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KENT NEWS.

CHESTER TOWN, Md.

SATURDAY, MARCH 26, 1853.

The Case of Swan.

This case has perhaps exhibited one of the most remarkable failures of justice which can any where be found in the judicial annals of the country.

More than a year has elapsed since the prisoner Swan was first arrested for the wilful and deliberate murder of Sprigg—a murder,—whatever might have been the antecedent provocation—perpetrated cruelly and in cold blood. For reasons unnecessary to be now referred to, the most powerful agencies were at once exerted to obtain for the prisoner a release upon bail, and this effort having in the first instance failed, a most formidable array of legal talent was assembled for the defence. The Circuit Judge of Alleghany and Washington counties, being personally connected with the prisoner, was thus disqualified to sit on the trial, and Mr. Merrick, a distinguished member of the bar, was selected in accordance with the provisions of the New Constitution, Judge "ad hoc" pro tem." After the commencement of the trial, popular sentiment so developed itself as to satisfy the States Attorney that it was proper and expedient to remove the trial to an adjoining county. Washington county was accordingly designated, but here a new difficulty arose in the plea of Swan's counsel, that Judge Merrick being a provisional Judge, had not the right to remove the cause from Alleghany county, and a consequent refusal on their part to try the issue in Washington—a denial of the right of the clerk of Washington county to appoint a Judge, as prescribed by the Constitution, and a refusal to join the counsel for the State in selecting one for the purpose.

The result was that the trial was again postponed and the multitude of witnesses returned to their homes greatly to their own inconvenience and cost of the State. In this condition of affairs, it became the duty of the clerk of Washington county Court to designate a future day for the trial, and to notify Judge Nelson, of the adjoining circuit, of the absence of a Judge, and it then became Judge Nelson's duty to make an appointment for the purpose. The clerk fulfilled his duty and Judge Nelson selected J Dixon Roman Esq., and afterwards Alex. Neil, Jr. Esq., both of whom promptly refused to sit. It is now impossible to say when or how the case can be tried; every constitutional expedient having thus far failed, and indeed appearances indicate that a powerful and systematic effort is being made to screen the party altogether. Without any reason for prejudice in the matter, either on Swan's behalf or against him, we can but perceive the evil results which must flow from such a defeat of justice.

Whatever may be the agencies exerted to protect the party, or from whatsoever spirit they proceed, it is not unreasonable to predict that their exertion must inflict upon society and government, a blow from which they will not readily recover. What an impunity is thus offered to offenders, of a higher social class? What an example is presented to all, of what class soever, who may be impelled to trample on the law, even to the violation of the most solemn and sacred of all human sanctions, the life of the citizen.

☞ A REVIVAL in the Methodist Episcopal Church, in this place, has been going on for about five weeks.—Upwards of fifty conversions have been realized, and the good work is still progressing with energy and spirit.

NEXT GOVERNOR OF MARYLAND.—The Annapolis Republican names Thomas Swann, Esq., President of the Baltimore and Ohio Railroad Company, as a suitable Whig candidate for Governor.

CONVICTION OF LOCKERMAN.—Theodore R Lockerman, who was tried at Denton last week, for an assault with intent to kill, was found guilty. We learn that his counsel have moved for a new trial, and that the motion was to have been argued before his honor, Judge Hopper, on Wednesday last.

MR. FILLMORE.—The citizens of Mobile, in public meeting assembled, have adopted resolutions inviting Mr. Fillmore to visit Mobile, and tendering to him the hospitality of the city.

THANKS.—Thos. Baker, Esq. H. Delegates, will accept our thanks for a copy of the Report of the State Agricultural Chemist.

GODEY'S LADY'S BOOK for April has been received—it is filled, as usual, with highly interesting matter and beautiful engravings.

NEW STEAMBOAT ARRANGEMENT—The Easton Star says that the Eastern Shore steamboat company and Capt. Strandberg have entered into an agreement, under a heavy penalty, by which the Hugh Jenkins will not stop on the Western Shore coming to and going from, the Eastern Shore to Baltimore, and the Champion is not to come to the Eastern Shore at all.—Hereafter the Champion will take the Western Shore route, and the Hugh Jenkins exclusively the Eastern Shore.

The Legislature of Maryland.

IT is getting fast on to three months since the Legislature of this State began its session, and yet the record of *things done*, is yet almost a blank.—None of the laws, which by the new Constitution it was made the duty of the Legislature to pass, have yet been perfected—nothing indeed has been consummated by it, in which the public attention has been engaged, though it has done some things which it would have been well for it, and the public interest, that it should not have done.—But what it has done, has been done negatively—that is by the negligence of members to attend to their duty in the House. In this way important bills have been defeated, because there were not thirty-eight members present—though a majority of the whole was known to be in their favor—to vote for them.

And so important measures have failed to pass, and so will others fail to pass, only because the members will not attend to their respective houses in the capital. We have heretofore noted the slim attendance in the House—the Senate very often not having even a quorum present—and we did hope that there would be no further occasion to complain on this score—But the following, from the Annapolis Republican of Saturday, shows that there has been no reform in this matter yet!

ABSENTEES.—The following table shows the number of the House of Delegates, in attendance, since Monday last, at Roll Call:

Monday,	March	14,	45
Tuesday,	"	15,	53
Wednesday,	"	16,	44
Thursday,	"	17,	54
Friday,	"	18,	53

Some of the members, we understand, have said that our statement of the number in attendence was not strictly correct, because, it is said, others come in after roll call. Now, we believe it is customary for members who are absent at roll call, to have there names entered on the list so soon as they take their seats. However, in looking over the Daily Journal of Proceedings, we generally find a larger number present at the call of the roll than when the yeas and nays are called on any question before the House. For example, on Monday there appears to be present 45, and twice when the yeas and nays were called, but 41 and 42 votes are recorded—Now, we should like to know, if there were any more present, and if so, why they did not vote?

The statement which we have published is taken from their Journal of Proceedings, and if there be any mistake it is certainly not our fault, but that of their own sworn clerk.

It is not our wish to offend any one but the people must know the truth, regardless of consequences, and we intend to do so.

The *names* of the absentees should be given to the public. Those who attend faithfully may otherwise be involved in the censure of those who do not. We would suggest this to the Republican that, being on the spot it may note the absentees and publish their names, and thus let the public know who they are.—*Patriot.*

The Clayton-Bulwer Treaty.

Mr. Clayton, in the Senate on the 15th inst, concluded his remarks in reply to Mr. Mason and Douglas. In his peroration he cited, with expressions of approbation, the following passage from the Inaugural Address of President Pierce: "I intend that my administration shall leave no blot upon our fair record, and trust that I may safely give the assurance that no act within the legitimate scope of my constitutional authority will be tolerated on the part of any portion of our citizens, which cannot challenge a ready justification before the tribunal of the civilized world." Mr. Clayton said that he listened to these sentiments on the fourth of March with a thrill of admiration, and that if the President would act up to those sentiments, that he would find among his old opponents some of his warmest friends.

The hon rable Senator repelled with indignation the idea that the United States could not be restrained by the faith of treaties; that we must 'outgrow' the obligations we have in good faith assumed, and be hurried on by an irresistible influence to transgress the limits that we have imposed upon ourselves by solemn stipulations. This called up Mr. Douglass for an "explanation," but he did not perceive that the honorable Senator improved his position on "treaties" by his own interpretation of his language. The Senator from Illinois seems to believe in a "law of growth," which is a higher law than the treaties which the Constitution makes the "supreme law" of the land.

We think the honorable Senator from DELAWARE is right in his view of the Inaugural Address of President PIERCE He stands nearer to the PRESIDENT'S policy at this moment than the filibusters, who wanted to give him a *carte blance* on the treasury for as many millions as he might require to plunge the country into a war in the next thirty days. They had the whole thing cut and dried. Mr. SOULE was to find the sentiment and Admiral SAUNDERS was to furnish the sinews and the steamships. We were to overgrow MEXICO forthwith and take CUBA immediately—if not sooner This was the beatific vision of the *Democratic Review* and Mr. CORRY, and they talked as familiarly in this connexion of "FRANK PIERCE" as if they had discussed the whole matter with him over a pipe and a pint of wine, and had nothing to do but take possession through "FRANK" of the reins of Government.

The Inaugural Address scattered not a few of these visions; and we agree with Mr. CLAYTON, that if President PIERCE carries out the views he has there promulgated—and they are all practicable—he will not only disarm opposition, but will find among his old opponents some of his warmest friends.

WASHINGTON, Mar 23.

The Senate to-day confirmed the Hon. J. Anderson, of Maine, as Commissioner of Customs, Philip A. Roach, as Appraiser, and Richard P. Hammond as Collector of San Francisco; and Henry Wilton as Marshal of Illinoise.

The President sent in to-day the nomination of Nathaniel Hawthorne, the biographer, of Mass., as Consul to Liverpool; Thomas P. Pierce, a distant relative to the President, as Postmaster, at Hillsboro', New Hampshire, and Benj. Jackaway as Indian Agent of the Choctaw nation.

The Senate will probably adjourn finally on Monday next.

The census Bureau is about being reorganized. The clerical force is to be increased to about forty by reinstatements and perhaps new appointments.

G W. Featherstonhaugh has to-day posted a Mr. Eaton, of Wisconsin, as a liar, knave, scoundrel and coward, because he did not resent a cowhiding, &c.

The Gardiner case was resumed this morning, with the examination of Capt. Barry. He described from personal exploration the whloe region of Lagunillas, where Gardiner states his mine have been located. It is an extremely mountainous and wild country, and the roads, leading to it very bad. They are principally mule paths, and utterly impassable for carriages. Steam engines and other mining apparatus would have to be carried on the backs of mules, to do which he thought impossible He could find nothing resembling a mine; and nothing of the scoria of a mine in the country. He had free access to the records of the prefects and alcades, but could find no record of silver mines.—He understood that Dr. Gardiner was there, in the house of Don Jose Pando, when he and the Commissioners were there. He went to Pando with two Commissioners to notify Dr. Gardiner that the Commissioners had arrived and would be glad to have him show to them his mine.

The Court ruled all the conversation with Pandos out, as Gardiner was not present, though the prosecution said they would follow it up by evidence showing that Gardiner was in an adjoining room and heard it. The Court then adjourned.

NEW YORK STATISTICS.—There are in New York city 5724 licensed liquor shops, 851 unlicensed; making a total of 6575, of which number 5166 keep open on the Sabbath. During the year 1852 there were 8754 persons arrested for intoxication, 5973 for being intoxicated and disorderly, 4984 for assault and battery, 1218 for assaulting and interfering with policemen, 3293 for petit larceny, and 3014 for vagrancy. During the same period, the visiters of the association for relieving the condition of the poor, relieved 3890 families.

The city inspector reports that during the year 21,601 deaths occurred in the city, of which 19,114 were by disease, and 2,487 by other causes. The total for the year is 723 less than the previous year; but it is to be observed that the deaths by disease were 611 more in 1852 than in 1851. The increased fatality of cancer was, during the year, forty per cent., and of scarlet fever from the years 1849 '50 to '51 and '52, is 115 per cent. The law relating to the registration of births, marriages and deaths is almost totally disregarded. Among the causes of disease, the inspector notices underground moisture, bone and flesh-boiling nuisances, slaughter houses, filthy streets, and, above all, spurious milk; with regard to which latter article, he urges the enforcement of the most stringent regulations.

Another Letter from Mr. Fillmore.

The following is Mr. Fillmore's answer to an invitation from the Common Council of Philadelphia to become the guest of the city on his return home from Washington:

WASHINGTON, March 7, 1853

GENTLEMEN: Your very kind and flattering letter of the 24th ult., enclosing a copy of the resolutions adopted by the Select and Common Councils of the city of Philadelphia, inviting me to become a guest of your city, on my return home from Washington, come duly to hand, and would have received a more prompt answer, but from the fact that I could not determine until the close of my administration whether I should return to Buffalo by the way of Philadelphia, or go South, and return by the way of the Mississippi and Great Lakes. It is now my intention to pursue the latter route, and I am consequently compelled to decline your invitation, otherwise it would give me great pleasure to accept it.

I have many reasons for recollecting your beautiful and flourishing city with gratitude It has always treated me with the greatest kindness and courtesy; and it numbers among its inhabitants some of my most cherished friends; and I shall ever regard the unanimous resolutions of your city councils to tender me its hospitalities in Independence Hall as the proudest tribute which has ever been paid to my humble endeavors to serve my native country. For this signal mark of your approbation I beg leave to return to you, and through you to those whom you represent, my grateful thanks.

With my sincere acknowledgment of the great obligations which you have imposed upon me by the manner in which you have been pleased to speak of my public services, and my best wishes for your individual healths and prosperity, I beg leave to subscribe myself,

Your friend and fellow-citizen.

MILLARD FILLMORE.

The Trial of Arthur Spring.

PHILADELPHIA, March 23.—The excitement in relation to the trial of Spring has now reached its height. The crowd in the Court House yesterday afternoon, during the examination of young Spring, was so oppressive to judges, jury and witnesses, that additional precautions are taken to-day against a recurrence of it. The lad was placed upon the stand this morning, and underwent a ridgid cross examination by Mr. Doran, the counsel for the prisoner, without flinching in the least, nor in the slightest degree contradicting his narrative of yesterday.

In some of the minor points, when the counsel had apparently trapped him into a contradiction, his father would smile and glance around among the spectators to see what effect it produced. The prisoner shows signs of fear, when he has to pass through the crowd on his way to and from prison. Up till this morning he was quite listless, apparently paying but little concern to the evidence adduced. He now give tokens of a disturbed state of mind.

[SECOND DISPATCH.]

PHILADELPHIA, March 23.—The evidence for the commonwealth, in the case of Spring, charged with the murder of Mrs. Lynch and her sister, was closed this evening, with the exception of one witness to be examined in the morning.

The counsel for the prisoner told him after the adjournment of the court that his case was hopeless, and advised him to made a confession and throw himself upon the mercy of the court to procure a longer time for preparation. The defence has no witnesses to offer.

MR. FILLMORE'S SOUTHERN TOUR.—The National Intelligencer of Tuesday, says:

Receiving yesterday from friends in the South a request to be informed of the probable time of Ex-President Fillmore's departure from Washington, we have made inquiry on the subject, and answer thus publicly, for the information of our readers in the South generally, to all of whom it will be of interest. Mrs. Fillmore continues, we are sorry to learn, seriously ill, and her physicians give little hope that she will be able to travel before the first of April, even if then. Should she be unable to set out by that time, the season will be so far advanced that Mr. Fillmore will be obliged to relinquish his contemplated tour, in part at least, if not altogether. A few days, however, will enable us to speak definitely.

THE FISHERIES.—The Havre de Grace Madisonian says: "The fishermen in this town are making arrangements for their spring fishing, which will commence early in April. Some branch herrings have already been caught."

The Elkton Whig says: "Mr. John Bennett caught a shad last Saturday in the Elk river, which weighed 6¾ lbs.—Capt. John Yeamans caught one the same day in the North East, weighing 5½ lbs."

JENNY LIND.—The New York Courier says: "We learn directly, and from the very best authority, that the family difficulties which were recently said to have determined Mad. Goldschmidt to return to this country, do not exist in the least degree; and that there is no present prospect of our hearing her again from any cause

MARKETS.

BALTIMORE, March 23, 1853.

Wheat, white	108 to 115
" red	105 to 108
Corn, yellow	54 to 55
" white	50 to 52
Rye	75 to 80
Oats	34 to 35
Clover seed	$7.00 to $7.25
Timothy	$3.25 to 3.50
Butter in kegs	15 to 17 cts. lb.
Bacon—shoulders	7¾ cts. lb.
" sides	8½ to 9¾
" Hams	10½ to 12½
Lard in bls	10 cts. lb.
" Kegs	11

MARRIED.

On Monday morning, last, by Rev. Dr. Murray, Mr John W. Collins, to Miss Charlotte A. Greenwood.

On Tuesday evening, by the same, Mr. William H. Lambert, to Miss Mary Jane Hamilton, all of this place.

DIED.

In Baltimore, on the 18th inst., Mr. Basil Jurney formerly of this town.

DEDICATION.

THE New Union Methodist Episcopal Church, on Kent Circuit will, by Divine permission, be dedicated to the worship of God, on Sunday the 10th of April. The services will commence at 10 o'clock, A. M., and will be conducted by the Rev. Bishop Waugh Revs. J Poisol, and A Manship.

THOMAS SUMPTION.

March 26 1853.

A Card.

DR. WM. H. LASSELL,

RESPECTFULLY offers his professional services to the citizens of Kent county. He may be found at the office of Wm. S. Lassell, Esq, Chester Town.

March 26, 1853.—tf

Potatoes for Sale.

A quantity of PRIME MERCER POTATOES, for seed or family use. A better lot of Potatoes was never offered in this market.

SAM'L A. SMITH.

C. Town, March 26, 1853

NOTICE.

THE members of the Medical Society of Kent county, are requested to meet at the tavern of Mr. John McDaniel, at 11 o'clock, on the first Tuesday during the session of the county Court. The principal object of the meeting will be to appoint two delegates to represent the said Society in the American Medical Association, which will convene in the city of New York, on Tuesday the 3d day of May next.

THOS. WILLSON, M. D.
Pres. of the Society.

March 26, '53—3t

Bordentown Female College

BORDENTOWN, N. J.

THIS INSTITUTION is beautifully situated on the bank of the Delaware River, near the grounds of the late Joseph Bonaparte. For beauty of situation, ease of access and general healthfulness no Institution in our country possesses superior and few if any equal advantages.

The summer session commences May 2nd. For catalogues containing terms, address

JOHN H. BLAKELEY,
President.

March 26, 1853.—

Grocery and Variety STORE.

S. W. CANADY respectfully informs the public that he still continues to keep a Grocery and Variety Store, at the old stand, opposite the Market House. Confectionary, Glass, Queensware, Garden seed, a fine lot of potatos, at 50 cts. per bushel, Flour and Meal, Port, Maderia and Sweet Wines Holland Gin. Brandies, Tobacco at various prices, Segars, Rat and Mouse Traps, Spices, Powder and Shot at different sizes, Bacon and Lard, Brooms Buckets, Tubs, window glass, Putty, Paint Brushes, Sugar, Nuts and Oranges, Salt, Shaving, Castile, Varigated, and Brown Soaps, and a thousand other articles impossible to mention, all of which will be sold low for cash.

March 26, 1853.

STRAW CUTTERS.—McComber's Celebrated Straw Cutters, for sale at Rees' Corner by ABEL J. REES.

Rees' Corner, March 26, '53.

WM. THOMSON. N. W. NOLAND. J. E. REYNOLDS

Port Deposit Steam Frame Sash, Door and Shutter FACTORY.

WE, the undersigned, having just fitted up our new Sash Factory, are prepared to furnish all kinds of

FRAMES, SASH, DOORS AND SHUTTERS,

of the best material and workmanship. Being ourselves practical mechanics we feel confident in saying that we can supply, as well as please all.

CARPENTERS AND BUILDERS are earnestly requested to give us a call. As we are situated at the great Lumber Mart, we can afford to manufacture work in a cheaper and better style than elsewhere. We therefore solicit your patronage, hoping that you will not forget us, as our work needs only to be seen to be recommended. We are also prepared to work all kinds of moulding suitable for moulding doors, washboards, &c. We shall use the best material for every thing, and pledge that our work shall be unrivalled.

WM. THOMPSON & CO.

Port Deposit, Md., March 26,53—6t

THE CELEBRATED FRENCH CANADIAN TROTTING STALLION

Young Moscow,

Will stand this season at the following places in Queen Ann's and Kent counties: Commencing at Centreville Monday March 21st, will remain there till noon Wednesday, when he will leave for Chestertown—remain there till Saturday morning, when he will leave for George Town X Roads—remain there till mid-day Tuesday the 29th March, when he will leave for Milltown—remain there till Thursday afternoon 3 o'clock, when he will leave for Sudlersville—remain there until Saturday morning, when he will leave for Church Hill, where he will stop till late in the afternoon on his way to Centreville—and so at each of the aforesaid places on the days above specified every other week till the 30th of June when the season closes. TERMS—Ten and fifteen dollars. For particulars see hand bill.

JAMES T. EARLE,
CHARLES H. TILGHMAN.

March 26, 1853.—tf.

PLOUGH.—Cast Iron Ploughs, on hand and for sale at Rees' Corner by ABEL J. REES.

Rees' Corner, March 26, '53.

SHERIFFALTY.

JOHN T. HURTT, Esq. of George Town X Roads, will be supported by many Whigs for the office of sheriff It is needless to add that Mr. Hurtt will prove a very faithful, efficient officer having already had some experience in all the duties appertaining thereto.

MANY WHIGS.

March 19, 1853—tf.

NEW SPRING GOODS.

MISS EARLE has opened an assortment of SPRING GOODS, consisting of Delaines, Berage Delaines, Silks, Lace Gimps, Chintzes, and other Trimmings.

Mar 10, 1853.

CLERK WANTED.

A YOUTH about 16 years of age, and who has some knowledge of the dry good business would be preferred.

WILMER & WALKER.

Chester Town, Mar. 19, 1853.

GARDEN SEED for sale by WILMER & WALKER,

Mar. 19, '53.

Ploughs for Sale.

A number of Chamberlain PLOUGHS, first rate article, just received and for sale by SIMON WICKES,

March 19, 1853. Agent

NOTICE.

THE Vendue Notes taken at the sale of the Personal Estate of William S. Constable, deceased, in September last, are due. All persons indebted are respectfully requested to call and settle by the 5th April. The undersigned will be in Chestertown on Tuesday in each week till that period.

JOHN S. CONSTABLE,
Ex'tr Wm. S. Constable, dec'd.

Mar. 19, 1853.—3t.

New Goods.

T. W. ELIASON has returned from the city with a new stock of such goods as are wanted at the present season, which he purchased at the lowest rates for cash, and will sell at moderate prices.

Mar. 19, 1853

GROCERIES.—Good Sugar, 6¼ to 7 cts.; Loaf and Crushed Sugar 11 cts; Rio and Laguayra Coffee of good quality; good Molasses and English Blue Syrup; Fine Black and Green Teas, Chocolate, Cocoa, Spices, Rice, Salt, Flour, &c., for sale by

T. W. ELIASON.

Mar. 19, 1853

PLOUGHS & CASTINGS.

T. W. Eliason keeps a good supply of ploughs made in the best manner, and of New York castings, for sale at his usual low prices.

Mar. 19, 1853.