It is ordered by the Court that there be a severance in this case and that the prisoners be tried separately.

5 State
vs
Thomas Dula } Murder, { Plea not guilty
The following Jury to wit

1 Alentus Cornelius & Jonas Lipe
2 A. P. Sharpe
3 Samuel Dockery
4 Wm Means
6 Eli Bost
7 R. L. Davidson
8 Hiram Hartness
9 R O Linster
10 Archibald Hoover
11 Willis Hooper
12 Dayvault Harkey

Being Chosen tried & sworn
Say they find the defendant Thomas Dula the prisoner at the Bar. Guilty of the felony and murder charged in the bill of Indictment

Motion in arrest of Judgment. Motion over ruled
Motion for Venire De novo. Motion 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 and that he there remain in close custody until friday the 14 day of February 1868. upon which day between the hours of 10 O'clock A.M. and 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 ~~to~~

The prisoner Remanded —

The following is the case made by the Judge