and that the said Thomas Dula with a certain knife of the value of five cents which the said Thomas Dula in his right hand then & there had & held, her the said Laura Foster in and upon the breast of her the said Laura Foster then & there feloniously wilfully & of his malice aforethought, did strike thrust & stab, giving to the said Laura Foster then & there with the knife aforesaid in & upon the breast of her the said Laura Foster one mortal wound of the breadth of one inch, & depth of six inches of which the said mortal wound, the said Laura Foster then & there instantly died, and so the Jurors aforesaid, upon their oath aforesaid do say that the said Thomas Dula the said Laura Foster in manner & form aforesaid feloniously, wilfully & of his malice aforethought, did kill & murder against the peace & dignity of the State.

And the Jurors aforesaid upon their oath aforesaid do further present, Ann Melton late of the County of Wilkes not having the fear of God before her eyes, but being moved & seduced by the instigation of the Devil before the felony & murder aforesaid