

CYR FILES OUSTER SUIT AGAINST LONG IN DISTRICT COURT

Contents 'Senator' Can Not Legally Hold Two Offices

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States senator from Louisiana, room No. 141 in the Senate Office building at the capitol at Washington, D. C. That the said Huey P. Long was assigned to him, as senator of Louisiana, telephone No. 888 on the United States capitol exchange.

"That subsequent to the 15th day of October, 1931, and after the said Paul N. Cyr had been inducted into the office of governor, the said Huey P. Long has procured Alvin O. King, president pro tempore of the Senate of the state of Louisiana, to act under the Constitution of Louisiana and to the function of lieutenant-governor and has publicly acknowledged said King as the person who should act as lieutenant-governor of Louisiana.

"That, therefore, the said Huey P. Long, defendant in this suit, and since March 4, 1931, been a member of the United States Congress.

"That the fourth section of Article 19 of the Constitution of the State of Louisiana forbids any member of Congress to hold or exercise any office or trust or profits under the state of Louisiana.

"That by accepting the office of United States senator, said Huey P. Long, by that act, forfeited and lost all right to hold the office of governor of Louisiana."

The suit took its place on the regular court calendar and Long was given 10 days in which to file an answer.

Submitted Credentials

The petition filed in First Judicial District court after formally setting forth the facts concerning the election of Cyr as lieutenant-governor and Long as governor, continues with the allegations:

"That at an election held in the state of Louisiana on the 4th day of November, 1930, according to law, the said Huey P. Long was elected United States senator from the state of Louisiana for the term beginning March 4, 1931, and ending March 3, 1937.

"That the said Huey P. Long submitted his credentials in regular form as United States senator from Louisiana for the term of six years, beginning March 4, 1931, to the United States Senate at the national capitol at Washington, D. C., and they were received and accepted by the said United States Senate sitting in regular session, and have ever since remained in the records of said United States Senate.

All Prerogatives "That by thus actively and voluntarily presenting his credentials to the Senate, the said Huey P. Long irrevocably accepted the senatorship of the United States from the state of Louisiana for the term beginning March 4, 1931, in pursuance of his election as such and he caused himself to be duly enrolled as senator from the state of Louisiana for said term.

"And in consequence of the foregoing the said Huey P. Long procured for himself all the prerogatives and privileges possessed by any and all other senators of the United States.

"That on the 13th day of October, 1931, said Paul N. Cyr, on being advised that he was of right the governor of Louisiana, took the oath of office as such before the deputy clerk of the First Judicial District court in and for the parish of Caddo, and in due course deposited the said oath for filing in the office of the secretary of state of the state of Louisiana.

Demand Made Upon Long

"That on the 13th day of October, 1931, the said Paul M. Cyr advised the said Huey P. Long in writing that he had taken the oath of office as governor of Louisiana, and had been inducted into the said office, and made demand upon the said Huey P. Long that the said Huey P. Long immediately surrender the office of governor, together with its archives and all that pertain to the office, and divest himself of the appearance of governor of Louisiana.

"That on Wednesday, October 14, 1931, the said Huey P. Long, in a written reply to said Paul N. Cyr,

Appeals Are Heard by State Board of Pardons



—Photo by The Times-Picayune.

Alvin O. King of Lake Charles, left, who recently took the oath of office as lieutenant-governor, performed his first official duty in the new office of the board of pardons. With him are shown Attorney-General Percy Saint, center, and Lawrence A. Sauer, secretary of the board of pardons.

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KING TAKES OVER DUTIES OF OFFICE AT MEETING HERE

Sits as Lieutenant-Governor at Session of State Board of Pardons

Alvin O. King of Lake Charles, who recently took the oath of office as lieutenant-governor, performed his first official duty in the new office Monday when he presided at the quarterly meeting of the state board of pardons. At the meeting, held in the office of Attorney-General Percy Saint in the civil courts building, approximately 30 appeals for pardon, commutation of sentence and restoration of citizenship were heard. Hearings will be continued this morning.

Asked what he thought of the contest between Dr. Cyr and Governor Huey P. Long, the lieutenant-governor said he preferred to make no comment since the contest entailed both state and federal law and he had not studied the merits of the case.

The board of pardons, composed of the lieutenant-governor, the attorney-general and the trial judge, heard cases from parishes other than Orleans parish Monday. Continuation of the hearing of these cases will begin at 9 a. m. today. It was indicated that the country pleas will be completed by noon and that hearing of New Orleans cases would begin this afternoon, continuing through Wednesday.

The board's docket includes 116 cases, 37 of which are from Orleans parish courts. The pleas are heard and are taken under advisement. Recommendations of the board are expected to be made public within the next two weeks.

Local Pleas to Be Heard The board of pardons, composed of the lieutenant-governor, the attorney-general and the trial judge, heard cases from parishes other than Orleans parish Monday. Continuation of the hearing of these cases will begin at 9 a. m. today. It was indicated that the country pleas will be completed by noon and that hearing of New Orleans cases would begin this afternoon, continuing through Wednesday.

Dr. Cyr is asleep and will not be disturbed until tomorrow morning. You can talk to him anytime after 3 a. m." was the information given when an attempt was made to communicate with Dr. Cyr by long distance telephone.

COUNCIL REQUESTED TO CLOSE TEAROOM

Alleging a violation of the zoning law, Mrs. Julia Dreyfus filed a petition with the commission council Monday, asking that the Beulah tearoom, 1290 Lowerline street, operated by Mrs. C. Ledner, be closed. Mrs. Dreyfus, who operates the Beulah tearoom at 1077 Audubon street, charges in her petition that the Beulah tearoom is operated as a commercial establishment in a residential zone.

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30c Vacher Balm 19c

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COLLAPSES IN STREET

David L. Jamieson, 52 years old, 1026 Burdette street, collapsed and fell to the sidewalk at Canal and Magazine streets late Monday afternoon, police reported. He was taken to Charity hospital and his condition there pronounced undetermined after it was learned he suffered a possible skull fracture and lacerations of the chin.

Can't Sell Bonds, Warns Henderlite

(Special to The Times-Picayune) Baton Rouge, La., Oct. 19.—Dr. Paul N. Cyr's action in taking the oath of office as governor and filing the ouster suit against Governor Huey P. Long is described by Harry B. Henderlite, state highway engineer, in a letter addressed to road contractors, as fatal to prospects for the sale of \$5,000,000 in bonds for highway construction and \$7,000,000 in bonds for construction of the New Orleans bridge over the Mississippi river.

An excerpt from Mr. Henderlite's letter, which informs contractors of a shortage in paving money and the necessity for postponing payment of certain bills until January, 1932, reads:

"Regardless of the merits of the case of Dr. Cyr, and regardless of what his motives and intention may be in bringing such a suit at this time, that action is necessarily fatal to the prospects for the sale of the \$5,000,000 in bonds for highway construction, and for the \$7,000,000 in bonds to be used in the construction of the New Orleans bridge over the Mississippi river, both advertised for November 2.

"I am informed by prominent bankers and representatives of Eastern syndicates who underwrite and purchase bonds that no bond sale is possible nor no general credit can be



Pepsodent announces a notable new discovery

An entirely new cleansing and polishing material has been developed by Pepsodent Laboratories. It is twice as soft as polishing materials in common use. Teeth are given higher polish, brighter luster—FILM stains disappear completely

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Your dentist will tell you Pepsodent's policy has always been to improve constantly—no "fixed formula" to hamper progress. Research laboratories have a habit, in this modern age, of quickly obsolescing prior ideas. As new dental advances have come, Pepsodent has been the first to meet them.

Now once more Pepsodent advances. This time through a notable new discovery that possesses three exclusive virtues:

1. The new cleansing and polishing material in Pepsodent stands unequalled in removing stained, destructive FILM.
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Having made this new discovery we faced an equally great problem. How to combine it in our present formula without altering appearance or sacrificing the famous flavor that has made Pepsodent so long preferred by millions. We mastered this. In taste and in looks it is still the Pepsodent you have always known. In results and safety it is new—brand new.

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Pepsodent's new cleansing and polishing material brings a change in teeth's appearance within a few days' time. Newly discovered, it is different, totally different, from any now in use.

These facts are interesting: this discovery followed 7 years of research . . . 3 tons of raw materials were used in laboratory tests . . . we held a competition from among the ablest minds in chemistry . . . new equipment had to be invented, then erected . . . the process is a carefully guarded secret.

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Get a tube of Pepsodent today. Note how smooth and creamy. It is safe . . . utterly safe . . . on the softest baby teeth and the most delicate enamel. Pepsodent is today's outstanding scientific toothpaste.

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