State
5 vs } Murder
Thomas Duke & } The prisoners being brought to the
Ann Melton } Bar of Court

On motion, It is ordered by the Court that the Sheriff of Indell County summon a Special Venire of One hundred Jurors to appear on Tuesday morning of this Term at the hour of 10 Oclock

Prisoners remanded to Jail
Court adjourned until Tuesday morning 10 Oclock

Tuesday morning January 21st 1868 –
Court met a quorum to adjournment

State
5 vs } Murder. This prisoners being brought
Thomas Duke & } to the Bar of the Court here in
Ann Melton } their proper persons by the Sheriff of Indell County, in whose custody they are.

Upon the affidavit of the defendant Thomas Duke by his Counsel.
The following is the affidavit ~~offered~~ to wit

State
vs } In this case defendant Thomas Duke makes the
Thomas Duke } oath that he cannot as he is advised
Ann Melton } & believes have a fair & impartial trial if tried jointly with his Co-defendant Ann Melton for the reason that as he is informed & believes that there are important confessions of his Co defendant Ann Melton which will be given in evidence in this case. if there is a joint trial & which confessions will greatly prejudice the minds of the Jury against this affiant

Sworn to & subscribed before me } Thos. C. Duke
This 21. January 1868 –
C. L. Simmons Clk