

NEW IBERIA ENTERPRISE

AND INDEPENDENT OBSERVER—CONSOLIDATED MARCH 1, 1902.

W. FISHER, Editor and Proprietor.

DEVOTED TO THE ADVANCEMENT OF HOME INTERESTS.

New Iberia Enterprise, Established in 1888
Independent Observer, Established in 1900

JUNE XXXI

NEW IBERIA, LA., SATURDAY, AUGUST 21, 1915.

NUMBER 31

Proceedings of the Police Jury.

New Iberia, La., Aug. 5th, '15.
The Police Jury met this day in regular session, Dr. Wofford presiding and the following members present, viz: Dr. A. Boykin, Messrs. Fred Deert, Laodice Deleambre, E. J. Y. H. P. Gates, R. A. Jacob, J. Landry, O. D. Romero, P. C. Walet. Absent, Mr. F. Druilhet.

The minutes of the last meeting and those of the special meeting June 15th were read and approved.

The reports of the Treasurer of the Secretary were ordered read on the minutes:

Treasurer's Report.
New Iberia, July 31st, 1915.
The President and members of the Police Jury, Iberia Parish,

Gentlemen—I beg to submit my report of receipts and disbursements for the Parish from July 1st to July 6th, 1915:

Receipts.
L. Burke, Secty 106.40
L. Burke, Secty 1324.59

Disbursements.
Vouchers paid 947.98
Receipts and disbursements from July 6th to July 31st, 1915:

Receipts.
L. Burke, Secty 483.01
L. Burke, Secty 729.63

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L. Burke, Secty 729.63

Disbursements.
Vouchers paid 1119.53
Bal. 93.06

Respectfully submitted,
CHAS. L. PROVOST,
Treasurer.

Treasurer's Report Special Account.
New Iberia, Aug. 1st, 1915.

To the President and Members of the Police Jury of Iberia Parish, La.:

Gentlemen—I beg to submit this my report of receipts and disbursements from May 31st, 1915 to July 5th, 1915.

Receipts.
Bal. 1002.82

Disbursements.
Vouchers paid \$175.00
Bal. 827.82

Receipts.
From July 5th to July 31st, 1915.
Bal. \$1002.82

Disbursements.
Vouchers paid \$175.00
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Receipts.
From July 5th to July 31st, 1915.
Bal. \$1002.82

Disbursements.
Vouchers paid \$175.00
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Receipts.
From July 5th to July 31st, 1915.
Bal. \$1002.82

Disbursements.
Vouchers paid \$175.00
Bal. 827.82

Respectfully submitted,
CHAS. L. PROVOST,
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SECRETARY'S REPORT.
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amount due for office rent and that same would be paid in regular order.

The following report was made by Engineer Walter Y. Kemper. New Iberia, July 27th, '15.

Hon. President and Members, Iberia Parish, Police Jury, New Iberia, La.:

Sirs—In accordance with your instructions, I have visited and inspected the drainage conditions where the properties of Messrs. Honora and Adolph Romero about the new public road along the west side of their lands.

At the time "Jack's" Coulee was dredged, partially by the Bayou Carlin Drainage District and partially under the supervision of the Board with funds privately subscribed, the dredge left "Jack's Coulee" at a point south of the 80-arpent road and proceeded along a smaller canal to the 80-arpent road. From this point a canal was cut with spades for some distance into the property of Honora Romero and through the property of Adolph Romero.

There is a ridge between this canal and the old "Jack's Coulee" where the coulee was not dredged hence the natural drainage of most of the lands of Adolph Romero is through the old coulee. This old coulee was cleaned a few years ago but it is not now in such condition as to permit of effective drainage.

There is a small natural drain that crosses the pasture of Honora Romero and leads to the spaded canal. This drain has been dammed in Mr. Romero's pasture and has been filled where the public road crosses it, while the claim is made that this drain affords no relief, the obstructions should be removed on the assumption that drainage is not improved by dams and levees.

The real cause of the poor drainage is the obstructed condition of "Jack's Coulee" canal. This canal, which was never large enough, has become very much obstructed by a growth of grass, weeds and willows. This growth has caused dams and greatly reduced the carrying capacity of the canal.

After a heavy rainfall the water, for want of an efficient outlet, backs through the drainage ditches of Honora Romero into the ditch along the east side of the public road. Using this ditch as an equalizer, the water flows along same to the 80-arpent road ditch, hence to the old (undredged) Jack's coulee. This, of course, interferes with the drainage of the lands of Adolph Romero. It appears that when the lands of Adolph Romero are flooded a portion, at least, of the lands of Honora Romero are also flooded. I cannot see that the public road is damaged by any of the drainage ditches entering into the road ditches at this point.

The only effective relief to be given these parties will be through re-dredging, or cleaning "Jack's coulee" canal. Any money expended in this manner should be under engineering supervision.

Respectfully,
WALTER Y. KEMPER.

On motion of Mr. Romero, seconded by Dr. Boykin and carried, the Bayou Carlin Drainage District was requested to dredge and clean Jack's Coulee as per recommendations of Mr. Kemper and the Secretary was instructed to notify all property owners abutting the public road to remove dams from public ditches.

In compliance with his contract Mr. Walter Kemper submitted sectional, maps and township plats and report concerning same and asked that the sum of \$1100.00 be allowed to him from the funds for the purpose. On motion of Dr. Boykin, seconded by Mr. Jacobs and carried, the maps, township, plats and reports were ordered filed and the Secretary instructed to issue a joint check with our Kemper for \$1100.00 when authorized to do so by the map committee.

As per the request of the Jury, Mr. Mellheny submitted a detailed statement of the amounts expended by him to date in the construction of the Avery Island road. On motion of Mr. Landry, seconded by Mr. Romero, the report was ordered filed and Mr.

Mellheny requested to furnish copies of the original bills for the next meeting of the Jury.

Complying with the request of the Jury, District Attorney L. T. Dulany, submitted the following opinions which were ordered spread on the minutes of the meeting.

New Iberia, La., July 5th, 15.
To the President and Members of the Police Jury of Iberia Parish:

Gentlemen—It is unnecessary at this time to present any lengthy statement, upon the question of your legal right and means of finding your indebtedness for the past years, it being all sufficient to say, that the legal right is only practicable under certain circumstances to which I will call your attention, but which you alone must determine.

Under Act No. 35 of the extra session of 1915, a Police Jury is permitted to set aside not more than 2 1-2 mills out of its 10 mills each year for not more than 25 years; provided that all statutory and necessary expenses are first paid.

If, therefore you should have a margin, or surplus, over and above your budgeted amount, you can dedicate that amount, not exceeding 2 1-2 mills to the payment of certificates of indebtedness upon which you could borrow money to pay off your past indebtedness.

As the matter now stands it appears to me that this plan can only be adopted, after you have made your budget for the year 1916, but this is for you to determine.

Respectfully submitted,
L. T. DULANY,
District Attorney.

To the President and Members of the Police Jury:

Gentlemen—In compliance with your request, I herewith give you my opinion as to the question of liability of the Parish for damages resulting to C. L. Smith by the falling of a defective bridge on the Public Road.

The District Court of this Parish has held in one or more cases of like nature, that the Parish could not be held in damages for this cause of action, in other words that such a demand set forth no legal cause of action against the Parish.

In this holding the District Court, has been influenced by what appears to be the jurisprudence of the State, notably the case of Sherman vs. the Parish of Vermilion, reported in the 51 A, which up to this time has been accepted as covering the whole scope of the law in such cases.

For the reasons above mentioned I am quite certain that the demand of Mr. Smith would be rejected by the Judge of the District Court, keeping in line with precedent, and hence I cannot advise the payment of the claim, but do advise that the claimant be left to invoke the adjudication of his demand by the Courts, and in the event of his resort to legal proceedings, though confident of the rejection of his demand by the District Judge, I am not sure that he will not be awarded a Judgment on appeal.

It is not advisable to rely upon the cases upon which the opinion of non-liability has been predicated, for the reason that, these cases did not involve the question of liability of the Police Jury, in the exercise of those functions which relate to the interest of the taxpayer, but were cases wherein the acts complained of were such as arose from the conduct of officers in the exercise of their duties, as representatives of the State's Sovereign Powers.

I consider the question an open one until it be directly put at issue and adjudicated, which does not appear to have been done.

Respectfully submitted,
L. T. DULANY,
District Attorney.

Mr. H. N. Pharr and Dr. J. A. Goodwin appeared before the Jury and asked that an appropriation of \$250.00 be made to help defray the expenses of a proposed Live-Stock Fair to be held during the upcoming Fall. On motion of Mr. Landry, seconded by Mr. Romero and carried, the sum of \$250.00 was appropriated for the purpose set forth and the Secretary was instructed to issue a

Lee's Drug Store

Announces to the trade that they have now secured the services of a REGISTERED PHARMACIST and is prepared to handle all prescription work. A share of your business will be appreciated.

PRICES MODERATE.

OUR SODA FOUNTAIN IS DISPENSING COOL DRINKS.

warrant for the amount to be paid from the revenues of 1914-1915.

Attorney Porteus R. Burke, representing the Citizens Bank of Jeanerette asked that a certificate of indebtedness, or other negotiable paper be given to the Bank in settlement of a salary warrant issued to Assessor T. A. Derouen for his tax roll of 1914.

On motion of Mr. Jacob, seconded by Dr. Boykin and carried, the Secretary was instructed to issue such an instrument to the Citizens Bank of Jeanerette, bearing five per cent. interest from date and payable on or before January 15th, 1916.

Mr. Madison LeBlanc complained that he was denied the right to drive cattle from one section of the Parish to another without proper certificates from the Inspector of having been dipped; whereas other dealers were permitted to drive herds from Vermilion Parish for delivery at different points in this Parish. On motion of Mr. Jacob, seconded by Dr. Boykin and carried, the President appointed a committee to consist of Mr. Jacob, Mr. Gates and the District Attorney to investigate this charge and to see that all violators of the quarantine ordinance be prosecuted.

On motion of Mr. Romero, seconded by Dr. Boykin and carried, Professors L. A. Walet and Chas. Bahun were requested to hold an examination for the selection of a young lady beneficiary student at the Southwest Louisiana Industrial Institute; and the Secretary instructed to give proper notice through the Official Journal of the date and place of such examination.

Mr. J. J. Olivier presented a statement of his stock in trade and asked that his assessment be reduced from \$5000.00 to \$2000.00, the figures prevailing on the rolls of 1914. On motion of Mr. Romero, seconded by Mr. Jacob and carried, this request of Mr. Olivier was granted and the Assessor was authorized to make such a reduction in his assessment on stock of merchandise.

The Secretary was instructed to furnish the District Attorney with a list of names and amount due by each for the construction of approaches to the model road; and the attorney requested to enforce the collection of these amounts.

On motion of Mr. Romero, seconded by Mr. Gary and carried, the request of Mr. Alphe Domingue for an appropriation to clean a private canal in the Eighth Ward was denied.

Mr. Deleambre reported that a bridge across Bayou Petit Anse was in bad condition and required immediate attention. On motion of Mr. Landry, seconded by Mr. Decourt and carried, Mr. Deleambre was authorized to cause

A WORD FOR MOTHERS

It is a grave mistake for mothers to neglect their aches and pains and suffer in silence—this only leads to chronic sickness and often shortens life.

If your work is tiring; if your nerves are excited; if you feel languid, weary or depressed, you should know that Scott's Emulsion overcomes just such conditions.

It possesses in concentrated form the very elements to invigorate the blood, strengthen the tissues, nourish the nerves and build strength.

Scott's is strengthening thousands of mothers—and will help you. No alcohol.

Scott & Bowne, Bloomfield, N. J.

the necessary repairs to be made. Mr. Decourt requested permission to cause needed repairs to the Loreauville bridge. On motion of Mr. Jacob, seconded by Mr. Walet and carried, Mr. Decourt was authorized to have these repairs made.

On motion of Mr. Landry, seconded by Mr. Jacob and carried, Road Foreman Lourd was instructed to work the Burke Station road when the work ordered in the 7th and 2d Wards was completed.

On motion of Mr. Jacob, seconded by Dr. Boykin and carried, Mr. Gates was authorized to have the Bull Island Road repaired and worked.

Mr. Landry moved that a committee of Freeholders to consist of Henry Landry, Leonard Romero, Adolph Romero, F. J. Romero, G. O. Pharr and Lastie A. Romero be appointed to assess values and appropriate the right-of-way through the properties of Pierre Babineaux and Mrs. Fremin in order to straighten the public road leading to rear of 5th Ward, this was seconded by Mr. Gary and carried.

On motion of Mr. Landry, seconded by Mr. Decourt and carried, the Police Jury authorized the purchase of the right-of-way for a road to connect with the Lafayette road from the following, viz: M. Rouille, Lastie Romero and Antoine Romero.

The following bills were approved:

Justices and Constables.
E. LeBlanc \$8.55; A. Goula \$8.55; B. P. Duplantier \$8.55; W. Romero \$8.55; J. A. Babin \$8.55; E. Decuir \$8.55; J. A. Dugas \$14.95; Chas. Bouttee \$14.95; J. A. Segura \$8.55; E. Romero \$8.55; S. O. Nuckolls \$50.00; M. J. Domingue \$25.00; M. A. Moss \$12.80; S. Miguez \$12.80; J. C. Thomas \$10.70; L. T. Legnon \$10.70; Oct. Hebert \$10.70; Jas. Borel \$10.70.

Roads and Bridges.
H. Boutte \$21.00; St. C. Etie \$10.00; St. C. Etie \$6.25; William Lourd \$75.00; Annie Wyche \$10; A. Decuir \$12.00; A. Ranconet \$12.00; Eli Boutte \$12.00; Estorge Drug Co. \$15.25; P. Savoie \$13.00; Achille Olivier \$15.00; E. Miguez \$4.00; C. LeBlanc \$3.00; A. Fortier, Jr. \$45.00; J. J. Olivier \$1.25; Euzebe Provost \$3.50; Celeste Landry \$20.00; B. Langla \$18.75; L. Bertrand \$5.00; A. Tazin \$6.00; Sidonie Prince \$5.00; Jno. D. Walet \$21.00; J. A. Segura \$16.00; Leonard Romero \$184.50; E. P. Latina \$11.00; Jos. Norris \$35.00; Bertrand Lumber Co. \$126.26; West N. I. Land Co. \$14.85; L. Bennett \$10.50; M. Derouen \$8.50; G. M. Landry \$8.00; H. Deleambre \$30.00; G. F. Landry \$22.70; S. O'Brien \$13.00; P. L. Renouet Lumber Co. \$17.64; Alex Broussard \$4.00; Planters Lumber Co. \$38.33; A. Fortier, Jr. \$55.00; Robt. Judice \$42.60; Leon Dreyfus \$2.15; N. I. Sugar Co. \$7.00; A. M. Bernard Wagon Works \$25.95; Pierce Oil Co. \$6.50; N. I. Commission Co. \$103.50; Dave Dorsey \$6.50; Texas Oil Co. \$68.55; Mrs. A. Longtin \$5.00; Joe. Lissard \$15.00; H. Vaughn \$43.00; Celeste Landry \$43.00; L. Bennett \$7.00.

Criminal.
Jules Toffier \$490.10; S. G. Harry \$4.25; Estorge Drug Co. \$146.61; Jno. R. Tavior \$95.35; G. E. LeBlanc \$17.50; S. G. Harry

(Continued on page 8.)