

a single exception—Professor Dwight L. Elmendorf, who did so much towards clearing the Fitzgerald brothers.

**Displayed Too Much Zeal.**  
He has worked unceasingly on the case. He was called to account a few days ago by Principal Greene, who thought that he was displaying too much zeal. Elmendorf was also accused of "helping the police."

Principal Greene yesterday cleaned up all the blood stains that were so plentiful in the room where the murdered man was discovered. He did so with the permission of the coroner. Facts may be developed at the inquest on Monday which will give a new aspect to the case.

Coroner Fitzpatrick last night, besides admitting that subpoenas had been issued for the secretary and treasurer of the Deaf and Dumb Institute officials, in order to prove by them whether or not a check had been issued for the December salary of Professor Eglau, said:

**Had Heard About the Check.**  
"I have been informed that such a check was issued, but I have no positive proof of the fact. I desire to have this and other matters explained, and every one who by any possibility can figure in the case will be fully questioned at the inquest to be held on Monday."

"There seems to be some great misunderstanding as to what the bloodstains on the floor and bureau looked like," the coroner continued. "As a matter of fact, there is no imprint of a hand and fingers on the bureau. Blood was smeared along the edge of that article of furniture and there was evidence as if the wrist where it joins the hand had rested there, but that is all. There is a bloodstain on the floor, made by the hand of some one, and it is in that stain that the real mystery lies."

**Who Cashed the Check.**  
"Had Professor Eglau been struck by any weapon with force enough to make him fall, the thumbs of both hands would, as a consequence, have pointed toward each other. Instead of that, when the body was found the thumbs rested outward, pointing in different directions, showing that the hands had been deliberately placed in that position after death."

**Most of the Blows After Death.**  
"I am satisfied from talks I have had with my physician, who was particularly careful in making the autopsy, that more than seven-eighths of the wounds found on the body of Professor Eglau were made after death. I am willing to go further and say that not one of the wounds was made by either of the weapons found in the vicinity. I believe these weapons were deliberately put there as a blind, and that they, like many other things, were soaked in the blood and put in convenient positions to be found by the police later."

"It is my belief that whoever committed that murder—one of the most cold-blooded and apparently cruel in the criminal annals of New York—took his or her time about it. I believe that one or perhaps two blows killed the man and that then the murderer sat down and thought out how he could best cover up his tracks."

"I know for a fact that many of the wounds on Professor Eglau, particularly on the neck, were made by a sharp weapon—a razor, for instance—a knife, and that such wounds were made after death. Neither do I believe that any struggle such as has been described took place."  
"On the contrary, I believe it was part of the plot to make it appear as if there had been a struggle and a desperate one, in the course of which chairs, tables and the like had been tossed in every direction. It may even be shown at the inquest that two full hours had elapsed from the time of the killing until the discovery."

**No Clue in the Blood.**  
"I have heard all these stories of certain persons wanting to borrow money from Professor Eglau. As coroner having charge of the case, I should have no theories, nor have I any. Whether or not the stories referred to have any bearing on the case will be a matter for the jury to decide."

"When asked whether or not he had given Professor Greene, of the Deaf Mute Institute, permission to clean up the blood stains in the room in which the Eglau murder was committed, the coroner said:  
"Yes, I did. He asked me, within a very few days of the murder, whether there was any objection to the blood stains being cleaned up, and I said there was not. There was no possible clue in them, and I could see no reason why they should remain. I would willingly have given the permission on the very day after the murder."

"I suggested to Professor Greene that it might be well to ask Acting Police Captain Casey also, as he might possibly have some reason for having the stains remain. Whether or not he asked Casey I do not know, nor whether or not he ever cleaned up the stains. So far as I was concerned he had permission."

**A SCHEMER'S WORK.**

**The Murderer of Professor Eglau Carefully Covered All Traces of His Work.**

Everything about the Eglau murder has indicated it was the work of a careful, scheming man. Every possible means was taken to conceal evidences of the crime that might lead to the detection of the perpetrator. It is now known that additional pains was taken by the murderer to throw suspicion on somebody else. While the killing of the venerable deafening master was butchery clumsy enough to have been the work of an insane man, the after-work was that of a cunning and presumably educated person.

When the body of Professor Eglau was found it was lying flat on its back in the modelling room. There was a pool of blood about the head and blood was splashed everywhere about the room. There were the marks of two hands imprinted in blood stains on the floor, one on each side of the body.

The police concluded Eglau had made these marks as it was evidently intended they should. It has now been discovered that the digits in these hand prints pointed toward each other, instead of from each other, as would be the case if the professor fell sprawling on his hands. The conclusion must be that the marks were deliberately placed there. Perhaps the cool and deliberate murderer used the limp fingers of the dead man to make the hand prints to help along the appearance of a struggle.

**PESTLE PLACED AGAINST THE WALL.**  
The bloody pestle, supposed to have been used in killing the professor, was found where it had been carefully placed against the wall. It was standing upright.

Even the marks of a hand on one of the modelling tables was seemingly rubbed over. It was with the greatest difficulty that the officers made out, what may prove of much importance, that the stains had been left by three fingers and a thumb. There was no stain that could have been left by a little finger.

Every button that had been pulled off in the struggle, if there was one, and every other scrap, had been picked up and taken



David Greene.

He is the principal of the Institute for the Improved Instruction of Deaf Mutes and discovered the body of Professor Max Eglau, who was murdered in his studio eleven days ago. The principal declares that Professor Eglau received his salary of \$40 for the month of December, but the artist told his relatives and others that the money had not been paid. It is to afford an opportunity to explain the whereabouts of the alleged missing check that Treasurer Goldsmith and Secretary Mosenhal, of the Institute, have been subpoenaed by the coroner.

away. There was no sudden fleeing from the presence of the dead in this case.  
**Weapons Bathed in Blood.**  
From all this it is easy to imagine that the supposed weapons with which the professor was thought to have been killed were merely parts of the general stage-like effect apparently cooked up to deceive the detectives. One was a spade and the other the pestle already mentioned. Both were fairly bathed in blood, as if some person had swabbed them with it. The shovel, too, had so many stains upon it that the detectives gathered a good-sized lock of hair from it.

This hair, which is now in the possession of Chemist Walter T. Scheele, corresponds exactly with that on Eglau's head. It is not within the range of supposition that Eglau's hair would have clung to the rude weapons in such quantity even if his head had been crushed with blows. As a matter of fact the skull was not even fractured.

**Cuts Made By a Knife.**  
The cuts on the neck of the dead man were sharp and smooth. The coroner and others who have looked at them will not believe that they were made with either club or shovel. It is all but proved that Eglau was killed with a knife and that the murderer carried the knife away.

This use of the keen blade of a knife is just in line with certain other disclosures. There was no sudden fleeing from the presence of the dead in this case.  
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him when a mere boy. Greene says Driscoll's father was a truckman.

**"Danny" Driscoll's Cousin.**  
One statement made, not by Principal Greene, but by others, is that the man Driscoll is a cousin of "Danny" Driscoll, of the Whyo gang, who was hanged for the murder of "Beezy" Garrity. An endeavor to substantiate this met with poor success, because no one knew that "Danny" Driscoll had a cousin.

Driscoll was with Greene for years and learned his method of lip-reading by constant practice. He became the star-graduate of the institution. When new pupils came Driscoll was pointed to as evidence of what could be done with the new method of teaching deaf mutes.

He went to Columbia College for two years and afterwards was educated as a chemist in laboratory work for a drug firm.  
Driscoll worked for a short time for a contracting company, and then went to the deaf mute institution as a "supervisor" of the children.

**His Reputation Good.**  
In all these years, as far as can be learned from Principal Greene and others who knew Driscoll well, his reputation was always good, as he was said to be of excellent habits. He became involved in many obligations to pay money, and his creditors have been pressing him, but such things have happened to many deserving men.

Driscoll was with the children in the playground and dining room during the noon hour. After the noon hour his time is accounted for only by Principal Greene, who said yesterday: "Driscoll is all right. I can account for him. He was in and out of my room here all the afternoon."

Driscoll has access to every part of the building, and his presence in any particular room at any time would not occasion surprise.

Others who slept in the building were "Joe" Ainsborough, the watchman, Meagher, the janitor; Gillespie, the fireman, who is Ainsborough's room-mate, and Prunso, the assistant engineer, who said he saw the Fitzgerald boy coming out of the basement.

**HE REFUSED THE LOAN.**

**John Zink, Son-in-Law of the Murdered Man Knew of the Attempt to Borrow.**

John B. Zink, the son-in-law of Professor Eglau, who lives with his wife and mother-in-law at No. 138 East Third street, said last night that Professor Eglau had told him in September or October, 1885, that Superintendent Greene wanted to borrow \$300 from him, and that he explained to the Superintendent that he was a poor man and could not spare it.

"William Peters, who is the president of the Peters Brewing Company, located at Union Hill, N. J., and Professor Casper Bubner, a sculptor, with offices at No. 444 West Sixteenth street, also told me," said Mr. Zink, "that my father-in-law had informed them of the effort made by Superintendent Greene to borrow money from him. They mentioned the fact to be in a conversation a short while after Professor Eglau had told me about it."

"My father-in-law also told me that he had not received any salary for the month of December. He was ill during the greater part of that month, and could not give his entire time to the Institute, and said, when they refused to allow him his salary that it was a very stingy and mean thing on their part. I have never seen Superintendent Greene since Professor Eglau's burial until this afternoon, when I met him at the Institute. This is the first time I have been there since that terrible affair."

"He asked me to-day if Professor Eglau had ever complained about the small salary he received. I had never heard my father-in-law say anything about his salary except about not getting it for December, and I told him so."

Brewer Peters said that he had met Eglau two weeks before the latter's death. "He was a very old and dear friend to me," said Mr. Peters, "and he used to entrust almost all his secrets to me. He began laughing during our conversation, and his eyes twinkled merrily as he said, 'What do you think of Superintendent Greene? He wanted me to lend him some money, and offered an immense rate of interest for it. But then, the banks are good enough for me.'"

**WALLER'S PARDON SIGNED.**

**President Faure Issues Orders for the Release of our Ex-Consul to Tamatave, Madagascar.**

Washington, Feb. 20.—Secretary Olney has received from Paris the following dispatch from Ambassador Enslin under today's date:  
"The President signed this morning Waller's pardon. Orders are being issued for his release."

There does not seem to be any intention on the part of Mr. Waller's counsel or of his friends to take advantage of the offer made by the United States Ambassador, under instructions from the State Department, and enter suit for damages in the French courts, with the United States Ambassador providing the requisite security for costs. On the contrary, the French family, finding that the United States, on the facts as disclosed, decline to make an international affair out of Waller's offense, are contemplating his return to Kansas from which State he was originally appointed Consul to Tamatave, Madagascar.

Nothing has been heard from Waller directly by his family for three or four weeks, according to the statement made by his daughter to-day.

**WOULD BURN UP IN HER HOME.**

**Mrs. Mathers, 104 Years Old, Had a Narrow Escape from Death.**

Shamokin, Pa., Feb. 20.—Mrs. Augusta Mathers, aged 104 years, who, when a young woman in Austria, gave Napoleon Bonaparte a cup of coffee while he was on his famous retreat from Moscow, sat rocking in a chair in the sitting room of her home in Green Back last night while it was burning, and despite the entreaties of her granddaughter and her great grandchildren would not leave the apartment. She had to be dragged to safety by main force. The house was entirely destroyed.

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The police, although they still declare the Fitzgerald boys are the guilty ones, as they previously maintained Eglau could not have been robbed because his watch was found in his pocket, now say no one in the institution on the day of the murder is above suspicion. It is interesting to know all about the men who slept and lived in the home. One of these is Urinipul Greene, whose story has been fully told. Another person who sleeps and lives in the home is Timothy Driscoll, who is considered by all as very close to the principal.

There is a maze of uncertainty about the early history of this Driscoll. He is a mute, but hears highly. Principal Greene said yesterday that Driscoll was brought to

**AWFUL SCENES AT A HANGING.**

**The Executioner's Rope Parted and James Fitzgerald Fell.**

**He Cried Out in Anguish and Begged That His Bonds Might Be Loosened.**

**Deputies Took Him to the Morgue, Where He Suffered Until Another Rope Was Procured.**

**PUT TO DEATH ON THE SECOND TRIAL**

**Two Reprieves Had Lengthened Out His Torture, but He Bore Up and Was Calm Even After His Awful Experiences—Citizens Indignant.**

St. Louis, Mo., Feb. 20.—James Fitzgerald to-day paid an awful penalty for murder by being twice legally hanged. Not only was the climax of the execution horrible, but the events leading up to and surrounding it were all of the most unusual and ghoulish order.

Two reprieves had lengthened out the misery of the condemned. At 12 o'clock midnight Governor Stone telegraphed from Jefferson City that the hanging should not take place before 10 a. m. This gave every one but Fitzgerald hope of commutation, as the parents of the murdered girl had wired strong pleas to the Governor for the condemned. Father McErlane labored sedulously to comfort his charge, but Fitzgerald was indifferent. The 200 spectators in the jail yard were far more impressed than he as they counted the minutes of life still remaining to him. When the tower clock struck 10 Sheriff Trolle still hesitated. At this moment the Sheriff

received the following telegram:  
Feb. 20—8:45 a. m.  
Henry Trolle, Sheriff—I decline to further interfere in the case of James Fitzgerald. You can, therefore, only discharge your duty.  
W. J. STONE, Governor.

Then the solemn procession from the condemned man's cell began. Father McErlane, reading the prayers for the dying, supported Fitzgerald to the foot of the scaffold.

Fitzgerald ascended the gallows in the jail yard at 10:15 a. m. He was very pale, but his iron nerve did not desert him. With bared head he stood upon the scaffold, facing the anxious crowd. One deputy pinioned his legs and the rope was fastened about his neck. As he stepped onto the box which was placed upon the trap the black cap was hurriedly placed over his head and he was ready for the plunge. Father McErlane stood by him. "Pray, Jim," he said, as the black cap shut out the light. The last words he spoke were "I am ready to die." Then a Deputy Sheriff Brooker cut the rope which let the trap fall.

Then a terrible thing happened. THE ROPE HAD PARTED. Simultaneously with the clang of the trap there was a ripping noise, and the body of Fitzgerald fell to the ground. The rope had parted just below the ring to which it was fastened in the beam.

The cords of the rope had torn loose like rotten thread. The pinioned wretch landed on his feet and on his back. The last words he spoke were "I am ready to die." Then a Deputy Sheriff Brooker cut the rope which let the trap fall.

Fitzgerald was no more than temporarily stunned. It was not ten seconds before he was on his feet and he was already conscious. "My God! my throat; loosen the rope!" he said.

The doctors and the deputy carried the victim of official bungling into the autopsy room of the morgue, where he was laid on a table. Dr. Waite, Jordan, Sutter, Guthman, Lippe, Kearney and Behrens surrounded him.

At intervals the tortured wretch uttered pious exclamations. "Can't you suffer?" asked Father McErlane.

"Yes, father, I am suffering," he moaned. "If the Lord is going to kill me, why don't they do it quickly and end my agony?"

Once Fitzgerald raised his hand and pulled the cord of the rope to his face and whispered earnestly for a half minute. "That communication was will never be known, but the face of the priest, then shyly pale, turned scarlet and tears fell from his eyes.

Presently he began to tremble with cold and nervous shock. Convulsive sobs were shook him from head to foot, and still for some unknown reason the black cap was allowed to remain. Occasionally Father McErlane raised it to wipe the suffering man's lips or to press the crucifix to them. The cords which bound him were hurting his arm and obstructing his labored breathing.

**THE CORDS HURT HIM.**  
"Can't you loosen these cords?" he pleaded. Red tape was there in the person of a deputy sheriff, who declared there was no authority for such a procedure.

"There is no harm in it. It is no use crucifying him," Father McErlane said to the deputy sheriff. Dr. Waite assumed the authority of ordering the ropes loosened and this was done, leaving the hands free.

At 10:30 o'clock the Deputy Sheriff Greizer with a new rope and the shivering wretch on the slab, who had been dropped from the scaffold once, was hastily prepared for the second ordeal. He was pinioned again and four deputies carried him out and up the steps to the gallows. It was 11:03 when for the second time the procession mounted the scaffold.

There was little delay. The rope was hastily adjusted and Deputy Sheriff Becker cut the rope of the trap. The platform parted and Fitzgerald's body fell down to the ground. The drop was fully six and one-half feet. The rope gave under the weight the toes touched the ground, but after a slight rebound the hanging body escaped the ground. The doctors seized and held the wretch from Dr. Neville placed his ear to the heart. Drs. Lippe, Lloyd, Jordan, Sutter and Nietert surrounded the body, feeling and timing the pulse. Although the neck was broken, the body was remarkably tenacious of life. For five minutes the time the drop fell the heart was still perceptibly beating.

It is said that the community is indignant at the Sheriff and his assistants in putting it mildly. Sheriff Trolle says all the usual tests were applied to the death apparatus before the hanging, and that the horrible scene at the first attempt was wholly due to some defect in the rope that could not be traced.

**SENATOR SHERMAN'S TERSE VIEWS.**

**The Election of a President More Than Twice Would Be Unwise.**

To the Editor of the Journal:  
I think it would be a wise rule to adopt that no one should be elected more than twice as a President of the United States.

JOHN SHERMAN,  
Senator from Ohio.

**UNWRITTEN LAW TO SAVE THE PEOPLE.**

**Senator Morgan Sees Grave Danger in the Third Election of a President.**

To the Editor of the Journal:  
I believe that the unwritten law against a third or more Presidential terms for any man is essential to the safety of the Republic.

This unwritten law will save the country from the one man power and encourage a proper aspiration for the honor of serving the people in the highest public trust, which is a most valuable feature of our present system. Above all, no man can be safely trusted with the veto power for a long period of successful opposition to the will of the people, which that power is intended only to check, until the people can have opportunity for the sober second thought. That power was ordained to protect the people against any sudden rashness of their representatives, and not to reverse the deliberate expression of their will.

A third term is a very long step in the direction of centralizing power in the hands of the Executive and of changing the accountability of representatives of the people into subordination to the will and patronage of the President.

JOHN T. MORGAN,  
United States Senator from Alabama.

**MR. CLEVELAND MAY RUN.**

**Continued from First Page.**

dangers in any third term or about setting a precedent of any sort or of starting any unwritten law. Some people say that Jefferson declined or waived a third term. I think that an accurate third-reader, looking behind what he said at what he did, in order to reach what he meant, would conclude that Jefferson was quite willing to be over-persuaded on that point, but was not.

A possibly imperfect recollection of our political history fails to bring to my mind any other incident relating to the third term than the attempt, in 1880, to nominate General Grant, who had been out of office for four years and who had been twice nominated and elected in succession before.

General Grant's nomination in 1880 was defeated by the union of the Blaine and Sherman forces, with the scattering vote in the convention, upon Garfield. Both Sherman and Blaine were formally put in nomination in that convention, as well as General Grant. Neither Sherman nor Blaine, nor the men who put them in nomination in that convention, said, if I remember aright, one word on the third term question whatever. And General Grant was not antagonized in that convention on any third term question at all. A perusal of the official volume of the proceedings of that convention will sustain or refute this proposition. It will show, to be sure, that Senator Conkling raised the third term matter and disposed of it to his satisfaction when he put General Grant to the fore, but it should also show that he was replying, not to Republican opposition to the third term, but to Democratic opposition to it, which was advanced for purposes of effective partisanship alone, so far as can be inferred. When Garfield was finally nominated the Democrats were quite as nimble and active in calling upon Republicans to defeat him because General Grant had been turned down in the National Convention of his party. They were against a third term, to beat Grant's nomination when it seemed likely, and they resented the defeat of Grant with more or less sincerity, in order thereby to draw off Republican votes from Garfield to Hancock. It was solely a political manoeuvre in both instances and was worked in both instances with about the usual degree of political morality and partisan velocity. Candidly, I do not know of any law, written or unwritten, against any third term, and I do not believe for one moment that the safety of this Republic depends upon how seldom or how often the people, through any political party, give to themselves a chance to vote for or against any man, whether for Constable or for President.

Now, as to Cleveland and a third term, let me say this: I do not believe he wants it, and I do not believe he would take it if he could get it. I doubt very much if he could get it, if he wanted it, from the Democratic

party as at present constituted. That party, by its course in Congress and by its utterances in a large number of State conventions, seems to me to have abandoned, temporarily, both the functions of a government party and the functions of an opposition party, and I shall be much surprised if in its National Convention, this year, it does not split in two on silver and on greenbacks, just as in 1860 it split in two on slavery and the concomitants of slavery. Nor am I prepared to say that such a split would be undesirable, because I train with what I believe to be an increasing number of Northern men who intend to take their Democratic principles from the dictionary, and when they find the platforms and candidates of the Democratic party, so called, in conflict with the moral and dictionary meaning of Democratic principles, the conclusion to which they come is that between false and usurping Democratic organizations and true Democratic principles there is no more connection than between Italian banditti and Italian unity, or than between those who hold up railroad trains and the proper law of transportation and of trade.

ST. CLAIR MCKELWAY.  
**MANY BOERS WERE KILLED.**  
The Dynamite Explosion at Viedendorp, Transvaal, Proves More Disastrous Than Was Believed at First.

Johannesburg, Feb. 20.—The explosion of dynamite which occurred at Viedendorp, a suburb of this city, last evening, was more disastrous than was at first believed. Eight railway cars loaded with dynamite were being switched from one track to another when the explosion took place.

At the spot where the dynamite exploded a hole thirty feet deep was made in the ground and every house within a radius of half a mile was razed to the ground. Forty bodies have been found, and the search is only just beginning. Two hundred injured persons have been taken to the hospitals, where several of them have died. Comparatively few white persons were killed.

As yet nothing is positively known as to what actually caused the explosion. Twenty tons of the dynamite had been exposed to the direct rays of the sun for three days. The latest estimate places the number of the killed at over 100. Many persons are missing, and there is scarcely a doubt that they were blown to pieces.

**MILLAIS MADE PRESIDENT.**

**A Former Member of the "Pre-Raphaelite School" Succeeds Lord Leighton.**  
As Head of the Royal Academy.

London, Feb. 20.—Sir John E. Millais was to-night unanimously elected president of the Royal Academy to fill the vacancy caused by the death of Lord Leighton. The stories which have been published about his delicate health are greatly exaggerated and he is in no wise physically incapacitated from accepting the honor which the academicians have conferred on him.

**A Course**

Of medicine for purifying the blood and building up the system is needed now. A few bottles of Hood's Sarsaparilla will give strength of nerve, mind and body.

**Hood's Sarsaparilla**

Is the One True Blood Purifier. All druggists, \$1. Hood's Pills (the after-dinner pill and family cathartic), 25c.