70 State vs Thomas Dula } murder. The prisoner being brought to the Bar of the Court, Motion in arrest of Judgment Over Ruled,

And Judgment being prayed by the Solicitor & there being nothing further urged by the prisoner why the sentence of the Law should not be passed upon him, it is considered & adjudged by the Court that the prisoner at the Bar Thomas Dula be taken hence to the common prison of Iredell County from whence he came & that he there remain in close custody until Friday the 9th day of November 1866 upon which day between the hours of 10 o'clock A.M. & 4 o'clock P.M. he be taken by the Sheriff of Iredell County to the place of Public Execution & that he there be hung by the neck until he be dead, From which Judgment the prisoner craves an appeal to the Supreme Court, which is allowed him without giving security for the costs, It appearing to the satisfaction of the Court, that the prisoner is insolvent and unable to give security

The Prisoner Remanded

Since cause was sent to the Supreme Court and a new trial was granted the prisoner