

Hang Down Your Head, Tom Dooley
Folklore Lesson

Goal:

To use reading and writing to help students understand the difference between folklore and folktales.

Objective:

The students will explore the various types of stories that are a part of folklore.

Lesson:

1. Make sure the students understand the definition of **folklore**:
 - a. The term **folklore** is generally used to refer to the traditional beliefs, myths, tales, and practices of a people which have been disseminated in an informal manner -- usually via word of mouth, although in modern times the Internet has become a pivotal source for folklore. The term folklore may also be used to define the comparative study of folk knowledge and culture.
 - b. The term "**folklore**" was first coined by William J. Thoms in 1846. Thoms was a British antiquarian who wanted a simple term to replace various awkward phrases floating around at the time to discuss the same concept; phrases such as "popular antiquities", "the lore of the people", and "the manners, customs, observances, superstitions, ballads, proverbs etc, of the olden times".
2. Have the students give examples of "folklore".
3. What is meant by a **folktale**?
4. A story or legend forming part of an oral tradition. Folktales possess many or all of the characteristics listed below.
 - a. Are generally part of the oral tradition of a group.
 - b. Are more frequently told than read
 - c. Are passed down from one generation to another
 - d. Take on the characteristics of the time and place in which they are told
 - e. Sometimes take on the personality of the storyteller
 - f. Speak to universal and timeless themes.
 - g. Try to make sense of our existence, help humans cope with the world in which they live, or explain the origin of something.
 - h. Are often about the common person
 - i. May contain supernatural elements
 - j. Function to validate certain aspects of culture
5. Have the students give examples of "folktales". Use the example of the folktale "A Connecticut Yankee" if desired. (included here)
6. What is meant by a "**tall tale**"?
 - a. An extravagant, fanciful or greatly exaggerated story. Usually focuses on the achievements of the ultimate hero.

7. Have students give examples of a “**tall tale**”. Use the example of the Tall Tale “Pecos Bill” if desired.
8. What is a “**myth**”?
 - a. Traditional, typically an ancient story dealing with supernatural beings, ancestors, or heroes that serves as a fundamental type in the worldview of a people. The purpose of myths is to account for the origins of something, explain aspects of the natural world or delineate the psychology, customs, or ideals of society. In many myths, the main characters are gods or demi-gods and the story may have some religious meaning or background.
9. Have students give examples of a “**myth**”. Use the example of the Inuit Myth “The First Tears” if desired. (included here)
10. What is a “**legend**”?
 - a. A traditional tale handed down from earlier times and believed to have an historical basis.
11. Have students give examples of a “**legend**”. Use the example of “Jesse James and the Widow” if desired. (included here)
12. What is an “**urban legend**”?
 - a. Apocryphal stories involving rather fantastic contemporary incidents which have a tantalizing bit of plausibility to them. Urban legends contain many folkloric elements and are disseminated through mass media.
13. Have students give examples of an “**urban legend**”. Use the example of “Dancing With The Devil” if desired. (included here)
14. What is a “**fable**”?
 - a. A short narrative making a moral point. Often employs animals with human characteristics (powers of speech, etc.) as the main characters of the story.
15. Have students give examples of a “**fable**”. Use the example of “The Ant and the Grasshopper” if desired. (included here)
16. What is a “**fairy tale**”?
 - a. A fanciful tale of legendary deeds and creatures, usually intended for children
17. Have students give examples of a “**fairy tale**”. Use the example of “Rapunzel” if desired. (included here)

Tom Dula (pronounced Dooley) a 21 year old Confederate Veteran, reported to be a ladies' man and known to be courting both Ann Melton and Laura Foster.

Laura Foster A 21 or 22 year old woman daughter of Wilson Foster (with whom she lived along with her younger siblings. Last seen on May 25, 1866

Ann Foster Melton The 23 year old wife of James Melton. Cousin of Pauline and Laura Foster. Childhood friend of Tom Dula. Daughter of Lotty Foster. (Ann had two daughters and died in the mid-1970s)

James Melton A shoemaker and husband of Ann Melton. Married Ann when she was 14 or 15. After Ann's death, he married Louisa Gilbert

Pauline Foster Cousin of Ann Melton. Living with the Meltons since March 1866.

Wilson Foster Tenant farmer. Father of Laura Foster

Lotty (Carlotta) Foster Mother of Ann Melton

Colonel James Isbell Large landowner

Dr. George Carter Large landowner. The only doctor in the area

Thomas Foster Brother of Ann Foster Melton. Son of Lotty Foster

Mary Keaton Dula Widowed mother of Tom Dula. Her deceased husband had been Thomas P. Dula. Her daughter, Eliza Dula was married to Anderson Dula and lived with Mrs. Dula sometimes.

Colonel James Grayson Large landowner in Tennessee near the NC state line. Employed Tom Dula briefly. It was on his farm that Dula was arrested.

Neighbors and other tenant farmers Martha Gilbert, Washington Anderson, James Scott, Betsy Scott, Carl Carlton, and J. M. Winkler

Tom Dula

Laura Foster

Ann Foster Melton

James Melton

Pauline Foster

Lotty Foster

Martha Gilbert

Washington Anderson

Wilson Foster

Elizabeth “Betsy”
Scott

Carl Carlton

Thomas Foster

J. M. Winkler

Colonel James M.
Isbell

Dr. George M. Carter

Colonel James Grayson

Mock Trial Script – simple version

This version is a simple reading of testimony in order of the events. Choose students to read from the script cards in this order:

Events of Thursday, May 24, 1866, the day before Laura went missing

Pauline Foster *Ann Melton told me at a party that she was going to kill Laura Foster and she told Pauline Foster she would kill her, too if she told and then she left. I also saw Tom Dula coming to the Melton's house earlier that same day.*

Lotty Foster *Tom Dula came to my house to borrow a mattock and left with it, going toward his mother's house. You know, I did not get my mattock back for 3 or 4 days and I asked for it twice. Tom came back to the house about noon. Ann was there to bring a canteen of liquor for Tom. They had dinner and both left the house about 3:00 pm.*

Martha Gilbert *I saw Tom Dula on the path between Tom Dula's mother's house and Lotty Foster's and he was carrying a mattock and was digging along the path. I asked him what he was doing and he said he was fixing the path. This was about 200 yards from the grave where they found Laura, about 100 yards from Mrs. Dula's and above the old field toward Lotty Foster's.*

Pauline Foster *Ann left the house after lunch and went in the direction of Ridge Road and she did not come back until before daybreak on Friday.*

Washington Anderson *I went to James Melton's on Thursday. James Melton, Jonathan Gilbert and Pauline Foster were there. Ann Melton was not.*

Events of Friday, May 25, 1866, the day Laura Foster went missing

Washington Anderson, *I went back to James Melton's house on Friday morning. Ann Melton was there in bed, and her shoes were wet.*

Wilson Foster: *I heard Laura, my daughter, go outside about an hour before daybreak, but came back in a few minutes. When I awoke later, about daybreak, she was gone and so was my horse. I tracked her – it was easy because the ground was soft and she has a distinctive hoof print. I tracked her to the Bates' place, and then lost the trail.*

Elizabeth "Betsy" Scott: *I saw Laura riding a horse about a mile from Wilson Foster's house. She was coming from the house and had a bundle of clothes in her lap. I asked her if Tom Dula had come and she said, "Yes, just before daybreak". I asked her where was she going to meet him and she said the Bates' place.*

Carl Carlton: *I saw Tom Dula on Friday morning a little after the sun came up on the path from his house toward the Bates' place. He was coming from the direction of Wilson Foster's place.*

(others have testified to the same information)

Pauline Foster: *I saw Tom Dula early Friday morning about 8 or 9 o'clock at James Melton's house. I was there. I was going to the field to drop corn, but the cows had come home, so I went back to get the milk buckets. That's where I saw Tom Dula talking to Ann Melton.*

Lotty Foster: *After breakfast, I saw Tom Dula coming toward James Melton's. I gave him milk and he went toward his house. I saw him again late in the day going toward the Bates' place. I noticed two places that had been freshly dug on the path toward Tom's mother's place.*

Thomas Foster: *After breakfast, I saw Tom Dula coming toward James Melton's place. He was on the Stony Fork Road before the turnoff to the Bates' place. I saw him again the same day about sundown going in the same direction. About 15 minutes later, I went on horseback to James Melton's house. Tom Dula was not there, but Ann Melton was.*

Pauline Foster: *Ann Melton returned on Friday about an hour before daybreak. Her shoes and dress were wet. This was the same day that Tom had come talking to Ann. Wilson Foster came to James Melton's house about dark and left 2 or 3 hours after nightfall. Thomas Foster was there too and stayed all night. William Holder and Washington Anderson were there, as well. Wilson Foster, Laura's father, said that he did not care if Laura Foster came back as long as he got his horse back. Mr. Foster also said he would kill Laura if he found her.*

Mary Dula: *Tom was not at my house early on Friday morning. I left and when I got back about noon, he was there and he stayed until sundown. About 3:00 I went to take care of the cows and I saw Carson Gilbert and Jesse Gilbert and they asked where Tom was. I told them I did not know. He stayed there with me for supper and he spent the night.*

Events of Saturday, May 26, 1866

Pauline Foster: *In the early morning, Tom came and he and Ann Melton talked quietly for over half an hour. Ann said to him that she thought that he had run off with Laura Foster and Tom said that he had no use for Laura. Tom stayed around for about 4 weeks after Laura's disappearance and then went to Tennessee.*

Wilson Foster: *My horse came back on Saturday with no rider and the remains of a chewed off rope on her.*

Other events during the summer of 1866 – Testimony from searchers and neighbors

J. M Winkler: *I was a part of the search for Laura. Tom Dula never helped in the search. I helped search the Bates' place and saw some chewed rope tied around a*

dogwood. It matched the rope on the horse. We found another spot about 200 yards away on the same side – the left – of Stony Fork Road. The spot was discolored and had a bad odor and looked different from the surrounding dirt. This was about three quarters of a mile from this bloody spot to the grave where we found her.

Colonel James M Isbell: *When we found the grave, probably about Sept. 1, 1866, the removed earth of the grave had been carried away and the grass replaced. That is probably why we missed it during the initial search. We could see signs of a mattock in the hard side of the grave.*

The grave was not far from the path leading to Lotty Foster's but it was in a secluded ridge covered by thickets.

Dr. George M. Carter: *I examined the body of a female at the spot where it was found. There was a cut in the clothes that corresponded to a cut in the body on the left side between the 3rd and 4th ribs. The grave was 2 ½ feet deep and very narrow – not long enough for the body, so the legs were drawn up. Due to the decomposition of the body, I could not tell if the wound had been fatal, but if it had penetrated the heart, it would have been. There was also a bundle of clothes in the grave.*

Colonel James Grayson: *Tom Dula arrived at my farm in the summer and he worked long enough to earn enough money to buy a new pair of boots. He was arrested on my farm around July 11, 1866.*

Discussion and conclusions

Trial reenactment script – “Theatrical” version

This version of the reenactment uses a Narrator/Lawyer that asks questions like might have been asked at the trial. Students can read their testimony from the script cards that are provided. Two copies of this script are included – one for the teacher and the other for the “Narrator/Lawyer” to use.

NARRATOR/LAWYER: The defendant is **Tom Dula** a 21 year old Confederate Veteran, reported to be a ladies’ man and known to be courting both Ann Melton and Laura Foster. He claims that he is innocent and will give no testimony as to the guilt of anyone else.

Tom is charged with the murder of **Laura Foster** - a 21 year old woman, daughter of Wilson Foster (with whom she was living), last seen Friday, May 25, 1866.

Ann Foster Melton is the 23 year old wife of James Melton. She is has been a friend of Tom Dula’s since childhood and she is the daughter of Lotty Foster. Laura and Pauline Foster are her cousins and Pauline lives with Ann and her husband.

James Melton is the husband of Anne Melton. Married her when she was 14 or 15.

We will begin with the events of Thursday, May 24, 1866

(all Lawyer lines are in bold)

I ask Pauline Foster to the stand.

Pauline, are you the sister of Laura Foster? *Yes*

Are you the cousin of Ann Foster Melton? *Yes*

Have you been staying with Ann Melton and her husband since March of 1866? *Yes*

Pauline, please tell me what you remember of Thursday May 24, the day before Laura went missing.

(Pauline) Ann Melton told me at a party that she was going to kill Laura Foster and she told Pauline Foster she would kill her, too if she told and then she left. I also saw Tom Dula coming to the Melton’s house earlier that same day.

Thank you Pauline, I will call you to the stand again in a moment.

Now I call Lotty Foster to the stand.

Mrs. Foster, are you Ann Foster Melton’s mother? *Yes*

Thank you. Did you see Tom Dula on the morning of Thursday, May 24?

(Lotty) Tom Dula came to my house to borrow a mattock and left with it, going toward his mother’s house. You know, I did not get my mattock back for 3 or 4 days and I asked for it twice. Tom came back to the house about noon. Ann was there to bring a canteen of liquor for Tom. They had dinner and both left the house about 3:00 pm.

Thank you Mrs. Foster. You’ve been most helpful.

I now call Martha Gilbert to the stand.

Mrs. Gilbert, you are a neighbor to most of these people? *Yes*

Did you see Tom Dula on Thursday, May 24?

(Martha) I saw Tom Dula on the path between Tom Dula’s mother’s house and Lotty Foster’s and he was carrying a mattock and was digging along the path. I asked him what he was doing and he said he was fixing the path. This was about 200 yards from the grave where they found Laura, about 100 yards from Mrs. Dula’s and above the old field toward Lotty Foster’s.

Thank you. That is all.

I now call Pauline Foster to the stand

Thank you for coming back, Pauline.

Did you see anything else on Thursday, May 24?

(Pauline) *Ann left the house after lunch and went in the direction of Ridge Road and she did not come back until before daybreak on Friday.*

Thank you again Pauline, you may step down.

I now call Washington Anderson to the stand.

Mr. Anderson, you are also a neighbor. Yes

On Thursday, May 24, you went to James Melton's house. Was Ann Melton there?

(Washington Anderson) *I went to James Melton's on Thursday. James Melton, Jonathan Gilbert and Pauline Foster were there. Ann Melton was not.*

Continuing with the questioning, I would like to move to the next day, Friday, May 25, 1866.

Mr. Anderson, did you return to James Melton's house on Friday?

(Washington Anderson) *Yes, I went back to James Melton's house on Friday morning. Ann Melton was there in bed, and her shoes were wet.*

Her shoes were wet you say. Hmm. Thank you Mr. Anderson. You may step down.

I now call Wilson Foster to the stand.

Mr. Foster, we are sorry for your loss. You are the father of Laura, aren't you? Yes

Friday was the last day you saw your daughter, can you tell us about it?

(Wilson Foster) *I heard Laura go outside about an hour before daybreak, but came back in a few minutes. When I awoke later, about daybreak, she was gone and so was my horse. I tracked her – it was easy because the ground was soft and she has a distinctive hoof print. I tracked her to the Bates' place, and then lost the trail.*

Thank you. I know this is hard for you, Mr. Foster, but I have a question I would like to ask later.

I now call Elizabeth Scott, also known as Betsy Scott to the stand.

Mrs. Scott, did you see Laura Foster on Friday May 25?

(Betsy Scott) *I saw Laura riding a horse about a mile from Wilson Foster's house. She was coming from the house and had a bundle of clothes in her lap. I asked her if Tom Dula had come and she said, "Yes, just before daybreak". I asked her where was she going to meet him and she said the Bates' place.*

Thank you Mrs. Scott.

I now call Carl Carlton.

Mr. Carlton, did you see see Tom Dula or Laura Foster on Friday?

(Carl Carlton) *I didn't see Laura, but I saw Tom Dula on Friday morning a little after the sun came up on the path from his house toward the Bates' place. He was coming from the direction of Wilson Foster's place.*

Thank you Mr. Carlton.

Pauline Foster, I have another question for you. Please come back to the stand.

Did you see Tom Dula on Friday morning?

(Pauline) *I saw Tom Dula early Friday morning about 8 or 9 o'clock at James Melton's house. I was there. I was going to the field to drop corn, but the cows had come home, so I went back to get the milk buckets. That's where I saw Tom Dula talking to Ann Melton.*

Thank you. You may step down.

I now call Lotty Foster. You are the mother of Ann Foster Melton? Yes

Mrs. Foster, what did you see on Friday, May 24?

(Lotty Foster) *After breakfast, I saw Tom Dula coming toward James Melton's. I gave him milk and he went toward his house. I saw him again late in the day going toward the Bates' place. I noticed two places that had been freshly dug on the path toward Tom's mother's place.*

Thank you.

I now call Thomas Foster. Mr. Foster, you are the brother of Ann Melton, correct? Yes

And Lotty Foster is your mother? Yes

Thomas, did you see Tom Dula Friday?

(Thomas Foster) *After breakfast, I saw Tom Dula coming toward James Melton's place. He was on the Stony Fork Road before the turnoff to the Bates' place. I saw him again the same day about sundown going in the same direction. About 15 minutes later, I went on horseback to James Melton's house. Tom Dula was not there, but Ann Melton was.*

Pauline Foster, will you return to the stand?

Tell us what you saw on Friday, May 25

(Pauline) *I saw Tom Dula early Friday morning about 8 or 9 o'clock at James Melton's house. I was there. I was going to the field to drop corn, but the cows had come home, so I went back to get the milk buckets. That's where I saw Tom Dula talking to Ann Melton.*

I know it is hard for her, but I'd like to call Tom Dula's mother, Mary Dula to the stand.

I am so sorry to have to question you. We all know you are a widow and live alone, but was Tom at your house at all on Friday the 25th?

(Mary Dula) *Tom was not at my house early on Friday morning. I left and when I got back about noon, he was there and he stayed until sundown. About 3:00 I went to take care of the cows and I saw Carson Gilbert and Jesse Gilbert and they asked where Tom was. I told them I did not know. He stayed there with me for supper and he spent the night.*

Thank you Mrs. Dula. You may step down.

I need to call Pauline Foster another time to ask a question about Saturday, May 26, 1866

Tell us about Saturday, Pauline

(Pauline) *In the early morning, Tom came and he and Ann Melton talked quietly for over half an hour. Ann said to him that she thought that he had run off with Laura Foster and Tom said that he had no use for Laura. Tom stayed around for about 4 weeks after Laura's disappearance and then went to Tennessee. Wilson Foster's horse returned home with the remains of a chewed rope on her.*

Thank you Pauline, you are excused.

After Saturday, a search was undertaken to find Laura Foster or uncover her body. There were those who were instrumental in the search. We will question them now.

I call J. M Winkler to the stand.

Mr. Winkler, you were part of the search party, yes? Yes

Please tell us what you found.

(J.M. Winkler) *I was a part of the search for Laura. Tom Dula never helped in the search. I helped search the Bates' place and saw some chewed rope tied around a dogwood. It matched the rope on the horse. We found another spot about 200 yards away on the same side – the left – of Stony Fork Road. The spot was discolored and had a bad odor and looked different from the surrounding dirt. This was about 3/4s of a mile from this bloody spot to the grave where we found her.*

Thank you.

I now call another searcher, Colonel James M Isbell.

Colonel, tell us about finding the shallow grave of Laura Foster.

(Col. James Isbell) *When we found the grave, probably about Sept. 1, 1866, the removed earth of the grave had been carried away and the grass replaced. That is probably why we missed it during the initial search. We could see signs of a mattock in the hard side of the grave.*

The grave was not far from the path leading to Lotty Foster's but it was in a secluded ridge covered by thickets.

Thank you, Colonel

Now, I call Dr. George M. Carter.

Dr. Carter, you are a physician? Yes

Are there other physicians in this area? No

Tell us about the body that was found in the shallow grave.

(Dr. Carter) *I examined the body of a female at the spot where it was found. There was a cut in the clothes that corresponded to a cut in the body on the left side between the 3rd and 4th ribs. The grave was 2 ½ feet deep and very narrow – not long enough for the body, so the legs were drawn up. Due to the decomposition of the body, I could not tell if the wound had been fatal, but if it had penetrated the heart, it would have been. There was also a bundle of clothes in the grave.*

Thank you, Dr. Carter.

Tom Dula was arrested in Tennessee on the farm of Colonel James Grayson. I call him for questioning at this time.

Colonel, please tell us about your association with Tom Dula and his arrest.

(James Grayson) *Tom Dula arrived at my farm in the summer and he worked long enough to earn enough money to buy a new pair of boots. He was arrested on my farm around July 11, 1866.*

Thank you, Colonel.

Jury, it is time for you to deliberate and vote. Please take all the evidence into account and come to a conclusion.

Tom Dooley Lyrics

Artists: The Kingston Trio

SPOKEN INTRO.: Throughout history there have been many songs written about the Eternal Triangle. This next one tells the story of a Mr. Grayson, a beautiful woman, and a condemned man named Tom Dooley. When the sun rises tomorrow, Tom Dooley must hang.

Hang down your head, Tom Dooley
Hang down your head and cry
Hang down your head, Tom Dooley
Poor boy, you're bound to die

I met her on the mountain, there I took her life
Met her on the mountain, stabbed her with my knife

Hang down your head, Tom Dooley
Hang down your head and cry (ah-uh-eye)
Hang down your head, Tom Dooley
Poor boy, you're bound to die

This time tomorrow reckon where I'll be
Hadn't-a been for Grayson, I'd-a been in Tennessee (well now, boy)

Hang down (your head) your head (Dooley) and cry
Hang down your head and cry (ah poor boy, ah well-ah)
Hang down (your head) your head (Dooley) and cry
Poor boy, you're bound to die (ah well now boy)

Hang down (your head) your head (Dooley) and cry
Hang down your head and cry (ah poor boy, ah well-ah)
Hang down (your head) your head (Dooley) and cry
Poor boy, you're bound to die

This time tomorrow reckon where I'll be
Down in some lonesome valley hangin' from a white oak tree

Hang down your head, Tom Dooley
Hang down your head and cry (ah-uh-eye)
Hang down your head, Tom Dooley
Poor boy, you're bound to die (ah well now boy)

Hang down your head, Tom Dooley
Hang down your head and cry (poor boy ah well uh)
Hang down your head, Tom Dooley
Poor boy, you're bound to die
Poor boy, you're bound to die
Poor boy, you're bound to die
Poor boy, you're bound to----die

Hang Down Your Head, Tom Dooley
Writing Experience

Goal:

To reinforce concepts learned through the mock trial of Tom Dula.

Objectives:

The students will write an essay using their experience to express their views and opinions about the case of Tom Dula.

Prompts:

Imagine that you are the 'ghost' of Laura Foster telling her story of what happened the night she was murdered.

Imagine that you are Ann Foster Melton, writing in her diary after the trial is over and Tom Dula is convicted of the murder of Laura Foster. You can take the opinion that Ann is really the guilty one, or that Tom is really guilty. How do you feel now that the trial is over?

Imagine that you write for the local newspaper and are covering the trial. Write an article that will come out in the paper the day after the trial is over and Tom is found guilty.

Imagine that you were on the jury in the Tom Dula trial. What would you write in your diary? You've been asked for a statement for the press – what would you say?

Characters in The Trial of Tom Dula

Tom Dula

A 21 year old Confederate Veteran, reported to be a ladies man and known to be courting both Ann Melton and Laura Foster

Laura Foster

A 21 or 22 year old woman, daughter of Wilson Foster with whom she lived along with her younger siblings, last seen on May 25, 1866

Ann Foster Melton

A 23 year old woman, wife of James Melton, cousin of Pauline and Laura Foster, childhood friend of Tom Dula, illegitimate daughter of Lotty Foster. Mrs. Melton had two daughters and died in the mid 1870s

James Melton

A shoemaker and husband of Ann Melton, married Ann Melton when she was 14 or 15, after Ann Melton's death he married Louisa Gilbert

Pauline Foster

Cousin of Ann Melton, staying with the Melton's since March 1866

Wilson Foster

Tenant farmer, father of Laura Foster

Lotty (Carlotta) Foster

Mother of Ann Melton

Col. James Isbell

Large landowner in the area

Dr. George Carter

Large landowner and only doctor in the area

Thomas Foster

Brother of Ann Foster Melton and illegitimate son of Lotty Foster

Mary Keaton Dula

Widowed mother of Tom Dula, her deceased husband had been Thomas. P Dula, her daughter Eliza Dula was married to Anderson Dula and lived with Mrs. Dula sometimes

Col. James Grayson

Large landowner in Tennessee near the NC state line, employed Tom Dula briefly and it was on his farm that Dula was arrested

Neighbors and other tenant farmers

Martha Gilbert, Washington Anderson, James Scott, Betsy Scott, Carl Carlton, and J.M. Winkler

Overview of Events : Tom Dula Trial Testimony

Thursday, May 24, 1866

Pauline Foster said that Ann Melton told her that she was going to kill Laura Foster, threatened Pauline to keep her quiet, and then left. She also said that she saw Tom Dula coming to the Melton's house from the direction in which Ann Melton had gone earlier that day.

Lotty Foster said that Tom Dula came to her house to borrow a mattock and left with it going towards his mother, Mary Dula's house; she did not get her mattock back for 3 or 4 days after she had asked for it twice; Tom Dula came back to the house about noon. Ann Melton was there to bring a canteen of liquor for Tom Dula. They had dinner (the noon meal) and both left about 3:00 p.m.

Martha Gilbert testified that she saw Tom Dula on the path between Tom Dula's mother's house and Lotty Foster's and he had a mattock and was digging alongside the path. She asked what he was doing and he said skelping (digging or fixing) the path; this was a 200-300 yards from the grave, 100 yards from Mrs. Dula's, and above the old field towards Lotty Foster's.

Pauline Foster said that Ann Melton left after dinner and went in the direction of Ridge Road; she did not come back until about an hour before daybreak on Friday

Washington Anderson said that he went to James Melton's on Thursday; James Melton, Jonathan Gilbert and Pauline Foster were there; Ann Melton was not

Friday, May 25, 1866

Washington Anderson returned to James Melton's on Friday morning and Ann Melton was there in bed and her shoes were wet.

Wilson Foster testified that Laura foster went outside about an hour before daybreak but came back in after a few minutes. When he woke up about daybreak she was gone and so was his mare. He tracked his mare to the Bates place where he lost the trail.

Betsey Scott testified that she saw Laura Foster riding a mare coming from and about a mile from Wilson Foster's house with a bundle of clothes in her lap. Betsey Scott asked Laura Foster if Tom Dula had come and Laura Foster said yes, just before daybreak; she asked where Laura Foster was going to meet him and she said the Bates place.

Carl Carlton testified that he saw Tom Dula on Friday morning a little after the sun came up (about 6:45 am) on the path from his house towards the Bates place; he came from the direction of Wilson Foster's (several others testified to the same).

Pauline Foster testified that she saw Tom Dula early Friday morning about 8 or 9 am at James Melton's house. She was going to the field to drop corn but saw that the cows had come home so she returned to get milk buckets. Back at the house she found Tom Dula talking to Ann Melton.

Lotty Foster said that after breakfast Tom Dula came from the direction of James Melton's. She gave him milk and he went towards his house. She saw him again late in the day going towards the Bates place. She also noticed two places that had been freshly dug on the path towards Tom Dula's mother's house.

Thomas Foster said that after breakfast he saw Tom Dula coming towards James Melton's on the Stony Fork Road before the turn off to the Bates place. He saw him again the same day about sundown going in the same direction. About 15 minutes later Thomas Foster went on horse back to James Melton's; Tom Dula was not there but Ann Melton was.

Pauline Foster said that Ann Melton returned on Friday about an hour before daybreak; her shoes and dress were wet. This was the same day the Tom Dula had come in to talk to Ann Melton. Wilson Foster came to James Melton's about dark and left 2 or 3 hours after night fall. Thomas Foster was there too and stayed all night. William Holder and Washington Anderson were there as well. She said that at this gathering Wilson Foster said that he did not care if Laura Foster came back as long as he got his mare back. She also said that he would kill Laura Foster if he found her.

Mary Dula said that Tom Dula was not at her house early on Friday morning. She left and when she got back about noon he was there and stayed until sundown. About 3:00 p.m. she went to take care of her cows and saw Carson Gilbert and Jessie Gilbert, who asked her where Tom Dula was and she said that she did not know. She said that he stayed with her for supper and the night.

Saturday, May 26, 1866

Pauline Foster said that in the early morning Tom Dula came and he and Ann Melton talked quietly for half an hour. She said to him that she thought he had run off with Laura Foster and he said he had no use for Laura Foster. Pauline Foster said he stayed around for about 4 weeks after Laura Foster disappeared and then went to Tennessee. Wilson Foster's mare returned home with the remains of a chewed rope on her.

During the summer

J.M. Winkler said he was part of the general search for Laura Foster. He said that Tom Dula never helped in the search. He helped search the Bates place and saw the chewed rope tied around a dogwood. It matched the rope on the mare. They found another spot about 200 yards away on the same side of Stony Fork Road; it was discolored and had an offensive odor and looked different from the surrounding earth. It was about 3/4 of a mile from the blood spot to the grave.

Col. James M. Isbell said that they found the grave (probably about September 1, 1866). The removed earth had been carried away and sod replaced and that is why they missed it during the initial search; could see signs of a mattock in the hard side of the grave; the grave was not far from the path leading to Lotty Fosters but on a secluded ridge covered by thickets.

Dr. George N. Carter testified that he examined the body of the female at the spot where it was found. There was a cut in the clothes that corresponded with the cut in the body on the left breast between the third and fourth ribs. The grave was 2.5 feet deep and very narrow, not long enough for the body so the legs were drawn up. Due to the decomposition of the body he could not tell if the wound was fatal but if it penetrated the heart it would have been. There was a bundle of clothes in the grave.

Pauline Foster testified that on June 25 Tom Dula came to James Melton's and he and Ann Melton had a tearful conversation in which Dula said he was leaving Wilkes County but would return for his mother and Ann Melton later in the year.

Col. James Grayson testified that Tom Dula arrived in the summer and worked on his farm long enough to earn money to buy a new pair of boots. Tom Dula was arrested around July 11, 1866 on Grayson's farm.

The Futch Family

The Futch Family lived in New Hanover County, North Carolina, around the Holly Shelter area during the time of the Civil War (1861-1865). Like many families during that time, The Futches had a male family member enlisted in the Armed Forces. John Futch, Co. K, 3rd North Carolina Troops often wrote letters to his wife, Martha Ramsey Futch and the rest of his family while he was at war. John Futch enlisted February 1, 1862 in New Hanover County and was reported absent without leave from August 11-31, 1863. It was because of this “absence without leave” that he was shot for desertion on September 5, 1863. By reading original letters like the ones sent between the Futch Family, we can better understand that period in history from a first hand account.

MINI WEBQUEST

In this activity, you will get a look at how the Futch Family (and many other Civil War Families) may have felt and how they corresponded. By reading information from credible sources, including primary source documents, you will see how original ideas and images can inform our history.

Read the questions pertaining to the Futches and follow the links above them to find their answers. You should then record your answers on the worksheet in the space provided. (The links will open in pop up windows.)

[Read the original letter sent from John to Martha Futch.](#)

[Read the original letter sent from Catherine Ramsey to John.](#)

1. What do you learn about Mrs. Ramsey from her letter?

2. What do you learn about John Futch from Mrs. Ramsey’s letter? From his letter?

3. What do we learn about the home front during the Civil War?

[Read the linked article on civil war mail from the National Postal Museum.](#)

4. How did letters get “mailed” during the war?

[Use Google Maps to search for Holly Shelter, NC to describe its location.](#)

5. Where is Holly Shelter?