

FIGHTING FOR HIS LIFE.

The Trial of Marshall E. Price at Denton for Murder.

VARYING PHASES OF A GREAT CASE.

Prospect of the Prisoner Being Called Upon to Testify—Great Crowds and Much Confusion in the Courtroom—Exceptions Noted—Notes of the Trial.

[Special Dispatch to the Baltimore Sun.]

DENTON, MD., May 1.—The crowd in Denton was not so large today as yesterday, but the crowd in the courtroom where Marshall E. Price is on trial for his life, charged with the murder of Miss Sallie E. Dean, near Harmony, on March 26 last, was much larger. The spectators in the courtroom were not as orderly as they might have been, and both Judges Wickes and Stump were obliged to reprimand them several times. The noise in the room at times was so great that the judges were unable to hear the testimony of witnesses, and it had to be repeated. The court directed the sheriff to arrest those who persisted in talking, but it was so hard to locate the individuals who were making the most noise that no arrests were made. The courtroom was so densely packed that it was impossible to get in or out.

Judge Wickes said that tomorrow he will see that so large a crowd does not get in the courtroom. Price was gotten in and out of the courtroom today with but little less difficulty than was experienced yesterday. He was conveyed to the courtroom half an hour before the trial began, and, as a large crowd followed him, he looked somewhat haggard, although he did not show any agitation when the testimony was being given, even when it was most damaging to him.

He said he had a headache, but that he had slept fairly well throughout the night. He may have done so, but a great many people remained awake fearing that an attack would be made on the jail. Many startling rumors were afloat, but they were all without foundation. One of these was that 200 men were coming here from Easton to lynch Price, and another was that a large force of men was encamped near Denton and that when they had gotten their courage to a proper pitch they were coming to town and have a hanging bee.

Guards patrolled the town all night and kept a close watch on all suspicious characters. Every precaution was taken to prevent a surprise of the jail by a mob, not that it was seriously thought that an attempt at lynching would be made, but only to be on the safe side. If anything of the sort is attempted, the mob will have a hard time of it, for there are shotguns and pistols and rifles galore in the jail, and the large force of deputies declare they will not hesitate to use them.

One of the guards remarked that if a lynching party attacked the jail it would be rough upon the attacking party.

Detectives Seibold and Gault, who were the last witnesses examined today, told their story of Price's arrest and of his voluntary confession to them. The State now expects to put but two more witnesses on the stand.

The Defense.

The defense will have many more witnesses than they first intended. One of these will be Dr. John Duhadaway, who testified for the State today. The defense has already notes to exceptions, one about the admissibility as evidence of the statements of Price's wife, made in the presence of Price and the detectives, and as to the validity of the confession of Price as evidence. If a verdict of guilty is given all appeals will be taken. Price will probably be put on the stand in his own defense tomorrow or Friday. No formal application was made to the court for the removal of Price's trial.

Counsel for the defense was anxious that the case be removed to Baltimore, but not seeing any probability of getting assurance from the court that it would be removed to Baltimore, the matter was dropped. Had a formal application been made for the removal of the trial, the application would have been granted, it not being in the court's power to refuse, although it would have laid with the court as to the point to which the case should be transferred.

Frank Friend's Testimony.

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Frank Friend, colored, who lived but a short distance from the place where Sallie Dean's body was found, was the first witness put on the stand when the trial was resumed this morning. On the morning of the murder, he said, he was at work gearing up a seine. He had taken some old seines in two peach baskets from his house to the barn between 7 and 8 o'clock in the morning.

It is understood that in one of Price's confessions he said that he had seen Frank Friend go from the house to the barn with a peach-basket in his hand, and it was intended to prove that Friend actually did go from the house to the barn with the basket.

Charles Stevens, brother of J. Kemp Stevens, one of the counsel for the defense, said that Price had taken dinner with him on the Friday following the murder and seemed somewhat excited. When Price received a cup of coffee he placed it on the left side of his plate, remarking at the time that he used his left hand for almost everything; that he used his knife with his left hand, but that he wrote equally well with his left and right hands. He had mentioned also that the bruise on the girl's head was on the left side.

Price's Pocket-Knives.

George Bishop, who lives near Harmony, said he had frequently seen Marshall Price use pocket-knives. Mr. Brown showed him the knife with which it is thought the murder was committed. Witness said that he could not identify the knife, but he had seen Price use a knife similar to the one shown. He had seen a knife very much like it used in Price's blacksmith shop.

Dr. John Duhadaway, the physician at Harmony, who made the first examination of Miss Sallie Dean's body after the murder, testified that Price was a left-handed man. He said he had known Miss Dean from her infancy and described her injuries after the murder. These, he said, consisted of a bruise extending from the left temple to her ear, a gash across her throat about five inches across, severing the jugular vein on the left side and severing the windpipe. The cut had evidently been made from right to left, as it was deeper on the right than on the left, and that it had continued on the left side until it had cut the girl's coat collar. The power of the blow increased as it proceeded.

The question was raised as to whether the physician could tell whether she had been feloniously assaulted. He said he could not tell with absolute certainty, but he had every reason to believe she had not been. Had he been present, he said, when the body was exhumed and had he seen it in a good state of preservation he would be in position to testify upon the point at issue. Recurring to the subject of the wound in the child's throat, he said that the knife which had been found at the scene of the murder could, in his opinion, have made it, and that the wound indicated that it had been made either by a left-handed person, standing behind the murdered girl, or a right-handed man, facing, or standing or kneeling over the girl while lying on the ground.

The Bottle of Chloroform.

Mr. Duhadaway in reply to Mr. Brown's question said that on February 23, 1864, he missed a bottle of chloroform which was similar to that found at the scene of the murder. Mr. Brown asked witness several questions about his house being broken open. Mr. Kussum objected, and, in reply to an inquiry as to what it was expected to prove, Mr. Brown replied that he expected to show that articles taken from Dr. Duhadaway's house had been seen in Price's possession. Mr. Kussum objected and Mr. Brown withdrew his question, but asked the nature of the conversation Dr. Duhadaway had had with Mr. Charles Todd about the crime. "Mr. Todd said," continued Dr. Duhadaway, "that it was his theory that the person who had killed the girl came out of the woods near the bridge, followed her up the hill and dragged her into the bushes, and that when the person who killed her was known he thought it would be the same person who 'broke into my house, stole my instruments, my watch and killed my dog.'"