## JANER, GUILTY, SENT TO PRISON 21 YEARS Cardinal Gibbons Assumes His

Brooklyn Man Convicted of Assault on Girl He Abducted.

TERM IMMEDIATELY BEGINS

Joseph M. Janer, of Brooklyn, Was Found Guilty of Abusing Little Katherine Loerch-He Might Have Been Sentenced to Death.

Baltimore, Md .- Ten minutes after the last argument was finished Judges Burke and Duncan, at Towson, found Joseph F. Janer, of Brooklyn, guilty of attacking little Katherine Loerch here. Ten minutes more had not passed before the judges sentenced Janer to twenty-one years' imprisonment in the Maryland Penitentiary.

Janer showed no emotion. He began to serve his term at once. Katherine, twelve years old, was taken to her home, No. 343 Classon avenue, Brooklyn, by her cousin, George Dockweiler. Mrs. Janer also returned to Brooklyn. She did not display much distress when her husband's sentence was pronounced.

Immediately after the judges rendered their decision, "Guilty," J. G. Clark, Janer's counsel, made the usual motion for a new trial. But after a conference with the court and State's Attorney Owens and a brief whispered conversation with his client, Mr. Clark announced that Janer was ready to accept his punishment and withdrew his motion for a new trial. After the sentence Mr. Clark said frankly that he thought Janer, who might have been sentenced to be hanged, had been dealt with mercifully.

Janer, testifying, denied all the accusations against him. The point the defense accentuated was that Janer was so drunk all the time while Katherine was with him here as to be stupid and helpless.

gill of Baltimore whisky "put him to

A saloonkeeper testified that in his place in one day Janer drank a quart of whisky and part of another. Another witness describing Janer's condition said critically:

"I should not say he was helpless, because he could hold on to a lamppost.

Mr. Clark made an astute point. He asked the judges to strike out Katherine's testimony, that she is twelve years old, as being hearsay.

The court overruled him. "No one knows what I have suffered in the last fifteen years," said Mrs. Janer, after she had kissed him good-by. "All manner of torment have I suffered at Janer's hands, and I am glad that he is where he can do no harm to me or himself. I am well acquainted with sorrow at this time. I only live for my dear children. It may be that discipline will benefit my husband during his incarceration, but I doubt it, for he never has known the meaning of the word."

STANDARD OIL MUST LEAVE.

Courts Rule Against Plan For Partnership With Missouri.

Jefferson City, Mo .- The motions by the Standard Oil Company of Indiana and the Republic Oil Company of Ohio for a rehearing of the ouster suit, recently decided against them, and for a modification of the judgment, were overruled by the Missouri Supreme Court.

The petition of the Waters-Pierce Oil Company was upheld, the motion of the Attorney-General for an absolute ouster of the Missouri company being denied, the compliance of the order recently filed by the company approved and the judgment of ouster against it being sustained.

The effect of these decisions is to expel the Indiana and Ohio companies from Missouri, and to restore to the Waters-Pierce Company, sixty per cent. of whose stock is held by the Standard Oil Company of New Jersey, the right to do business within the State.

## NO TRUST PROSECUTION.

Only Such Suits as Afford Probability of Success Will Be Undertaken.

Washington, D. C .- The slogan of the Department of Justice in the Taft Administration is "Don't start any-thing you can't finish." At least sixty-five per cent. of the cases pending of the New York Police Department, will be abandoned. The idea is to clear the docket until there remain it, was sent to Italy to carry out a only such cases as offer a probability

The Standard Oil case, settled by order of Judge Anderson, with a verdict of not guilty, is out of the way. There are other indictments along the Italian and Sicilian crime in New same line, but the Department of Jus- | York City. tice does not know whether they will be pressed or not. Mr. Wickersham is waiting until the record has been returned to the department. It is Lieutenant-Commander the opinion in the department and at the White House that any new presecution, criminally, of the Standard Oil will have to be along new lines.

Shoe Strikers Victorious.

The strike of McKay stitchers at the Lynn, Mass., shoe factories ended when the last firm agreed to the wage scale demanded by the stitchers. This means a slight advance for about 150 The strike threatened to tie up the work of about 2500 operatives. | that duty at San Francisco.

## P. J. KIERAN INDICTED.

Ex. President of Fidelity Funding Co. is Charged With Embezzlement.

Pittsburg, Pa.—P. J. Kieran, for- of 51 to 47. W. J. Bryan appeared mer president of the Fidelity Fund- before the House Committee several ing Company, of New York, whose weeks ago and opposed the pension financial operations brought him into | fund.

wide repute, was indicted here. He is charged with embezzlement and larceny by bailee, due to a note he is alleged to have made to Mother M. Vincent, of the Sisters of the Good

## PRIEST FAILS AS FINANCIER Water, the Little-Used Beverage

By J. T. JOSEPH BIRD, M. D. \$130,000 Obligations.

Notes Will Not Be Questioned. Baltimore, Md .- About a week ag Cardinal Gibbons announced the removal of the Rev. Casper P. Elbert from the rectorship of St. Katherine's

Father Elbert's Creditors Suffer No

Loss and Cardinal's Signature on

Church in this city and appointed his successor. At the time no reason was given other than that the interests of the

church made the change advisable. rowed money, in backing and promoting various enterprises. What he did with the money no one knows. Father Elbert is now in Mount Hope Sanitarium under treatment and no one is permitted to see him.

The priest, according to those thrown with him, was money mad. fortune to aid the church and the school in his parish. The Cardinal expresses the belier that he was mentally irresponsible on the subject of money, and that he does not admit consciousness of having done wrong.

Cardinal Gibbons has assumed responsibility for the debts of the priest. RATE DECISION FOR MILWAUKEE

Ruling Against Rock Island Affects

Every Road in the Country. Washington, D. C.-Merchants of as favorable through rates on grain as those of Chicago, in a decision handed down by the Interstate Commerce Commission. The case was that of the Milwaukee Chamber of Commerce against the Chicago, Rock and writing. Island & Pacific Railway Company and others.

The decision affects every railway in the United States. The commis-

"In claiming that as Chicago af-Asked how much he could drink. fords as good a market for grain as kidneys and bowels, water is the ve-Janer said he could hold a barrel of does Milwaukee the principal defend- hicle holding them in solution. In the toxins, are also here, fraught the whisky he got in New York, but a ant may therefore lawfully so adjust other words, water is necessary to with danger now, or, it may be, later its rate schedules as to force the grain to Chicago, the defendant overlooks the right of the shipper to choose his own market and to do business where he prefers or finds it more advantageous to carry it on. It also overlooks the chief function of a common carrier, which is to carry at reasonable rates the traffic that is tendered

"A carrier has no right to insist that a shipment shall go to the end of its rails if the shipper desires it to be diverted at an intermediate to another market off its rails. Nor may a carrier accomplish these results indirectly or by any unreasonable adjustment of its rate schedules with that end in view. It cannot lawfully compel the shipping public to contribute to its revenues on any such grounds."

COURT'S RULE FOR AUTOS.

Must Not Only "Stop and Listen" at Crossing, But Send Man to Look.

Philadelphia, Pa.—That the driver of an automobile on approaching a from body waste. And what is true follow the ordinary rule of "stop, look and listen," but, if necessary, should get out of the machine and walk to the track like the conductor of a street car, is decided in an opinion handed down by the United States Circuit Court of Appeals for the third circuit in the case of the New York Central and Hudson River Railroad Company and the West Shore Railroad Company versus Alexander H. G. Maidment.

Maidment had been awarded damages in the lower court for injuries received by being struck by a train at Fort Lee, N. J., in August, 1906. The court decided that he should not be allowed to recover because of his contributory negligence.

DETECTIVE PETROSINO KILLED.

Had Gone to Italy to Perfect Plan to End Black Hand Crimes.

Palermo, Sicily.-Lieutenant Joseph Petrosino, of the New York Police Department, was shot down and killed near his hotel here. His assassins are unknown.

He had come here on an important mission, which had for its object the pint and three or four pints per indiprotection of the peaceful Italians of vidual. The water may be taken cold America.

Lieutenant Petrosino, the head of what is known as the Italian squad and one of the principal organizers of plan which was suggested to Commissioner Bingham nearly a year ago by a special agent whom the Commissioner had hirel to propose ways and means of stemming the tide of

H. I. CONE CHIEF ENGINEER.

Appointed. Head of Bureau as Rear-Admiral. Washington, D. C .- Lieutenant-Commander Hutchinson I. Cone has been apointed head of the Bureau of Steam Engineering of the Navy, with

the rank and pay of Rear-Admiral. He distinguished himself by safely taking the torpedo boat flotilla from Newport News, Va., to San Francisco in company with the Atlantic battleship fleet, and was fleet engineer under Admiral Sperry during the around-the-world cruise, assuming

Bryan Defeats Carnegie Fund. In the House, at Lincoln, Neb., the bill to authorize the State University to accept the Carnegie pension fund for professors was defeated by a vote

Arnold-Forster Dead. The death is announced in London of Hugh Oakley Arnold-Forster, Secretary of State for War from 1908 to 1906. He was born in 1855.

tity of water. How many drink a and in many states in which normal quart a day? How many says, "Oh, I never touch it!" Look about you in the street car, if you will, and note In such the waste products are found the ruddy complexion, fair skin, vigor of body, mental force of some individnals, and the mottled skin, sallow complexion and listlessness of others. Such differences are not always temperamental, nor are they entirely due to mental and physical endowments. The dissimilarity is due in many cases to the care of the body by one It now develops that the priest had individual and to its neglect by anspent \$130,000, all of which was bor- other. One man observes the obligations of health as to diet, exercise and fresh air; another man neglects them.

All life demands water. Sixty per tent. of all the tissues of the human body is water. Hence it follows that. without a free use of good water He had visions of acquiring a great health is impossible. Blood, bone the vehicle by which nourishment is carried to all the tissue of the body, but it does this only by reason of the water it contains, which is the solvent of such nourishment. The muscles are rendered soft, pliable and elastic by reason of the water entering into their structure. And these ally; for all that we do, every second of our existence, depends upon some form of muscular activity. For sim-Milwaukee are to have the benefit of | ple demonstration of this fact consider the pumping action of the heart, the acts of mastication and swallowing of food, and the ordinary, though absorption of nutriment and the rewonderful, acts of speaking, reading sultant loss of strength to the patient.

In the processes of digestion and absorption many of the food elements are dissolved by water. Likewise, in the elimination of the numerous waste products by the skin, lungs, body tissues, as well as for a free elimination of the waste products forming in the same tissues. Thus it follows that a constant supply of water is our daily need.

But we don't drink enough water. While this is true of all classes, it is particularly true of the more leisured classes. Labor produces thirst, and thirst compels the drinking of water. They who do not labor are apt to reduce their intake of water to small allowances.

Now let us carry our observations a little farther. The skin is one of the most important organs of the human body. By the perfect function of its two millions and more of sweatglands, a man loses each twenty-four hours one sixty-fourth of his body weight. This loss, which is greater than that sustained through the action of the lungs, is the evaporation of water surcharged with poisons railroad crossing is bound not only to of the skin is equally true of the lungs and kidneys. Each is an organ of elimination; each is casting off existence: how we can favor or re-

mechanism. Without water there can be no life. living. "How much water shall I drink in a day?" To such inquiry no fixed allowance can be stated, since our needs vary as our age, habits and occupations vary, and the quantity may reasonably vary between one or moderately hot before meals, between meals or after meals. It may be taken from the city's supply (which is usually a good water under present methods of supervision). or a natural spring water, preferred, perhaps, because of its flavor or absence of flavor. Regarding "medicinal" waters, we would sound a word of caution. Some are genuine, containing chemical elements of un-Others are plain waters, of fictitious increment that flows into the pockets day. of their exploiters.

ach may consume a quantity of mod- ers. erately hot water and derive equal It is because of the meaning that

benefit from its use. which a generous use of water is kan. harmful, and these, again, should be pointed out by the physician. But in In Great Britain there are 2,000, affections of the skin, in gout, rheu- 000 trade unionists.

Few of us drink an adequate quan- | matism, constipation, "biliousness," physiological action is disturbed, the free use of water is most valuable. in excess of normal, or one or more organs of elimination may be found in abnormal condition. In either case there is lack of equal distribution of labor, and other tissues are called upon to do more work in this process of elimination than they are wont to wer. do in health. Since, then, water is the solvent and eliminant of all waste | agreed. products found in the tissues, its value in the above conditions can hardly be overestimated. It should be drunk, hot or cold, at the beginning and close of the day and between meals. It should be taken with some care. It should not cause discomfort, and had better be taken in small portions frequently repeated than in such full draughts as will disturb the and muscle demand it. The blood is functions of the stomach, and thus do more harm than good:

In conditions of fever of short or of good water is attended with results most gratifying. Here we have a hot, dry skin, with restlessness, sleeplessness and general discomfort of the patient, or he is listless, stuporous or qualities must be sustained continu- in active delirium. The tongue is parched, the salivary secretion is diminished in quantity and quality, and throughout the digestive tract we have like disturbances of function. These conditions explain the loss of appetite, faulty digestion and poor But these are by no means the only cause of the sick man's condition. Other important factors are at work. The infectious germs that have caused the fever are in the tissues and capable of doing incalculable harm. The poisons produced by these germs, the life and perfect action of all the in the course of the sickness. So here ed, and how he got in still remained again water has its value in favoring a mystery. Mr. Metz insisted that elimination of the various poisons. Under its use restlessness abates, the mind clears. The natural secretions of the mouth are improved in quality and quantity. The tongue clears, becomes moist and a desire for food returns. What is true of the mouth is equally true of the condition of stomach and intestine, where the more important functions of digestion and | yielded. He walked up to the little absorption take place. Animal exprove this. It is not a matter of the- tivator.

In the allowance of drinking water to the sick there can be no fixed plan suitable to all cases. Care and judgment must be exercised in this matter as in all other features of good nursing. The diet must also be regulated. In the case of the aged, or in the event of vomiting or an irritable stomach, water must be given sparingly or even withheld for a time. A patient with high fever and great thirst, left to his own inclination, may very easily disarrange his stomach waste, and the products of combus- by injudicious draughts of water. To tion and disintegration. This is the such, however, the regular and periproblem of life, the problem of our odic draught - a tumblerful every two hours, for instance, will prove tard the efforts of this wonderful most acceptable. Thirst may also be relieved by rinsing the mouth with hot water. Or bits of cracked ice We know that it enters into every held in the mouth will do the same structure of the human body. As to thing. If a change of potation is deits source—to be sure, we consume sirable an agreeable draught is made large quantities of water with the in- by adding cream of tartar to cold wattake of fruits, vegetables, meat, tea er-a teaspoonful to the quart. and coffee. But these should not be Slightly acidulated waters have their the sole source of supply. Tea and use in the sick room, and nothing is coffee are poisonous to some persons, more grateful here than an occasional though others consume them appar- draught of weak lemonade. Plain ently without injury. Moderation spring waters, or natural aerated should be our habit in this particular, waters, may be substituted from time as in everything that concerns right to time to break the monotony of a uniform drink or to satisfy the caprice of the patient.

The foregoing remarks are based upon well known physiological data and broad clinical observation.-Harper's Weekly.

The Longest Night.

It is the shortest day—the longest night of the year. To-night the sun reaches its southern meridian, pauses in the mighty sweep, and to-morrow he will turn his face to the north

That it is that relieves the sombre contemplation of the "longest night" -that it is the limit. That now from day to day henceforth we may watch the great orb grow in his daily circle questionable value in certain condi- of the sky rather than to shiver as tions of the economy, and these may we feel him diminish and withdraw. be used with advantage, preferably To be sure the shiver is also a matter under the direction of a physician. largely of theory and imagination. for the compensation of the stars and name and origin, whose merit is the the white silence is here to minimize plain water composing them and the the sense of loss in the retreating

Now as we contemplate the beauty While water may be drunk with of the northern winter night we have food, as an aid to digestion and ab- the added satisfaction of knowing sorption-and it were better taken at that the sun to-morrow will rise a the close of a meal-care should be little higher than yesterday it did. observed not to defeat the purpose of We know that it will continue so unthorough mastication by washing into | til presently its light will lie upon the the stomach solid foods ill prepared hills the whole span through and banfor digestion by that organ. A glass ish utterly the darkness through of cold water on going to bed and one which now we grope, and under its taken on rising in the morning is a influence the birds will return and good habit. They who cannot thus even the highest peaks of the mountake cold water into an empty stom- tains will spangle with spring flow-

this longest night has to the people Let us now consider the conditions of the North it has been suggested of ill health in which the internal use that it is a fitting day-or night-to of water is desirable. Let it be un- make of it an annual feast night derstood that there are conditions in throughout the North .- Daily Alas-

HOW MAJOR GOT IN. Henry and Walter Metz looked down the road for the twentieth time in an hour. Mr. Metz had been away for three days, and he had promised to bring them a pony when he returned. Presently their patience was rewarded; for they saw their father coming, and the dearest little pony was tied behind his buggy.

"He is just splendid. I think he's nicer than John Dunn's," said Henry when the pony had been looked over very carefully. "What shall we call him, papa?"

"The owner of the pony farm called him Major, for he holds his head up like a soldier does," was the ans-

"We'll call him, Major, too," they

The days that followed were happy ones for the boys, and Major had enough attention to spoil any pony. "He just follows us around like a dog," Henry often said. "When we go into the yard, he

acts like he wanted to go with us. If he could speak, I think he would say, 'Don't leave me in the lot alone.' He is just the smartest pony that ever was," was Walter's comment. One day the boys were in the house and Mrs. Metz called them. long duration the free administration | She pointed to the kitchen door, and there stood Major quietly looking in. "Who left the gate open " she ques-

> tioned. "Henry was in the lot last," Walter said quickly.

"I closed the gate, though. I remember, for Major was right there, and he tried to push in," Henry responded. "I can't see how he got in; I am sure he couldn't climb over the fence," he finished.

"He came through the gate, for it is open," his mother assured him. The boys could scarcely wait to tell their father about it. "Somebody left the gate unbooked," was his verdict. "Major is clever, but he couldn't unhook the gate if it was closed tight." Three days later Major appeared on

the porch again. Everybody declared the gate had been shut and latchthe boys were not careful, but they declared they were.

"Boys, come here quick," Mrs. Metz called the next morning immediately after breakfast.

The two boys rushed out on the porch, and saw Major trying to open the gate with his teeth. He tried again and again, and finally the hook group and nodded his head as if to perimentation and clinical evidence say, "I am here too."-American Cul-

THE PIGEON MESSENGER.

Perhaps you would like me to tell you about a little pigeon I once had. It was a homer that I had received from one of my relatives. One Sunday in August my father took me to see my uncle, who lived in Valhalla, N. Y., not very far from North White Plains. He received us very cordially. We spent the afternoon very pleasantly, and when it was time to go home my uncle made me a present of two gray pigeons, who were mates. I put them in a bag, and when I got home I took them out of the bag and put them in a large box which I had the luck to have. The school hours were over, and when I came home I was told to send my uncle a message by the larger pigeon. I did as I was told. I took the pigeon out of the box and started it off on its journey. Two days afterward I received a letter from my uncle, stating that he had received my message, and that he would bring back my pigeon to me the next day .-Lester Snyder, in the New York TribOUR RAT BILL

It is \$160,000,000 a Year in This Country Alone.

The bill of damages which civilization holds against the rodent foots up into tremendous figures. According to the experts of the bureau of biological survey of the Department of Agriculture Uncle Sam alone has to pay \$160,000,000 every year on account of property damages inflicted by the pest. John Bull and the Kaiser between them have to fork over \$150,000,000.

The rat bill of the world would reach into the billions, says Success. Sir James Crichton-Browne, president of a recently formed international union of scientific organizations working together for the extermination of rats, declared that every rat in the United States costs the citizens at least two cents a day for its keep.

In England a rat costs from onehalf a cent to five cents daily. The British India rat is the most expensive rodent of them all, for there each of the innumerable swarming millions of the pests consumes on an average three cents daily.

If you add to the cost of the board and lodging of rats the expense of maintaining quarantine operations against them and of fighting the diseases spread by them the average specimen of the rodent tribe preving on civilized nations may be said to cost us from seven to ten cents a

Mrs. Charlotte Perkins Gilman, who cultivates assiduously a reputation for saying things that make people sit up and take notice, says the Atlanta Constitution, volunteered recently that the average married woman was no better off than a slave or a horse; that the marital environment frequently contravened the constitution, inasmuch as it placed the wife in a state indistinguishable from "involuntary servitude." Whereupon a little New York hausfrau, sore smitten with poverty and domestic cares, issued a libel for divorce based on constitutional grounds, which recited that she was virtually held in peonage to her husband. It is to be hoped the court will see fit to hand her down a decree speedily, since it is evident that upon whatever ground of justice her special plea may rest she has outgrown her compatibility with the man whose name she at present bears.



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