelter for some eighteen wagons during bad weather.

It is rumored that several of our young people intend organizing a dramatic and literary club. This is a move in the right direction and The Gazette wishes them a full measure of success.

Messrs. E. M. Heath, Aristide Francez, Felix Villere and A. Gatipon went with the excursion party to New Orleans Sunday last.

Miss Pearl Harmonson, a charming young lady of Opelousas, spent Sunday here among friends.

The new Council has been commissioned and will assume control of affairs on Saturday.

Messrs. Theo. J. Gelvin and A. X. Lamulle paid a flying visit to Lafayette last Sunday evening.

The Carencro Brass Band and Social Club propose giving a dance shortly. The proceeds of any entertainment they give will be devoted to the purchase of new instruments. The band is progressing nicely.

A number of ladies visited the Sacred Heart Convent at Grand Coteau last Thursday, it being communion day.

Vacant lots in Carencro are generally held at such exorbitant figures that it is almost impossible for any one to buy. This has a retarding influence on the advancement of the place. Our assessor might investigate and discover the value of these hidden gold mines and act accordingly.

What has become of all the base ball talent that existed here some year or two ago?

May 21 was the tenth anniversary of the ordination of Rev. Father Laforest, and was celebrated in a delightful manner by the children of St. Ann's Convent. Father Laforest was the recipient of many gifts, and was heartily congratulated by all.

Superintendent C. F. Latiolais was in Lafayette Tuesday on business connected with the public schools.

ness connected with the public schools.

Mr. Stokes of Belleview was the guest of Dr. Lessley last Tuesday.

Mrs. Villere and Mrs. Richard Tanner were in Carencro last week visiting friends.

SCHOOL CHILDREN

Of Pilette Give Thier Annual Exhibition.

The 21st of May being the last day of the scholastic year the pupils of the Pilette public school, under the direction of Prof. Robert Broussard, gave their annual exhibition. It was a very entertaining performance, and gave satisfactory evidence of the progress of the children of this school. Prof. Broussard had thoroughly prepared the young ones for the occasion and the manner in which everything was conducted showed thorough training and intelligent instruction. At eight o'clock, the hour fixed for the beginning, the eighty children who attend the school were present and a fairly large audience had come. The following interesting program was well rendered:

Addresses of Welcome.....Wallace Beadle, Aymar Labbe, Jr. L'enfant Vertueux.....Valsin Benoit, Jr. The Pagan.....Duplessin Broussard. I'm a Man.....Albert Olivier, Clemille Bonin, Therese Landry. L'enfant Pleurant.....Miss Laure Bernard.

George Washington.....Robert Meaux, Caesar Broussard, Misses Esta Langlinalis, Laure Bernard, Hilda Beadle. La Fete D'une Mere.....Miss Eve Landry.

La Recreation Perdue.....Misses Nella Broussard, Therese Landry, Laure Bernard, Esta Langlinalis, Hilda Beadle.

L'enfant Meurant.....Miss Nella Broussard.

L'ecole Choisie.....Misses Nina Breaux, Nella Broussard, Hilda Beadle, Esta Langlinalis.

La Petite Julie, a song.....Albert Olivier, Miss Louise Olivier.

Les Pauvres.....Elior Benoit.

En Revenant de France, a song..... Little girls of the 1st reader grade.

Les Trois Lapins.....Marcelle Bernard, Duplessin Broussard, Clemille Bonin, Leonidas Broussard, Misses Eve Landry, Elodie Broussard, Nina Breaux.

Il Vas Partir.....Six Little Girls. The children performed their parts in a manner to reflect much credit upon themselves and their painstaking teacher.

At the conclusion of the exhibition Mr. Broussard, the teacher, spoke "on the responsibilities of a teacher and the advantages of a primary education."

Prof. Broussard introduced Superintendent Latiolais who delivered a short address in French, urging parents to send their children to school. He was followed by Hon. J. O. Broussard, director of 8th ward, who also spoke in French.

High School Picnic.

The High School picnic on Wednesday at Chargois' Springs is one long to be remembered by all so fortunate as to attend; for "Oh! what is nicer than a bright picnic day, when hearts are merry and companions are gay."

After the many conveyances were emptied of their precious freight, each one spent the day in his or her choice diversion, some indulged in pleasant conversation, others promenaded the woody glens and the remainder played games of different sorts. But all with hearty appetites gathered around the well laden table and enjoyed the many goodies there arrayed. Not until the twilight shades were falling fast, did any one think of returning to the dusty town. The gaily decorated wagons and merry voices of the occupants, bespeaking a delightful day, now only a memory, but fortunately a sweet one.

THE DIXIES

Conquered - Washington's Nine Win by Three Points.

The game of base ball played last Sunday evening at the Oak Avenue Park, between the Washington team and the Dixies of Lafayette, was an exciting and interesting contest from start to finish, the result being doubtful until the last man was called out by the umpire.

In spite of the costly errors made by the Dixies, victory seemed to be theirs in the ninth inning, but the score was tied only. The tenth inning played decided the game in favor of Washington.

Considerable excitement prevailed during the tenth inning, the rooters and grand stand cheering encouraging the boys to win. The visitors, however, could not be downed.

About 200 people were in attendance, among whom were a number of ladies showing decided interest in the game. The players and the score follow:

Washington.	Lafayette.
Going.....	F.....
Mudd Derbes (W).....	C.....
Buttle.....	S.....
Elter.....	F.....
Winkler.....	S.....
Antonio.....	T.....
Martin (H).....	C.....
Plosky.....	R.....
Washington.....	0 3 0 2 0 0 7 0 0 3
Lafayette.....	5 0 0 3 0 3 0 0 1 0

The Washington boys left in carriages about 7:30 p. m., wearing their laurels with grace and dignity, highly pleased with their day's sport and the reception of the Dixies which they declared to have been as hospitable, enjoyable and pleasant as they could possibly make it.

DIAMOND DOTS.

The boys hope that more ladies will be present for the next game.

Lafayette has some real "rooters."

The umpire's decisions were fair and square.

Catcher Derbes of the Washingtons had no use for the back-stop. He stopped all the balls himself.

Broussard ran about a mile under a foul fly and caught it, and the grand stand cheered.

Pitcher Going of the Washingtons had all the boys staying home for a while. He won the game, they say, because his sweetheart was one of the fair young ladies on the grand stand.

The intimitable Bill Graser held first down, likewise all the balls passing his way, except John's "How 'tis!"

Jim Marsh played his usual fine game, and was in it all the time.

Captain Jacobs, of the Washington nine, is a gentleman and a sport and made a number of friends Sunday.

Washington had a mascot; Lafayette had none; hence the defeat.

As soon as the boys get to hard practice and team work they will become champions. The Gazette predicts it.

We regret to have to announce that the game scheduled for Sunday, to-morrow evening, between the Crowley club and the Dixies, is indefinitely postponed, the Crowley club telephoning Thursday that they were unable to meet the engagement. Instead of this game however, the Dixies have arranged to play a practice game with the famous Pilette club to-morrow evening at 4 p. m. Admission free.

The races advertised for June 6, have been postponed until the 4th of July and will be announced in due time.

The Ladies' Five O'clock Tea Club was entertained on Thursday at the "Grove" by the Misses Mudd. A "bur and berry" party was the means of whiling away a few pleasant hours.

Many witty answers were given to the questions propounded. The first prize, a silver-top straw-berry emory bag, was tied for by Mrs. Denbo and Miss Stella Trahan, and finally won by the latter, the booby, an old pine bur tied with blue ribbon, was awarded Miss Haydee Trahan. The "bur and berry" scheme was furthermore carried out in the decorations and refreshments—the former being blooms from the elder-berry, burs from pine and gum trees, and clusters of black-berries, and the latter luscious berries, ice cream and straw-berry wafers. Songs by Mrs. Bissat, Miss Susie Hopkins and Mrs. F. Mouton, were much appreciated as was also an instrumental solo by Miss S. Trahan. Nor was business neglected, for the club's motto is "business before pleasure." The next meeting will be at the home of Judge J. G. Parkerson.

See our wall paper at 5 cents a roll. Prices are fair for higher grades. Moss Bros. & Co.