## IDE DAUX EVENING TRESCEAPER FURLADELPHIA, THURSDAY, AUGUST 8, 1807.

## THE DAILY EVENING TELEGRAPH-PHILADELPHIA, THURSDAY, AUGUST 8, 1867.

# WINNEMORE. The Appeal to Governor Geary

in His Behalf.

His Strange Religious Belief.

Re is a Firm Believer in Spiritualism and Mental Alchemy-He Leaves His Own Body and Wanders About the Earth-He Sees Millions of Spirits in Uniform, Like an Army-His Spiritualistic Relations with Mrs.Magilton.

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The public mind was pained as well as astonished, when the interview of the Sheriff's officers with George W. Winnemore, now nnder sentence of death for the murder of Mrs. Dorcas Magilton, revealed the fact that he had refused to receive a minister of the Gospel in his cell, and was determined to persist in that course until his fate was sealed upon the scaffold. Being anxious that a man in his peculiar and unfortunate situation should not be misunderstood or misrepresented, we recently communicated with him, through Damon Y. Kilgore, Esq., one of his counsel, and found that he was quite willing to grant an interview for the purpose of making known his views upon this subject. Yesterday afternoon, therefore, in company with Mr. Kilgore, we waited upon the prisoner in his cell.

#### An Interview with the Prisoner.

We found the unfortunate man quite cheerfnl, and willing to answer every question that we desired to put to him. He was attired plainly and coarsely, but was by no means slovenly or unclean in his appearance. He wore a loose cotton shirt, the sleeves of which were turned up to his elbows; and his pantaloons were of a greyish material, such as is furnished by the prison authorities. These two garments constituted the whole of his outfit, his feet and neck being bare. His health, we understood from his counsel, has not been very good for some time past; and to this cause, in part, was owing the sickly pallor which marked his countenance. The cell in which he is confined is on one of the corridors of the third floor of the County Prison; and in view of a recent statement by a contemporary, that this floor was entirely unoccupied, we were somewhat surprised to find not only that Winnemore's quarters were in the untenanted portion of the building, but that every cell on the floor was full, several of them even containing three or four prisoners each. The room was very meanly furnished. On the floor, to the left of the door as we entered, was a simple pallet, on which the prisoner sleeps. Opposite this stood a small, rickety table; and these two articles, with a single chair, constituted the only furniture in

in our power to purify ourselves. As long as a human being in the future state has a disposition to sin, so long will he be punished. As long as he clings to his sin, his punishment will last. As I have said before, it remains with himself to purify humself.

purify himself. Q. You mean, then, that if he will renounce his sin and free himself from it, he will be free from further punishment? A. That is my idea. Q. Do you believe that by renouncing his sin in the future world, the spirit is relieved from its punishment through the merit of that re-nunclation?

nunclation? Not immediately.

Do you believe that it will be through the

**C.** Do you believe that it will be through the mediation of our Saviour? A. I believe that every man will suffer for deeds done in the body, whether he has know-ledge of Jesus or not. If a man repents of his sins in this world, he will not be punished in the next. I do not mean to say that a man who repents of his sins in this world will not suffer by being deprived of happiness which he might have had had he not sinned.

Q. Do you believe, then, that there was such a being as our Saviour? A. I do. I believe that He was a human being, the same as all of us, and that He was highly inspired. I also believe that He suffered and diad as is recorded in the Pible. but I do not died, as is recorded in the Bible; but I do not believe that because He suffered and died we can go on sinning, and appropriate the merits of His sufferings and death to wipe away our sins. I believe, on the other hand, that we must bear the consequences of all our sins, notwithstanding His sufferings and death. You believe, then, that our Saviour suffered

for His goodness? A. I do. His life was a rebuke to all about

Him, because He was so pure. Q. Do you believe in prayer?

Q. Do you pray much?

A. A great deal. I am almost constantly in

Prayer. Q. Are you a Spiritualist? A. I am. Q. Are you what is called a medium? A. I am, and have been ever since my child-

Q. Did you ever see spirits? A. I have seen them ever since I was a child, but could not understand anything about them

until late years. I have also heard spirit voices. I have heard an audible spirit-voice while you have been talking to me to-day. Q. Have you ever seen any particular spirits

whom you knew in life? A. Yes; I have seen my father and mother, an uncle who had been dead a long while, and

other spirits which were strangers to me. Q. Have you ever been entranced by spirits so

thoroughly that you were entirely unconscious? A. Many times. Q. Did you know, after coming to your nor-

condition, what you had said and done while in that state?

A. I did not know a word that was said or done, and I did not even know that I had been under their control. Sometimes the trances come upon me gradually, and sometimes in a moment. I was willing to go under their influences, but their termination would not be subject to my will, because I was unconscious. I have not had the power to put myself into these trances wilfully or for mere sport. When I have been lying down or sitting still I have found myself going off, and I would yield to it. When studying about something else I have also found my spirit wandering out of my body, without the agency of another spirit, and then my consciousness has been retained, and on my return I have seen my body sitting in the chair where my spirit left is. At these times I have been as conscious of everything as I am now. My body would be unconscious, but my spirit would have life and consciousness.

Q. Can you now remember that you have ever seen your body apart from your spirit while you have been in this condition?

A. I have been sitting quietly when I have gone into this state, and distinctly remember seeing my body sitting in the chair. I have seen myself go out of my body. I can relate one inci-dent. I started out to Camp Cadwalader one day to see some friends who were in camp there. I had been impressed to stop at the house of a test medium, who lived on Vine street, but did not wish to do so. I went to the camp, instead, and there, after seeing a couple of my soldier friends, sat down in the sergeant's room, with my head resting on my arm. I then saw myself leave my body, come up to this city, pass cer-tain houses where I was acquainted, enter the house of the test medium, remain there before him a moment, and then return to the camp, where I saw my body in the position I left it, and entered into it. While in this state I never feared that I might not get back into my body again. I could reason about things just as I can My mind travelled with me in that state, and I have talked to my body while I was out-side of it. At these times I am under the control of a superior spirit, and am conscious of all that is going on about me; but when a spirit takes possession of my body I am unconscious.

ment, and that our punishment will not be cternal? A. I believe it will not be eternal. It will be in our power to purify ourselves. As long as

A. I became acquainted with her in Septem-ber, 1865, after my return home from the war. I was invited to go to her house by a couple of friends. We went to have a circle. Mrs. Magilton invited me to come again. Was she a medium ?

C. Was she a medium ? A. She was a healing medium, and a speak-ing medium, but she always spoke in a language no one could understand. She painted pictures which, she said, represented diseases of several kinds, and the plants which cured them, She also painted a picture repre-senting Pharaoh and his host swallowed up in the Red Sea.

Q. Did she ever put you to sleep, or into an unconscious state?

A. She put me to sleep many times. There is one way of mesmerising, and another way of is one way of meanerising, and another way of putting a person to sleep. When this woman put me to sleep, it was the spirits working through her. She controlled me by the spirits that controlled her. I don't think it, I know it. Q. Did you ever see any of the spirits which controlled Mrs. Magilton

A. Yes; it looked as though there were millions of them. One evening they came into the room where we were and commenced to talk, as though it was filled with them. I never saw the like of it before. She called them Arabs and Chinese, but they did not look like them, nor They were dressed in uniform like an army. They had a large white band, about four inches wide tied around their heads to keep their hair back. They wore white shirts and blue breeches. They had at their side large scimetars about three feet long, which were curved like a cheese-They carried long spears in their hands. knite. Mrs. Magilton claimed that she was under the influence of these spurits, and when she did so I saw them

Q. What effect did the pictures she painted upon you?

A. I cannot express the feelings I had. First they made me shudder, and cold chills ran all through me. I felt as though I could get up and tear them all to pieces. She had painted two hundred of them, and professed to do it by the control of these spirits. The pictures re-presented different diseases, and the plants which cured them. As soon as I looked at them I felt very strange and wild. At times I would leave her house on account of them, and sometimes I would leave other houses when I saw them. There were times when I could go into a house where they were and not feel their influence until I looked at them. At other times, the mere thought of them would make me feel bad, and I could tell that they were in the house without seeing them. If any person tried to hold me, I wanted to fight, and felt as though I could knock them down. I was conscious at the time, but could not control my feelings. These pictures would not affect me so much sometimes, especially when two certain persons (we omit their names) were present. These two persons were at a great many circles at Mrs. Magilton's house; I very seldom attended a circle without one or both of them being present. At one time I was at a house where I knew there were some of the pictures. I did not see them, but knew they were in the room. There was a three-cornered stand, filled with little relics, in the room, and I felt like kicking it to pieces. I left the house on this account.

Q. You said that Mrs. Magilton often put you to sleep? A. Yes; she was a very powerful magnetiser,

and often placed me in an unconscious state. Animal magnetism is not performed by spirits. but through electricity of the person's own body. Mrs. Magilton was also a very good healing medium, and I have been cured of a great many nervous complaints while in her house. The influences that surrounded her were very ancient ones.

Q. Since the reading of your death-warrant have you had any hard feelings towards any one? A. I have had no unkind feelings towards anybody. Since that time I have felt happier and more contented than ever in my life. Those I loved on this earth have come back to me and controlled me very often. I have in my cell been able to see those I love around me. They They did not weep or look discouraged, for they knew I would soon be with them, and are waiting to waft me to my mansion above.

seen my own home, where will be in a few days, there to be in company with those whom I loved ou earth, and with some 1 never saw on earth, who have kept me and surrounded me with their bright influences. While I had no friends here at one time, I had plenty of invisible ones—visible to me, but not to all. I do not leave this world friendless.

abound the idea of a recent recovery ever exclude which mail been so afflicted from that orotection of the question of moral responsibility. Recent investigation, conducted by men of eminent sagarity and great opportunities of observation, have led to the conclusion that epsoper produces not only moral and indicated or mineral interfaces in the entire moral and indicated of men of emineral sagarity and see the protocol states of the question of the second s 'It is not advisable to execute a sentence of punish.

"It is not advisable to execute a seturate of punish-ment upon an epileptic without having submitted the case to the examination of a duly authorized forensic physician. "Platner denies the responsibility of any epileptic whatever. Clarus maintains the following proposi-

whatever, Clarus maintains the following proposi-tions...
". All actions and omissions which take place during the paroxysm of epilepsy are neither valid nor the subjects of responsibility. "2. When the attack of habitual epilepsy is suc-ceeded by, or alternates with, a state of mania or im-becility, all responsibility is at an end, even where this latter state is but transitory, because no human insight or experience can decide with certainty whether the patient, at that particular instant, was in an entirely same condition. "3. Swooning, heaviness of the head, wearness of memory, reallessness, enhanced irritability, etc., which precede or follow the attack, destroy as well the responsibility as the validity of acts committed during their continuance. "."4. Where it is capable of proof that the epileptics, in the intervals of their attacks, betray symptoms of malice and obtuseness, justice demands that their faults should be regarded as effects of the disease, and that they should be heid responsible for acts com-mitted in an ebuiltion of rage or other massion, while

maintee and contrasting, justice definition into the inter-faults should be held responsible for acts com-mitted in an ebulliton of rage or other passion, while such condition should operate in mitigation where the crime presupposes forecast and reflection. "5. Where the signs of an altered state of mind are wanting both before and after the attacks, the possi-bility still remains that these signs continue undetected because of their minuteness, and that patients of this description are less able to resist andden inpulses than persons in good bealth; which would suggest a mitigation of punishment for actions of violent pas-sion, but not for those involving reflection. "6. All these propositions only apply to idiopathic and habitual epilepsy." A foot-note on page 147 of "Wharton & Stille's Medical Jurisprudence" gives an extract from por-tions of 'Delassaure on Epilepsy, to which we would call particular attention, especially to the following words:--

Independently of a full appreciation of the disease "Independently of a full appreciation of the disease in itself, and its mental consequences, the expert cannot examine too carefully the circumstances which attend the crime, the form under which it is ne-complished, the motives which may have governed the epileptic, his subsequent conduct, his own plans of defense, etc. We notice in almost all the cases re-ported, in the public papers and judiciary debates, singularities of expression and strange details, which make us doubt, from the first if they emanated from a same intelligence.

a same intriligence. "With regard to the execution of the deed, ordinary criminals use all due precautions against discovery. It may be the same with some individuals who have It may be the same with some individuals who have acted under the impulse of an epieptic attack. More irequently, however, regardless of the effects and the mornlity of their actions, they make but iseble efforts at concealment. There are those who abandon them-selves openly to their fury, multiplying their victims without hesitation, gloating over their bodies, and, har from being intimidated by the presence of witnesses, seem often to find in them a new cause for excite-ment.

without pesitation, gloating over their bonies, and, har from being intimidated by the presence of witnesses, seem often to find in them a new cause for excitement.
"This diaregard of every feeling of self-preservation, this contempt of danger, are, when found united, the best proofs of the absence of moral likeorder's and this contempt of the absence of moral likeorder's and he adds, this suspicton is increased in absence of any strong personal motive."
"This epilepsy,' says Man, warrants, upon the event of a criminal act, the suspicton is increased in absence of any strong personal motive."
"This epileptic susceptibility does not serve as a medium only for evil propensities. It can of itself call them directly into play, excite and foster the idea of misdeed, and lead to its intal realization.
"Scenes of vindictiveness and brutality, otherwise itexplicable, arise from this cause in our asylams.
"There are at times certain accessory considerations in reference to epilepsy which may arise during the process of a indicial trial. Dr. Jahn has very wile dy observed that certain scensorial impressions are of a nature, owing to the bins which they imparted to the mind, to suggest pernicious functions. For example, the sight of bloodshed is sufficient to create in a patient etiber the appretension of criminal designs upon himself, or the imagined necessity of killing others. A young man under the influence of his epication fast the simple reading of a notorious criminal attents, the simple reading of a notorious criminal attents, the simple call of a motorious criminal attents, the propension of a notorious criminal attent in probabol. The imagination; the singularities of the imagined for his destruction, thus showing that this instrument, to which is attended a single principal active factory. Who is gno, and of the strange effects of the imagination; the singularities of the imagined or second arise for a matched a single principal when we cellect that instruces are not wautin

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dition. 5. The prisoner was proved to have been suffering from the disease known as Ornorra, which according 6. The prisoner was proved to have been subtrue from the disease known as Oraburia, which according to the testimony of Lr. Pancoast is a partial test o insanity, and, according to all the best medical au thorities, is to a greater or less extent, accompanied by distinguishing or immediument, it acts accompanied by

thorities, is to a greater or less extent, accompanied by a distorbance or impairment, it not a cerangement, of the mental faculties. 7. The prisoner was proven to have been laboring under that highly sensitive pervous condition which is the result of disease, and which has rendered him so highly susceptible of painful impressions, that he was so disagreeably affected even by pictures as to be obliged to leave the room where they were. (See the testimony of Mrs. Mary Mench.) 8. If was proved that the prisoner had made fre-quent attempts to commit solide. The testimony of his mother, suffer, and orother, fully establish this, and solidal manifals one of the wel-recognized tests

duent attempts to commit middle. The testimony of his mother, sister, and orother, fully establish this and suicidal mania, For the reasons above set forth, every one of which is founded upon the evidence as given in the trial of the cause, the conviction has forced itself upon our mind that the prisoner never deliberately plauned, or consciously committed, the crime of which he has been convicted and that to execute upon him the extreme pensity of the law, wou'd therefore be an act of ruelly, not of justice. Such it unquestionably would be if our conviction has the foundation of truth. We would not multiply words. We put the case and the evidence before your Excellency, in full relance upon your sense of justice, your reutiment of mercy, and your calm settled purpose to do, without fear or invor, what your head and your heart clotate to be right. Most respectfully. H. R. WARRINER, DAMON Y. KILGORE, Connsel for Prisoner.

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the apartment. On the stand lay a package of foolscap paper, on which the prisoner was engaged in writing with a pencil. A single volume, the title of which we did not notice, was the only reading matter in the place.

The interview lasted about an hour, during the whole of which Winnemore conversed with entire freedom and with much ease, although he now and then hesitated while hunting up a word to express his meaning clearly. His language was far from being grammatical at all times, in apology for which he stated to us that he had enjoyed but little apportunity for acquiring an education. His attendance at school had been limited to a single year, and what knowledge he possessed he said he had picked up in the world as he went along.

Winnemore is now engaged in preparing a sketch of his past life for Mr. Kilgore. He has no hope or expectation of living beyond the present month, and for this reason he will doubtless tell the whole truth, as far as he has knowledge of it. We were permitted to glance over this curious literary production, and in answer to a couple of our own questions, ex-tracts were read from it. The greater portion of the concluding paragraph of the conversation detailed below is from this source.

After greeting the prisoner, the following conversation ensued :---

Question .- We have come down to learn from you something in reference to your religious behef. It has been stated quite publicly that you do not wish the services of any clergyman. and that fact has prejudiced the minds of a great many against you.

Answer .- I was aware of that when I refused a clergyman. I knew it would be so; I was confident of it. I did not wish to misrepresent myself before the public by asking a clergy-man, when I knew that he could not do me any good.

G. But the people do not understand that. A. Not all. My reason for not; wishing a clergyman in my cell is on account of my own mind. His presence would have a strong ten-dency to disturb my mind, for I feel contident that I know as much of the spirit-world as they do. I have been there often while living upon this earth. They could tell me that there was such a world, but I know there is, b ecause I have been there. It would not make me doubt the existence of such a world, if every-body should deny it, for I would not doubt what my eyes have seen and what my heart believes. I have no enmity, whatever, against any member of the profession; I have no hard feelings against any one.

Q. In case you should allow a clergyman an opportunity to converse with you on religious matters, could he shake your belief?

A. No, sir. He could not make me doubt in the belief of what I have seen. The conversation would create a disturbance in my mind, but it would not make me unhappy. The subject of the conversation I would be continually dwelling upon, and if he had not talked to me my mind would have remained in another channel.

At this point several questions were put to the prisoner concerning his belief in a God, which clicited the response that he believed in "the God of the Bible, an all-wise Power, an all-seeing, God of the Bible, an all-wise Power, an all-sceing, infinite Spirit." He assured us that he was far from being an atheist. His views on this point were farther discussed, and at last he summed up his meaning by saying that "he believed that the spirits of all men are parts of the Deity, that God is the anthor of all of them, and that there is a control of the overy human being."

is a part of divinity in every human being." Q. Do you believe that God will reward every good action and punish every wrong and wicked action 7

A. I do. I believe in a future state of rewards and punishments for the deeds done by us in the body. I believe that we will be punished as

long as we have guilt. G. Do you believe that our spirits in the future world will be purged from their guilt by punish-

Q. Is it your spirit that travels, or is it your

A. There is no imagination about it. I have had too many good tests. I once started for Fort Riley, in Kansas, going from there to Lon-don, and was back again in fifteen minutes. I described a family of children, and the color of a certain house in the latter place. At another time I went to Boston, and this was proven. A gentleman who had heard of my powers came to me and told me that something was transpiring in a certain house in a certain city, but did not tell me whether it was in the United States. I told him I would look into it, and soon I felt that my spirit was leaving my body, I fied to Boston, where I came up to a frame house painted white. On my return I told how far the house stood from the pavement.

Q. When your spirit is wandering, will your impressions be as strong, or stronger than they are when you are dreaming?

A. Dreaming, to me, is mere imagination, and dies away. I have never had the nightmare in

Have you not feared that this power of eaving your body would some time produce a derangement of your mind? A. I have no fear of that at all. I believe

that a person's mind can be deranged by drinking, and also that insanity is often hereditary. Q. Suppose we were to tell you that we had

visited heaven, and had conversed with the dis-embodied spirits there, and from there went through all the universe, would you believe that re deranged, or not?

A. If I had any doubt, I would follow you I would have gone the same road; I know could. The attraction that drew you from your body could draw me frommine.

Do you believe in sin?

Q. Do you believe in sin ? A. I do, and think it is the result of a man's own volition, sometimes induced by a superior spirit. I think this world is full of good and evil spirits, and many a man is punished by the latter.

Do you believe in a state of future punishment?

A. I do. Q. How can you believe it, when a man's evil actions have been induced by a superior spirit? A. He is punished because he gives, way to

Do you think a man can sin in a future world?

A. When a man leaves this body, he generally takes the same moral character that he had before death, and I think he will be able to sim or not, in the future world. His sinning then will be the result of his own will, the same as it is in this world. When a same as it s in this world. When a man dies, he continues in the same moral condition as before; but there are chances of progress and improvement.

Q. While the spirit is out of the body, has it

power to perform any act? A. Not unless controlled by some other spirit. But generally another spirit cannot enter into

But generally another spirit cannot enter into the body unless its own spirit gives it up to it. Q. Do you believe in mesmerism? A. I do. I have never been mesmerised in my life; there is no man in the United States that can mesmarie me, because I will not yield 'my will to him. I am a mesmeriser myself, and have had considerable practise in psychology and mental alchemy. I received a certificate to ractuse it in any town in the United States

#### The Appeal to the Governor.

The following appeal to Governor Geary on behalf of Winnemore, is now first made public:-Commonwealth of Pennsylvania vs. George W. Winnemore, convicted of murder and under sen-

tence of death. To his Excellency John W. Geary, Governor of Penn-To his Excellency John W. Geary, Governor of Penn-sylvania. The undersigned, counsel for the above-named prisoner, would most respectfully and ear-nestly submit to the consideration of the Governor the following appeal on behalf of the said prisoner, against tife execution of the sentence of death aiready pronounced in the case, and would beg his Excellency's most careful consideration of the rea-sons, herewith submitted, why he should withhold his signature from the death-warrant of the said pri-soner.

We desire to say, at the outset, without in the We desire to say, at the outset, without in the slightest degree impugning the motives or conduct of the prosecuting officer of the Commonwealth, who, doubless, felt himself urged by high considerations of duty in pressing forward so rapidly the trial of the prisoner, and, with the profoundest respect and esteem professionally and personally, for the court and jury before whom he was tried, that we are thoroughly, painfully convinced that the haste with which the vrisoner was arraigned and put upon his disadvantage in the preparation and conduct of his defense, but has resulted in actual injustice to him. For we cannot refrain from saying, under all the re-sponsibilities devolving upon us as officers of the law, and after the maturest delibera-tion consideration of the whole case, that on the sponsibilities devolving upon us as diffeons and as officers of the law, and after the maturest delibera-tion and consideration of the whole case, that on the fatal 25th of April, when Dorcas Magliton met death by violence, the prisoner, George W. Winnemore, whether his hands actually perpetrated that violence or not, was irresponsible for lis acts by reason of insandly. Of this we beg to assure you that we, at least, are thoroughly convinced, and thas conviction will not let us rest from any and every rightful en-deavor to save the prisoner's rife. It is not merely on the ground of mercy, but rather that of justiles, that this appeal is made. For though we may admit the utility, and necessity even, of executing the ex-treme penality of the law in the case of the wilful morderer, still the conviction is irresistible that such penality is useful only because it is just. And surely no argument is required to convince the candid mind that to bold the basane to all responsibilities of a penal case would be to superadd the groussest injustice to the most childish folly. We say, then, that George W. Winnemore should be maved from the extreme penalty of the isaw pro-nounced agalost him, because on transpired as to render bim irresponsible for his acts. If your fix-wellency were convinced, as we are, that such is the truth, we have no doubt that you would exercise your official power in such a way as to save the life of this most unfortunate man. We desire, therefore, we briefly as possible, to call your attention to the bus mercine to appring a the of this

official power in such a way as to save the life of this most unfortunate man. We desire, therefore, as briefly as possible, to call your attention to the law and the evidence apon which our convictions are based. George W, Wiane-more was proved to have been an epileptic from early childhood (the age of three years) up to the very time of his trial, haviog oeen ai-tacked once during the course of the trial by this disease. A witness with whom the prisoner lived four years, from 1852 to 1856, Mrs. Patience Wil-son, testified that he would have as many as thirty or forty of these fits in twenty-four: that when he had these spells they would last him two or three weeks that he complained very much or pain in his fore-head at these times; that he had these spells two or three times in a year; the attacks came on suddeuty; he tried to bits those who came near him, ad they were very triendly. She says of his conduct and daposition that he was mild, kind, and rente, and very sympothetic. We have also the testamony of his mother. Rosana Winnemore, and of his brother. Henry G, Winnemore, and of his brother. Henry of the united States on account of epileptio fits. For the effects of this disease upon the mind, both We desire therefore.

army of the United States on account of Spinphe-fits. For the effects of this disease upon the mind, both during the paroxysms of the attack and during the intervals between them, we would respectfully refer to the testimony given upon the trial by the follow-ing-mamed medical requiremen-Dr. Weir Mitchell, Dr. Edward A. Smith, Dr. Seith Pancoast, and Dr. Henry T. Child-all physicians of high standing and respectability, all of whom recognized epilepsy as a producing cause of insanity, and some as a form of insanity. And also to the following medico-legal authorities:-

and industrious.

and industrious. "One day, when in the gloomy and morose state of mind that often foretells au attack of eplleptic fits, he met the Superintendent of the Asylum, and stabbed blim to the heart. He had not had a fit for three weeks. In such cases, as indeed in the above case, there are often sudden and vivid temporary halluci-nations."—The Physology and Pathology of the Mind By Henry Maulsby, M. D. London, 1867. Page 309. On page 573 the following language is used:— "In what is described as mania transitoria, it some-times happens that an individual falls with great sud-denness into a violent tury, in which, perhaps he

times happens that an individual fails with great sud-denness into a violent fury. In which, perhaps he evinces dangerous, destructive, and even homicidal tendeucles. His face is flushed, his head hot, and there is plainly an active determination of blood to the brain. After a short time the attack subsides, and the man is himself again, scarcely conscious of what has happened." In this connection we beg to call your Excellency's attention to the subject of homicidal mania, without elaborating the law upon that subject, or calling your stiention to more than two or three of the numerous authorities thereon. W harton & Stille, Med. Juris., book 1, sections 53 to 61 inclusive.

John Freelb's case, same book. Note on page 46; Commonwealth vs. Mosler: 4 Barr, 206. In this last case the eminent Chief Justice Gibson recognizes the existence of this disease, and speaks of it as 'an unseen ligament pressing on the mind, drawing it to consequences which it sees, but cannot avoid." bloys Greensmith's case. Taylor's Med. Juris., page 513.

Greensmith's case. Taylor's med. Juris, page 513. This is a somewhat remarkable case, of a father who strangled his four children. It resembles the case of the prison er in several important particulars, espe-cially in these, viz.--In the absence of motive. In the absence of excitement attending the orime

In the absence of excitement attending the crime or its consequences. In fact that many of the witnesses (in this case we believe all of them) had never observed the sigbirest indications of insanity about him, the doctors only maintaining that he was an insane man, he having had a grandmother and another rela-tive who had been insane. In his conviction and sentence to death, Green-smith, through the charitable interference of some intelligent physicians, was reprieved or respited. May we not hope that in this particular his case may resemble the prisoner's? Greensmith was tried in the year 1837, in Midland H

resemble the prisoner's? Greensmith was tried in the year 1837, in Midland Circuit, England. (See Medico-Chirurgical Review, xzvili., 84.)

Circuit, England. (See Medico-Chirurgical Review, XXVIII, 84.) 2. All the evidence in the cause upon both sides shows that the prisoner, upon that fatal afternoon, any indication in manner, looks, or conduct, of guilt, any quiet clizen in the undisturbed pursuit of his usual avocations. We do verify believe that this most enterprise the sangiroid, which continued through all the excitement of his trial, and remains with him to this day, can spring from nothing short of an absolute conclousness of innocence. The did the act, it must have been in a condition of mind which left no trace of the deed itself on his memory when he awoke to normal consciousness. In our judgments it is inno-sible that a young man of impaired health and dol-cate organization, whose whole life, as shown by the testimory, has been free from bravis and violence, whose manners and disonsition, as the evidence shows, were singularly mild and sympathetic, should were the killing of Mrs. Magiiton: and yes when found with his ghasily victim and if you end yes when found with his ghasily victim and if you end yes when the as the stime of the assout. Such indifference must be the other in the interior of a should be as news of guilt, as the sensities and noi of guilt hardi-ties on the mental faculties, and noi of guilt hardi-ties on the mental faculties, and noi of guilt hardi-ties on the mental faculties, and noi of guilt hardi-ties.

That such was his cool and unexcited condition is shown by the testimony of Adam Magilton, George Parker, Margaret Hurst, Rebecca Smith, James McCullen, Sellna Stevens, Edward Stevens, and

Marker, and an a stream between between belief, james Moculien. Seitan Stevens, Edward Stevens, and others.
The prinomer bimself first went for an officer of the law, and though he had ample opportunity to escape before suspicion was aroused against him, made no attempt to do so.
The manner of the killing is more like the work of a maniac than of one in the exercise even of criminal, diabolical reason. The testimony of the Coroner's physician, Dr. Shapleigh who made the postmortem examination of the deceased, shows that the received at least seven blows upon the head with a namer, five of which penetrated to the brain, in such a manner that any of them must have produced unconsciousness, and would have produced death. In addition to this her throat was out from ear to ear. Would a same man who was killing for the purpose of robbers' or plonder have so multiplied the death wounds upon his victim? Would he, after his victim was dumb and senseless, have increased the chances of desceding of the sense of the chances of description by a needless cutting of the throat? The

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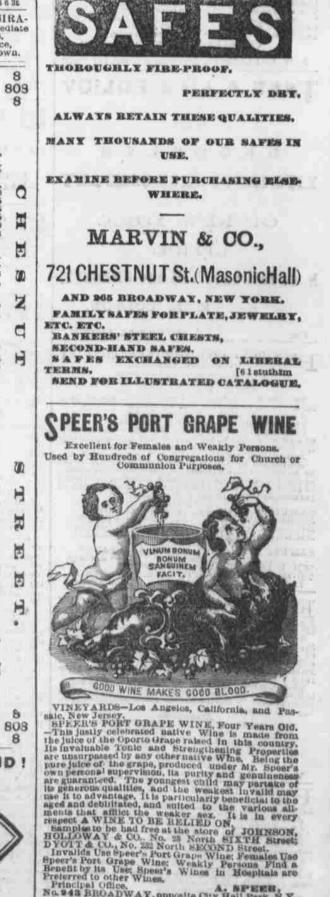


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