And at Spring Term 1867 of Indell Superior Court the following Record appears on the minutes of said Term to wit

40 State vs Thomas Dula & Ann Melton } murder. The prisoners being brought to the Bar of the Court. On motion, It is ordered by the Court that the Sheriff of Indell County summon a Special Venire of One hundred freeholders as Jurors in this Case to appear on Wednesday morning of this term at the hour of 10 O'clock.

Prisoners Remanded to Jail

Wednesday Morning Apl 17 1867

State vs Thomas Dula & Ann Melton } Murder } The prisoners being brought to the bar of the Court

On motion this Cause was continued upon the affidavit of the defendant Thomas Dula, & set for hearing on Tuesday of the next term of this Court.

The prisoners Remanded to Jail

The following is the affidavit of the Deft Thomas Dula to wit

40 State vs Thomas Dula

In this Case defendant maketh oath that as he is advised & believes he cannot safely come to trial for the want of the testimony of the following witnesses F. F. Hendricks of Caldwell County Frances Tanner & Mary Tanner of Wautauga County all of whom are under Subpoena & absent without affiants