North Carolina Iredell County

State vs Thomas Dula

This was an Indictment for Murder tried at a Court of Oyer & Terminer for Iredell County on the 3 Monday of January A.D. 1868.

The Indictment charged the prisoner Thomas Dula as principal in the Murder of One Laura Foster of Wilkes County & Ann Melton as accessory before the fact. The State relied upon circumstantial testimony to prove the homicide & upon the declaration & acts of Ann Melton in furtherance of an alledge agreement between the prisoner and the Dead & Ann Melton to commit the homicide. In order to establish the agreement between the parties. It was in evidence to the Court alone that Laura Foster was at home at her fathers house on Thursday night the 24 day of May 1866. That on friday morning she was gone. That a mare tied in the yard was likewise gone. She was seen early friday morning riding the mare which belonged to her father about a mile from home going in the direction of a place known as the "Bates Place". She was seen by several persons that morning going in the same direction. She was not seen by any witness after that time. A body was subsequently found near the Bates Place buried in a rude manner and in a remote place in a thicket of Laurel. This body was identified by her father & several other witnesses who swore that they knew it from the clothes & from the teeth & the hair. The physician who examined the body swore that there was a marke on the left side near the heart piercing through the dress which was found upon her & into the cavity of her body. It was in evidence by the father of Laura Foster