

Succession of Gregoire Bodin

Probate No. 2028

Parish of St. Mary

The following is an extract of part of the first document filed in the record of the succession proceeding of Gregoire Bodin, Planter, Cypre-Mort Prairie, St. Mary Parish, Louisiana,

. . . that succession proceeding having been initiated by “ . . . Nathalie Bourque, . . . widow of Gregoire Bodin, late of the Parish of St. Mary . . . ,” by a petition “[t]o the . . . Judges of the Third Judicial District Court of the State of Louisiana . . . in and for the Parish of St. Mary,” the petition having been received for filing by a Deputy Clerk of the office of the Clerk of Court on April 22, 1865, and in which petition Nathalie Bourque informs the Court that Gregoire Bodin “ . . . departed this life on the 20th [of] April, 1865”

All of the original papers of the estate proceeding lie yet today in the public records, are in English, the complete record consisting of 168 hand written pages.

The next page of this writing is a typed reproduction of the entirety of that April 22, 1865, petition by Nathalie Bourque.

Page three is a discussion of one theory of possible causes and effects of the events at the time of G. Bodin’s death on his burial and church rites.

The fourth page is a copy of the actual passage in the church record concerning Gregoire Bodin’s death, having, too, a translation from french to English of that record of the Catholic Church at Charenton, La. — a church some eight or so miles from the Cypre-Mort residence of Bodin and the church attended by him.



Paul J. Breaux
March 29, 2014

Mar. 29, 2014 ©

Paul J. Breaux first completed Pharmacy School. After practicing pharmacy for several years, he entered and completed the L.S.U. Law School curriculum, and he has practiced law since then. His practice is located in Lafayette, Louisiana.

To the Honorable, the Judges of the Third Judicial District of the State of Louisiana,
holding sessions in and for the Parish of St. Mary:

The petition of Nathalie Bourque, of the Parish of St. Mary, with respect represents: That petitioner's husband, Gregoire Bodin, late of the Parish and State aforesaid, departed this life on the 20th April 1865, leaving, among other heirs, Eugene Bodin, a minor, the issue of the marriage of said Gregoire Bodin with your petitioner. That your petitioner is the Natural Tutrix of said minor, and wishes to be confirmed as such, and that an Under Tutor may be appointed —

Wherefore petitioner praying accordingly, also prays for general relief —

And as in duty bound

[his signature undecipherable]

Attorney for Petitioner

Rec^d & filed 22^d April 1865

-----, Dy. Clerk

And then one must contend with, try to reconcile, the signed entry in the records of the Catholic Church that is set out below with the able assistance of Noélie Bodin as traducteur:

Subject: Re: Gregoire's Death Record
Date: Tue, 4 Mar 2014 08:34:00 +0100
From: Noélie Bodin <---@-----.com>
To: Larry D. Bodin <----@----.net>

Dear Larry,

...

I have tried to decipher the death record [from the church archives], here is what I came up with:

First in french:

L'an 1865; le 25 juin, j'ai donné la sépulture ecclésiastique à Grégoire Bodin, mort à l'âge de 70, Cypre-mort, muni des sacrements. [Signature]

And now for the translation in English:

In the year 1865, on June 25th, I gave an ecclesiastical burial for Grégoire Bodin, who died at the age of 70, in Cypre-mort, comforted by the last sacraments.

While there is not a difference of two *years* between the express date of death of Gregoire Bodin as given in the court probate record and the date implied by the church records, it is difficult to reconcile the difference, nevertheless. One thing making the disparate entries particularly puzzling is that they are “contemporary entries,” that is, neither is made several years afterward when one would be forced to rely on memory which can become blurred with the passage of time.

The 1865 Church record, on close examination, is a summary or description given in a single passage of two different activities or events, events usually separated by several days, and not often more. Although performed all on the same occasion, the “last sacraments” is actually a group of three, administered to people who are alive but believed to be near death: Penance, followed by Anointing with Oils, and then the Eucharist (Viaticum). The recipient may live several or more days before dying, there occur the visitation with the family by relatives and friends, and only then does the burial occur. Seldom, or “almost never,” does receipt of the last sacraments which admits, perforce, of time yet to live, and burial happen on the same day — not even, it is suggested, in rural areas in the mid-1800s where and at a time when little or no embalming was practiced.

While “burial” and “last sacraments” are in the June 25th passage in the church record, the pastor did not use/write the phrase “date of death” at any point, maybe feeling that did not fit with the date he chose for the entry.

One can feel confident that G. Bodin did not receive both the last sacraments and an ecclesiastical burial on June 25, 1865. And, it can be said with equal certainty that it was not two months (April 20th to June 25th) between his death and interment, causing one to wonder, forcing one to speculate, what might have caused the two-month delay between death and the church/ecclesiastical burial ceremony.

Therefore, one is compelled to postulate, and with some confidence, that G. Bodin did in fact die on April 20th and was buried within a few days of that, but the official ecclesiastical burial (church burial) in fact did not occur until June 25th. Larry Bodin, intimately familiar with the tomb in which Bodin was interred, he having had it reconstructed some 8 or so years ago after severe damage caused by a hurricane, feels he can imagine special construction having been necessary to permit the permanent burial/placement of G. Bodin’s coffin with the others of his family who were also buried in the tomb that he had had erected some years before. One can understand a family wanting to wait until complete and final re-closure and sealing of the tomb structure could be accomplished by brick masons and other workmen before the performance of a full ecclesiastical burial rite.

Further, G. Bodin died at the end of the Civil War, literally. Robert E. Lee surrendered on April 9, 1865. It was on May 9, 1865, that the President officially declared an end to the hostilities, and the last Confederate General did not surrender his forces until June 23, 1865. The possibility cannot be dismissed that those factors were a source of disruption of the normal course of events throughout the country, even at the Cypre-Mort Prairie in St. Mary Parish.



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Note: The church record also suggests that Gregoire Bodin, as was the case with his first wife, Pélagie LeBlanc, did not die suddenly and without warning, for example by heart attack or stroke, since last sacraments, sacraments that are administered only to the living, were received by him.

March 29, 2014 ©

1865

Grégoire Bodin / L'an 1865, le 25 Juin, j'ai
 donné la sépulture ecclésiastique
 à Grégoire Bodin, mort
 à l'âge de 70, Cypre-mort,
 muni des sacrements.

Cuny

A typed reproduction and then translation from French to English made in 2014

L'an 1865; le 25 juin, j'ai donné la sépulture ecclésiastique à Grégoire Bodin, mort à l'âge de 70, Cypre-mort, muni des sacrements.

[Signature of Father Cuny (Father Cuny pastor from 1861-1870); Church was then known as Immaculate Conception]

English:

In the year 1865, on June 25th, I gave an ecclesiastical burial for Grégoire Bodin who died at the age of 70 in Cypre-mort, comforted by the last sacraments.

[Signature of Father Cuny]

Curriculum Vitae/Résumé

Paul J. Breau, a native of Franklin, Louisiana, began his college career at the University of Louisiana at Lafayette, in the pre-pharmacy curriculum, and while there he was inducted into the Phi Eta Sigma honors fraternity. He then entered the Pharmacy degree program at Northeast Louisiana University in Monroe, Louisiana. As a member of Kappa Psi Professional Pharmaceutical Fraternity, he served as the President of that chapter in his senior year of Pharmacy School.

After practicing pharmacy several years, Paul Breau began his study of law at Louisiana State University Law School, and there he received his Juris Doctor in law diploma. He has practiced law at Lafayette, Louisiana, since becoming a lawyer.

Mr. Breau began a solo practice of law in Lafayette, Louisiana, in August 1972, and joined the Law Offices of Raymond Allen in January of 1973 as an associate. He became a Director (Partner), and the firm became Allen, Gooch, Bourgeois, Breau, Robison and Theunissen, in January of 1975. After practicing in that firm setting for 20 years, he entered again into a solo practice in June of 1993.

In the beginning of his legal career, Mr. Breau's law practice was limited to personal injury litigation. By 1976, his practice came to include banking and commercial law and eventually became concentrated in the commercial, business, corporate, succession and health care law fields. His practice includes the formation of corporations and partnerships for clients engaged in varied areas of health care, commercial and business endeavors; representation, advising and counseling of business and professional entities on a continuing and ongoing basis; preparation of wills; examination of land title abstracts and preparation of title opinions and certificates for clients purchasing property; counseling and assisting clients in the negotiation for and preparation of leases of commercial and residential properties and in the formation and creation of residential and commercial developments; counseling of clients in the preparation and obtaining of personal and business loans and the preparation of documentation required by lenders such as construction contracts, loan commitments, loan agreements, guarantees, and mortgages and mortgage notes.

In 1983, the Louisiana Bankers Association selected Mr. Breau for charter membership on its Bank Counsel Committee, and he served on that committee from 1983 to 1991. He was one of six members of that committee's special task force charged with the responsibility of completely revising and updating the entire Louisiana Banking Code, the work being completed in 1984 and accepted and enacted into law by the Louisiana legislature in the same year.

Mr. Breau has worked with state agencies and legislators in connection with proposed legislation, and he has experience testifying and appearing before legislative committee hearings and the drafting of proposed new laws and governmental agency rules and regulations.

Mr. Breau has held membership in the American Society of Law & Medicine, American Society for Pharmacy law, Louisiana Society of Hospital Pharmacists, American Pharmaceutical Association, Louisiana Pharmacists Association (LPA), American Health Lawyers Association, Louisiana Hospital Attorneys Association, and Louisiana and American Societies of Consultant Pharmacists. He maintained his license to

practice pharmacy on an active and current status. Since 1990, Mr. Breaux has been a member of the Board of Directors of LPA as well as its Legislative Committee. He has served as Chairman of the LPA Legislative committee in 1991 and 1992, and Co-Chairman thereafter, and has served on legislative committees of a number of other organizations. In 1994, he served as a member of the Board of Directors of the Louisiana Society of Consultant Pharmacists. In October 1992, governor Edwin Edwards appointed him as a member of Louisiana's Universal Health Care Commission created by Act 658 of the 1992 legislature. He was appointed by Governor Bobby Jindal in February of 2009 to Louisiana's Advisory Commission on Hospice Care.

A volunteer in scouting for a number of years, Mr. Breaux has served as a member of the Executive Board of the Evangeline Area Council of the Boy Scouts of America and as chairman of that council's Beau Basin District as well as several other District and Council committees. He has belonged to the Lafayette Chamber of Commerce, serving on its Health and Safety Committee, Cultural/Arts Committee, Small Business Council Committee and its Business Development Council, and the Advisory Board of TreesAcadiana.

Mr. Breaux serves on the Board of Directors of Hospice of Acadiana, serving as its Vice-President from 2000 to 2002 and its President in 2003; and its Foundation Board, being elected President of the Hospice Foundation Board in 1998 and 1999. He has been a member of the Board of Directors of Lafayette Community Health Care Clinic since 1992 becoming its Vice-Chairman in 1995. Mr. Breaux has been a member of the Editorial Committee of *The Promulgator*, a publication of the Lafayette Parish Bar Association. He serves on the Acadiana Area Medical Ethics/Optimum Care Committee, which serves as a resource for patients, their families and health care providers in nursing home or home health care settings. He is also a Trustee of Les Familles Bodin, Inc.

Mr. Breaux also held membership in: the Sections on Civil Law, on Corporate and Business Law, on Estate and Probate Law, and on Construction and Surety Law of the Louisiana Bar Association; the American Health Lawyers Association; the Corporate, Banking and Business Law Sections of the American Bar Association; the Construction Law and Health Care Law Forums of the American Bar Association; the Academy of Hospital Attorneys of the American Hospital Association; the National Academy of Elder Law Attorneys; the Chitimacha Tribal Court.

Mr. Breaux has been chosen for inclusion in *Marquis Who's Who in America* as well as *Who's Who In American Law*, *Who's Who in Medicine and Healthcare*, and *Who's Who in Finance and Business*. A biography of Mr. Breaux also appears in *Who's Who in Executives and Professionals* and Kaleo Publications' *Who's Who Among Top Executives*.

In 1992, in recognition of his outstanding service and contributions to the profession of pharmacy in Louisiana, Mr. Breaux was elected as the recipient of the Louisiana Pharmacists Association's most prestigious award, the Pharmacist of the Year. In December of 1992, and again in 1994, he was one of four attorneys recognized by the Lafayette Parish Bar Association for significant contribution of time/free legal services to the bar's *pro bono publico* public service program. In 1999, Mr. Breaux was honored as the volunteer of the Year of Lafayette Community Health Care Clinic.

Paul Breaux writes regularly on several law subjects. His writings on corporate, commercial and health care law issues are published regularly in the journal of LPA, and his writings on health care reform have appeared in *M.D. NEWS/Louisiana*. His writings have also been accepted for publication by the Louisiana Hospital Association and by the *Journal of the Louisiana State Medical Society*.

Areas of concentration of practice of Paul Breaux are: Successions; Wills; Probate; Health Care Law; Business Formations; Corporate, Limited Liability Company and Partnership Law; Contracts and other Commercial-Business legal matters; Banking Law; Real Estate Law.

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