

PAID SUBSCRIPTION OF ANY PAPER PUBLISHED IN EASTERN NORTH CAROLINA

WHOLE SALE ISSUES SUIT AGAINST TRUST

Alleged Periodical Clearing House is Unlawful Combination to Trade

WHAT THE PETITION CHARGES

WHAT IS ALLEGED TO BE THE EFFECT OF THE ORGANIZATION UPON INDUSTRY AND WHAT IS ALLEGED TO BE REQUIRED OF AGENTS

New York, June 28.—A civil suit was filed in the United States Court for the dissolution of the periodical clearing house and about a score of other magazine defendants.

The petition charges that the defendants, since July, 1939, have been engaged in an illegal combination, a dissolution of which is asked for.

The proceeding in equity is against the Periodical Clearing House, Doubleday, Page and Company; Crowell Publishing Company; S. B. McClary Company; Current Literature Publishing Company; Phillips Publishing Company; Harper and Brothers; Lee-Hughes Company; Review of Reviews Company; International Magazine Company; New Publication Company; Butterick Publishing Company; Standard Fashion Company; New Idea Publishing Company; Ridgeway Company; American Home Magazine Company; Short Stories Company, Limited; (hereinafter referred to as "defendant publishers") Frank N. Doubleday, Herbert S. Houston, Frederick L. Collins, Cass D. Lanier, and George Von Utassy.

PERIODICAL CLEARING HOUSE

The Periodical Clearing House, as the petition describes, is a corporation organized under the laws of the State of New York, carrying on business throughout the United States and foreign nations, with its offices and principal place of business in this city. Its authorized capital stock is of the par value of \$5,000 consisting of twenty shares of the par value of \$250 each, of which 14 are issued and outstanding.

The Suburban Press, a New York corporation; Good Housekeeping and Hampton's Magazine, a New York magazine, together with the defendants are the stockholders of record of the defendant Periodical Clearing House; Doubleday, Collins, Houston, Lanier and Von Utassy constitute its board of directors, and Houston, Von Utassy and Lanier are respectively its president, vice president and secretary and treasurer. The officers of the Periodical Clearing House are officials also of one or the other defendant corporations engaged in the publication of magazines.

WHAT PETITION CHARGES

The petition recites that prior to July, 1939, there were and are now in this country upwards of 30,000 corporations, partnerships and individuals engaged in producing publishing periodicals in open and free competition; that following the organization of the Periodical Clearing House in July, 1939, notices were sent to all the principal subscription agencies and agents in the country, "notifying them that they would have to sign the contract with the Periodical Clearing House, if such agencies intended to do further business with the members" of said Periodical Clearing House. The petition then recites that the Periodical Clearing House prepared a so-called "official price list" of magazines and periodicals containing rates governing sales of subscriptions, and the "publishers' wholesale price list." The petition continues:

"The contracts force upon the agents and require them to sell all periodicals not listed in the above said lists at the regular publication price without any reduction whatsoever. The publishers of many of the periodicals listed in said lists have been, and are willing that the agents

shall sell their periodicals to the public at prices less than those fixed by the defendants in said price list, but such agencies have been and are prohibited by the aforesaid contracts from selling such subscriptions at less than the prices fixed by the defendants and set forth in said lists. It is alleged that the clearing house has a system of fines for offending agencies.

DR. THOS. G. FAULKNER ACCIDENTALLY BREAKS HIS NECK NEAR DOVER

WAS AN OPERATION PERFORMED

BUT DESPITE HIS DISPLAY OF STRENGTH AND COURAGE LITTLE HOPE IS ENTERTAINED FOR HIS RECOVERY—OPERATION SATISFACTORY

Richmond, June 28.—Dr. Thomas Graham Faulkner, who accidentally broke his neck several months ago while bathing in a stream near Dover, N. C., where he was a resident physician, left the Virginia hospital here yesterday for his home in Kingston, N. C., feeling in fine spirits, though still paralyzed from shoulder to tip of toes.

We were carried on a stretcher to the hospital by Dr. T. H. Faulkner of Kingston, his father, J. B. Faulkner, of Richmond, his uncle, and Miss Pittman Newton, of Wallace, Va., a trained nurse, who has been constant in attendance at the hospital bedside ever since the young physician was brought to Richmond in the early spring.

According to Mrs. J. B. Faulkner, Miss Newton and the young physician are engaged to be married, the two having met and fallen in love while Dr. Faulkner was interne at the Virginia hospital last year following his graduation from the University College of Medicine. Miss Newton will continue to nurse the physician at his home.

ON THEIR WAY TO EGYPT

MR. W. B. WINDLEY TELLS OF HIS VOYAGE TO FOREIGN COUNTRY

Mr. W. B. Windley, late city clerk of this city, accompanied by Mr. M. John and now on their way to the old country, Miss Windley the mother of Mr. Windley has just received a letter from him written on board the S. S. S. Adriatic. The trip in part will be interesting no doubt to his many friends in Washington. He says: "He sailed on the steamship Adriatic on Monday, June 13 of the White Star Line and that the ship made 211 miles the first day. That the sea was calm and that so far he had a delightful trip. On Tuesday, June 14, the ship made 206 miles. On Wednesday, June 15, the log showed 212 miles. On Thursday, June 16, the ship was rolling high. The ship is carrying 80 and down and everybody else. All the physicians and nurses are being kept busy. There are five hundred passengers on board. The steerage passengers lying around like pigs. Mr. Windley does not state whether he and his companion, Mr. John were calling on New York or not. Friday, June 17, the sea is still high, but Mr. Windley says not so many were sick. The ship made 215 miles. On Saturday the sea was calm. On this day the ship's log showed 224 miles. This day has been the hottest of all, called on ships the "Spicy Day." Mr. Windley tells what was done on ship. The first amusement was a cock fight; next a spoon race; next a potato race; next a tug of war by 16 girls; blind folded seeing who could mark the pig's eye with chalk.

The next amusement was a bag fight by two men on a slippery pole, and also numerous other attractions. That night we had a concert. On Sunday the sea was rolling high again and every body was very sick. At 10:30 we heard the tolling of a bell so all passengers were summoned to church service. This was conducted by an Episcopal preacher. On Monday the sea is as calm as the Pacific river, and we are having a sea trip.

On Tuesday, June 20, landed at Plymouth England, and sailed from there to France the same afternoon. That night Mr. Windley and Mr. John went to Paris. They expect to remain in Paris several days and then to go to Marseilles and from there to Egypt. Mr. Windley says his trip so far has been pleasant. Both of the travelers are well. Every one here wishes them bon voyage.

HEBREW BROKEN THE PHYSICIAN STILL LIVES

Dr. Thos. G. Faulkner Accidentally Breaks His Neck Near Dover

WAS AN ENJOYABLE OCCASION

IN THE OPEN SHOOT YESTERDAY AFTERNOON MADE PERCENTAGE OF 80—OUTCLASSED ALL HIS RIVALS IN THE CONTEST. MANY WITNESS THE CONTEST.

Quite a large number of citizens and visitors from other towns in this section of the state witnessed the open shoot conducted by the Washington Gun Club at their grounds on Bonner street yesterday afternoon at three o'clock. The club offered a handsome solid silver cup to the successful gun. Mr. William Simms of Wilson, N. C., obtained the highest score and thus carried away this much sought after trophy. This is the first time in the history of the club an occasion of this character has happened and it proved successful from every standpoint so much so that the members are eagerly desiring another. All the participants were enthusiastic and ready for the fray from start to finish and the interest in the outcome did not lag a single moment.

The cup won by Mr. Simms, Wilson, is now on exhibition at the Hardy drug store. It is a beauty and has been much admired.

The following was the score secured by the competitors:

Shot at Brk. P. C.	
Wm. Simms, Wilson	100 89 89
Wm. Walls, Wilson	100 86 86
J. D. Barnes, Wilson	100 83 83
A. M. Dumay, Wash.	100 79 79
T. H. Clark, Wash.	100 75 75
Geo. Simms, Wilson	100 69 69
S. H. Hatton, Windsor	100 67 67
J. T. Bland, Wash.	100 65 65
F. B. Worth, Wash.	100 61 61
F. C. Mallison, Wash.	100 58 58
E. A. LaPrage, Wash.	100 54 54
E. Gannon, Wash.	100 54 54
H. Houseman	100 52 52
C. H. Sterling, Jr, Wash.	60 44 73
C. P. Sterling, Wash.	40 24 65
J. Hodges, Wash.	40 23 57
W. B. Porch, Wash.	40 8 20
P. P. Maxwell, Wash.	20 16 65
L. A. Squires, Wash.	20 12 60
Dr. J. C. Rodman, Wash	20 7 35
Dr. R. A. Nicholson	20 7 25

CHILD THOUGHT DEAD WAS ONLY SLEEPING

New York, June 27.—When four small boys entered the Alexandria avenue station early today carrying a small child in their arms, the spokesman of the party said to Lieutenant Joyce: "Here is a little dead baby we found in the open yard at 136th street and Erder avenue. We were playing Indians when we found her."

"Good heavens it's Joe! Kells baby said the lieutenant. Calling one of the reserve men he said, "Go to Kells house and break it gently to him that we've found his baby, and she is dead. Be careful, for the news will about kill him."

Kell is a policeman attached to the station. A few hours earlier he had been excused from duty to search with some of the reserve men, for his four-year-old daughter.

While Lieutenant Joyce was waiting for Kell to be brought to the station he picked up the baby, dead, as he thought to place it tenderly on a couch in the Captain's room. To his amazement the eyes of the little one opened as he took her in his arms. Then, seeing the familiar brass buttons, the child cuddled in his arms and went to sleep again.

When the policeman told Kell at his home, at No. 611 Eagle avenue, that his little girl had been found dead, Mrs. Kell fainted. When the policeman learned that she had been all right after all, he ran all the way home to place the child in its mother's arms.

WILSON MAN OUT SHOOTS COMPETITORS

Mr. William Simms of Wilson Wins the Gun Club Cup

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NEW OFFICERS ARE ELECTED

LENOIR, N. C., June 28.—The last session of the 24th annual convention of the North Carolina Press Association convened this morning at 9 o'clock, and after hearing the address of Hon. James R. Young, state insurance commissioner, entitled "The Press as a Factor in Reducing Fire Waste," took a recess while the members posed for a photo.

The feature of the day's proceedings was Dr. Foster's able address on "The Liberty of the Press," which was highly enjoyed by all present.

Hon. John H. Small, delivered a comprehensive address on "The Intra-Coastal Waterway and its Relation to Piedmont Western North Carolina. Report of the committee on changes in by-laws was unanimously adopted.

By a standing vote the association on motion of Editor W. G. Dowd, of the Charlotte News, sent fraternal greetings to Mr. J. P. Caldwell of the Charlotte Observer, who has been in ill health for a year.

Resolutions were unanimously adopted expressing the Association's appreciation and gratitude to the Board of Trade, citizens of Lenoir to various railroad officials, the proprietors of the Caribbea hotel, Martin house, the Board of Trustees of Davenport College and others for unlimited courtesies.

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WIFE PAIRS OF TWINS WITHIN EIGHT YEARS

Gulfport, Miss., June 28.—Mrs. J. D. Pigario has given birth to five pairs of twins within eight years, and if the record has been equalled it is not yet known.

Mrs. Pigario's first twins were girls the next two boys, the next two girls, and the next two girls and the next two boys.

All are hale and hearty, even the youngest twins, who are only 6 weeks old.

SWOOPS UNDER NIAGARA BRIDGE

FIRST TIME A "BIRD MAN" EVER CUT THROUGH THE AIR CURRENTS AND MIST CLOUDS AND LEAPING FOAM OF NIAGARA FALLS, THE FEAT WHICH HAS TEMPTED SO MANY ADVENTURERS TO THEIR DEATH

Niagara Falls, N. Y., June 28.—With the whirl of his biplane motor drowned in the roar of the cataract and the man and machine temporarily obscured in spray and mist Lincoln Beachey, the California aviator, swooped beneath the arches of the upper steel bridge and down the gorge almost to the whirlpool. Rising again between the precipitous sides of the lower river Beachey soared to the Canadian side where he made a successful landing. It was the first time that a bird man had cut through the air currents and mist clouds and leaping foam caused by Niagara's falls and rapidly that have lured so many adventurers to their death.

Throng on the American and Canadian shores gazed with fascination at the aviator, as he rose to a height of about 2,000 feet, twice circled above the cataract and then made the low swoop toward the narrow passage under the bridge. His biplane came racing over the horseshoe fall so low that he was lost to view for an instant and then winged close to the water as he made the bridge passage.

Beachey continued on down the gorge almost to the whirlpool rapids, clearing the water by not more than 30 feet, before soaring aloft again.

"It was the most exciting trip of my life," said Beachey.

To add to the difficulties of Beachey's flight a light rain began to fall as he took his seat in the biplane shortly before six o'clock. The start was made from a baseball diamond on the American side and he got away nicely. He mounted upwards, moving always in the direction of the cataract and when he crossed the American fall he was about 2,000 feet in the air. In a great swooping circle, he swung toward the north and over horseshoe fall.

Down the river he flew almost to the tower steel arch bridge, two miles below the falls, then coursed to the west and then south again, always dropping as he circled. On his second circle he went well to the southwest before beginning his low flight towards the upper steel arch bridge, under which he was to pass. Swinging again to the north and traveling about 50 miles an hour, he came on probably not more than 200 feet or the horse-shoe and swishing through its spray.

Once over the cataract, he lowered his plane, and rushing with the wind at a speed estimated at 60 miles an hour, he dipped quickly under the arch. As he did so, he caught some of the power tunnel which shoots from under the rocky side of the precipice at that point. At no time from his final dip until the time he was clear of the structure was the biplane more than 20 feet above the spume.

The space through which he now is 165 feet in height and barely 100 feet from side to side. The distance from the brink of the falls to the bridge in which he made the dip is about 400 yards.

GIRL HE LOVED CAUSES HIM TO TAKE LIFE

Young Man Killed Himself by Drinking Laudanum Near Scotland Neck

THE GIRL IS TO WED ANOTHER

PATHEPIC REQUEST WAS MADE BY THE SUICIDE TO HIS EMPLOYER—BOUGHT THE DRUG FOR A "SICK HORSE"—"HAVE HER SEE ME PUT AWAY."

Scotland Neck, N. C., June 27.—A young white man named Edgar Barnhill, overseer at Mr. F. P. Shields's Hall farm on Roanoke river, seven miles from town, died yesterday at 10 o'clock a. m., from the effects of a self-administered dose of laudanum.

Sunday night about nine o'clock he went to the drug store of E. S. Whitehead Co. here and said he desired to purchase some laudanum for a sick horse. At Mr. Shields's farm where he works Barnhill's horse was found Monday morning standing at the rack hitched to his buggy and he himself in his bedroom in an unconscious condition. The bottle showed that about two-thirds of the laudanum had been taken from it and with it was the following note:

"Mr. Shields, here I am. The girl I love is going to marry another. Have her see me put away. Good-bye."

Dr. Smith was summoned early Monday morning and gave every possible aid of medical skill but with no avail. The young man died at ten o'clock a. m., twelve hours from the date of his note to Mr. Shields the night before.

His body was taken to the home of his parents near Danson, where it was interred.

LOW RATE EXCURSION FARE TO NORFOLK, VIRGINIA

July 4th Celebration—Big Day at Virginia Beach—Only Seashore Resort in Virginia. Tickets will be sold at the usual "week end" rate, July 1st, 2nd and 3rd. Good to return to reach original starting point before midnight July 5th.

Tickets will be sold at the usual "Saturday night" rate, for trains Nos 6 and 16 east of Farmville and New Bern on the morning of July 4th, and for day train of July 4th, good to return to reach original point before midnight July 5th.

Get complete information from the nearest ticket agents. W. W. CROXTON, G.P.A. N.S. RE. Norfolk, Va. 6-29 to 7-4.

Recorder Indisposed

The many friends of Recorder W. D. Grimes will regret to learn of his indisposition. On account of his illness there has been no recorder's court for the past two days.

A man never knows much until he is three score and ten and then he hasn't much use for knowledge. When a man gets a vacation his wife is unable to understand why he does not want to spend it among her relatives.