

side to the left, and prodded me twice more with his foot and gave me three more violent kicks about the shoulders. During this scene he cursed me constantly, using the vilest kind of oaths as he sneered. "Now will you get up?" "Will you walk now?"

"Lovering then ordered a rope and gave orders to have my feet crossed and tied at the ankles. I placed my hands behind my head. Then Lovering and the sentries began to drag me. He prodded me in the right hand with his sword and then in the shoulder. I was dragged to the guard room and out to the porch where with one hard jerk they started me down the stone steps, on my back and across the road. The sentries were reinforced by two others. I was then dragged over pavements and roads to D company's steps, up the steps, then down again across the pavement and under the tower to A company's steps, and finally into the adjutant's office.

Lieutenant Colonel Bainbridge ordered the rope untied just as I was called before the court. At 2 o'clock I asked to be taken to the hospital, where the doctor sponged the blood from the sword stabs. On Monday I was called before Captain Richards and have since been in solitary confinement on bread and water."

Colonel Snyder asked Hammond why he left his barracks at Plattsburg, N. Y. The witness replied: "I had some private business in Chicago, and as the inspector general was at the barracks I knew the request for release would be refused. I had no intention of deserting and reported at Fort Sheridan so as not to be so ranked. I expected to be confined, but thought I would be returned to my post and after sentence restored to duty."

Captain Lovering was then called. He made no attempt to deny any of the accusing witness' statements. He admitted that by his orders Hammond had been dragged from the guard house and he also admitted that he had struck the soldier and pricked him with his sword. None of this treatment Captain Lovering said, had injured Hammond in the least, as was proved by the surgeon's report, and the methods used were in his opinion necessary for the discipline of the army. Lieutenant Bernard, in charge of the guard house at the time, was called. His testimony introduced no new feature.

LUETGERT NOT GUILTY.

Criminal Court Building, Chicago, Oct. 21.—As Adolph L. Luetgert, who has been on trial on the charge of murdering his wife, and boiling her body in a vat, heard this morning from the foreman of the twelve men who have been considering his case for the past sixty-six hours, the words, "We are unable to agree upon a verdict," he was imperturbable as ever, evincing no joy. The wonderful nerve of the defendant was with him to the end. He stood up, and with only a good natured smile on his swarthy face, shook hands with his son Arnold, his counsel and his business partner, Wm. Charles, and in less than five minutes was led back to jail, the jury was dismissed and the great trial was over.

The twelve men were divided as follows: For conviction and the death penalty—Heickhold, Boyd, Bibby, Mahoney, Behmiller, Hosmer, Shaw, Franzen and Fowler—9.

For acquittal—Harley, Holabird and Barber—3.

As the jurors filed into court about 10:40 they were a haggard looking set of men. Several of them were collarless and the eyes of all were swollen and red. The jurors took the seats they had occupied daily for over two months and waited for the appearance of the central figure in the case and his law-

yers. Judge Tuthill sat on the bench and gazed quietly at the worn-out jurors. The clock in the court room ticked off five minutes and nothing occurred to disturb the quietude. Then the door to Judge Tuthill's private chamber opened and State's Attorney Deneen, ex-Judge Vincent and Attorney Phalen came out. They took their accustomed seats at the table over which they had argued so many sharp questions of law. Soon Adolph L. Luetgert walked into court followed by a bailiff. Smiling and content, he grasped the hand of Wm. Charles, as he gained his seat, shook it and whispered a few words into his business partner's ear. Then he sat down. Judge Tuthill looked up at Bailiff Connor and nodded. The gray-haired custodian rapped sharply for order and commanded silence.

"Gentlemen, I have called you into court to ask if you have reached a verdict," said Judge Tuthill.

Foreman Heickhold arose and replied: "Your honor, we have not."

"Is there any prospect of your reaching one?" asked the court.

"I don't think so. In fact, I know there is not—at least that is firm belief," responded the foreman.

"How do you stand, numerically I mean, not individually," queried the court.

"We stand nine for conviction to three for acquittal," replied the foreman. "We have stood that way for 38 hours. There has not been a solitary change in the vote during the 38 hours. In my opinion, there is not the least possibility of an agreement."

"What have you to say, Juror Barber?" asked his honor.

"We can never reach a verdict," replied the juror. "Every point and phase of the evidence has been minutely discussed and it is impossible for us to agree."

"What is your impression, Juror Fowler?" continued the court.

"The same as the others. We cannot agree," replied Fowler. "We have discussed the case thoroughly and we cannot reach a verdict."

Judge Tuthill then called each of the jurors by name, and each responded in the same manner, expressing the view that it would be impossible for the jury to agree. Juror Harley was the last juror called. He arose and replied firmly and with emphasis: "I do not believe we can agree upon a verdict."

"I will ask the counsel for the prisoner what they think of the situation," said Judge Tuthill.

Ex-Judge Vincent arose and remarked: "Your honor, I do not think from what I have just listened to that there is any possibility of a verdict being returned."

"I am of the very same opinion," echoed Attorney Phalen.

"Luetgert, how does it impress you?" asked Judge Tuthill.

The big fellow arose with a smile and bowed awkwardly to the court. "I am just of the opinion of my lawyers," said he.

"What?" exclaimed Judge Tuthill, who had not caught the words.

"I leave it to my attorneys. I believe just as they do. I do not find a verdict," responded Luetgert in a high tone of voice; then he sat down.

"What do you think, Mr. Deneen," inquired the judge, directing his gaze towards the state's attorney.

"It appears from the consensus of opinion expressed by the jurors that they cannot agree," replied Mr. Deneen. "I don't believe they would be able to reach a verdict under the present expressed opinion of each of them that a verdict is an impossibility."

"It seems so to the court." Then turning to the jurors the judge said slowly: "The court has kept you here an exceptionally long time because the

evidence was so voluminous that I wished to give you full time to discuss the matter among yourselves to see if there could be any possibility of harmonizing your views. It is very much to be regretted that you are unable to agree. The case has been very long and protracted. It is one of the most important cases that has ever been tried in this country, and I was anxious that the jury might come to some conclusion, but I am bound to accept the statement of the jurors made through your foreman and individually by you, and the expression of the defendant and his counsel and the statement of the state's attorney. My own judgment concurs with all, and I think it is useless to keep you any longer confined in this matter. I therefore enter an order for the discharge of this jury. The defendant will be remanded. You will apply to the clerk for your certificates."

A sigh of relief went up all over the court room that the end had at last been reached. There was a rush on the part of the newspaper men to get out of the building, and as soon as the bailiffs could restore quiet, Judge Tuthill adjourned the court. The jurors returned to their room and sent out word to Judge Tuthill that they desired that he remain in court a few minutes as they wished to submit a report. Twenty minutes later the jury filed back into court and Foreman Heickhold handed the following to Clerk Knock, who, by the order of the court, read it aloud:

"We, the jury in the case of the people of the state of Illinois versus A. L. Luetgert, tender to the presiding judge, the Hon. Richard S. Tuthill, and the brilliant state's attorney, Charles S. Deneen, and his no less brilliant assistant, Mr. W. M. McEwan, as well as the attorneys for the defense, our most heartfelt thanks for the very kind treatment we have received at their hands, and we do not hesitate to state that were it not for the way in which they have attended to our personal comfort as well as to our sanitary condition, the hardship would have been very great.

"As to the trial, we wish to state that while the evidence was such that we were unable to agree upon a verdict, one thing we did agree about, and that is that the circumstances were such that the police had ample reason to prosecute on the showing without hearing the defense, and we commend them for having done their duty in this case.

"(Signed.) Foreman Heickhold, and balance of the jury."

The jurors were evidently of the opinion that this statement was enough to give the public at this time. Declining to be interviewed, they passed through the court room and took the freight elevator to State's Attorney Deneen's room. Here they were given their vouchers for the long service.

A MISSIONARY INCIDENT.

A letter from Elder Samuel C. Barrell, on a mission in the Southern States written at Byrdstown, Pickett county, Tenn., relates an interesting experience. Having learned that two Campbellite preachers had undertaken to expose Mormonism, Elder Barrell and Elder Barker attended the meeting at which this was to be done. One of the preachers named James Lacy made many absurd statements, one of which was to the effect that the Mormons worship Joseph Smith instead of God. Elder Barker arose and offered to correct Mr. Lacy. The latter became very wrathful and called the Elders many vulgar names, and insisted on their being put out of the building. But this was not done.