

NC MUSEUM OF HISTORY



Outreach
Bringing History to You

Adviser Supplement
Think You Know North Carolina?
Tar Heel Junior Historian, Fall 2008

Adviser Supplement Compiler: Jessica Humphries *Adviser Supplement* Editor: Lisa Coston Hall
Tar Heel Junior Historian Editor and Designer: Lisa Coston Hall

Tar Heel Junior Historian Association 919-807-7985 fax 919-733-8655
North Carolina Museum of History 4650 Mail Service Center Raleigh, NC 27699-4650
thjhaclubs@ncdcr.gov

© November 2008, North Carolina Museum of History
This material may be reproduced for classroom use only.

Table of Contents

| | |
|---|-----------|
| Lesson Plan: Community Legends | 1 |
| Lesson Plan: The Legend of the Maco Light | 4 |
| Lesson Plan: Emeline Pigott, Confederate Spy | 10 |
| Lesson Plan: Hang Down Your Head, Tom Dula | 16 |
| Education Resources | 26 |

Lesson Plan: Community Legends

Grade: 4

Overview: Many North Carolina legends have become symbols of their communities. These symbols are used to attract tourists, sell products, and establish regional identity. Students will explore how North Carolina legends are used and research the use of legends in their region.

Procedure: Introduce the lesson by pointing out that every community has legends. A community is any group of people who come together for a common purpose. Communities include neighborhoods, towns, schools, clubs, and religious groups. Divide the class into teams for this activity.

Have students read articles in the fall 2008 *Tar Heel Junior Historian* magazine. This issue of the magazine provides many examples of legends and their connections to communities.

Distribute the Community Legend Inventory Activity Sheets (page 3 of this *Adviser Supplement*) and have students brainstorm to develop a list of legends in your area. If time allows, take a walking field trip in the area of your school or the building where you meet to record place-names. These place-names may be linked to legends that can be people, places, events, or unusual phenomena.

Have teams choose place-names to research. Have them interview people and collect stories about the possible legends linked to the place-names, using the Activity Sheet. Research opportunities include old newspapers and magazines, public monuments, brochures, Web sites, books, and personal interviews.

When teams have finished their research, ask them to think about how legends and place-names are used in their community. Pose the following questions: Do businesses or schools use legends in their names? Are certain parts of the community or times of the year used to commemorate a legend? Have students look for legends' names in business directories and the telephone book.

Have each team create a project that explores a legend and illustrates how it is represented in the community today. Projects could include videos, small exhibits, dioramas, or performances.

Wrap up the lesson with a celebration event honoring the legends represented.

Extension Activity:

Consider entering the top projects in the annual Tar Heel Junior Historian Association's annual contests or your district National History Day program. Check project guidelines before you begin!

Activity Sheet: Community Legend Inventory

Directions: Use this sheet to record the names of streets, landmarks, and famous people in your town or city. Then use this information to begin your research project.

1. Name of your school (or meeting place): _____

2. How did your school get its name? _____

3. Name of your town or city: _____
4. How did your town or city get its name? _____

5. List some street names in the area:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
6. How were the streets named? Were they named after important people?
Objects in nature? Historical figures?

Use the back of this sheet to record more important community place-names that may be associated with legends—such as those given to parks, government buildings, or neighborhoods. What about names of businesses?

Lesson Plan: The Legend of the Maco Light

Grade: 4

Overview: Maco is a small crossroads west of Wilmington. In 1867 it was known as Farmers Turnout, and it had earlier names as well. The legend of a mysterious light appearing there along the old railroad tracks is an old one, dating from soon after 1867. The many suggested sources of the light have included car lights and marsh gas from the nearby swamp.

Objectives: Students will be able to

1. compare the legend with contemporary accounts of the alleged real incident.
2. examine how real events become legendary.
3. compare different versions of the same legend.
4. discuss how original documents (newspapers, coroner's report, and so forth) can shed new light on an old story.

Procedure: Students should read one or more versions of the Maco light legend (including the one on page 5 of this *Adviser Supplement*), as well as the transcribed newspaper accounts of the accident that killed Charles Baldwin. Use the Activity Sheet (page 9) to contrast the stories.

After their reading, students may play the game of "Telephone." Discussion should follow on how an original statement changes as it passes from person to person. Legends are passed along and can change just as much as the message does in that game.

Discuss or write about possible causes of the lights at Maco.

Practice writing a legend by taking the provided bare outline of the legend and adding interesting and atmospheric details.

Extension Activity:

Students can act out or read their versions of the legend.

Sources:

Moore, Louis T. *Stories Old and New of the Cape Fear Region*. Wilmington: author, 1956.

New Hanover County Coroner's Inquests, 1768–1880, CR 070.913.1, North Carolina State Archives.

Roberts, Nancy. *An Illustrated Guide to Ghosts & Mysterious Occurrences in The Old North State*. Charlotte: McNally and Loftin Publishers, 1977.

Courtesy of the North Carolina State Archives

The Legend of the Maco Light

Maco is just a tiny crossroads west of Wilmington. About midnight on a spring night in 1867, a soft rain was falling as a Wilmington-bound train passed through. Joe Baldwin walked through the cars carrying a lantern before him. As he pulled open the door of one car, he nearly fell onto the tracks. The last car had come uncoupled, and a passenger train was following.

Joe Baldwin began to swing his lantern to let the oncoming train know that the decelerating car was there. The train did not slow down and crashed into the car. Joe Baldwin was decapitated during the impact. Witnesses said that the lantern swung through the air and landed in the swamp along the tracks.

A short time after the tragedy, people began to see a light along the tracks, reporting it moving from side to side. Many who have seen the light say Joe Baldwin is looking for his head. In later years, the railroad had to place green and red lights along the tracks in order for oncoming trains not to be distracted by the legendary light.

In 1977 the Seaboard Coast Line removed the tracks, and no one has seen the Maco light since that time.

Courtesy of the North Carolina State Archives

Newspaper Articles

The Daily Herald (Wilmington)

January 5, 1856

Just as we are going to press, we learn that an accident occurred upon the Wilmington and Manchester Road last night, at Rattlesnake Grade, by which several persons were more or less injured, among the, Messrs. Charles Baldwin and E. L. Sherwood of this town. Mr. Baldwin's injuries, it is feared may result fatally.

The Wilmington Journal

January 7, 1856

RAIL ROAD ACCIDENT—We learn that a painful accident occurred last night on the Wilmington and Manchester Rail Road, in the neighborhood of Hood's Creek, some eight or ten miles from town. It would appear that on account of some defect in the working of the pumps of the Locomotive engaged in carrying up the night train going west from this place, the Engineer detached the train and ran on ahead some distance, and in returning to take up the train again, came back at so high a rate of speed as to cause a serious collision, resulting in some damage to the train, the mail car being smashed up and some little damage done to the other cars. The most painful circumstance connected with the affair is that Mr. Charles Baldwin, the conductor, got seriously, and, it is feared, mortally injured by being thrown from the train with so much force as to cause concussion of the brain. Mr. E. L. Sherwood, Mail Agent, was also slightly injured. None of the passengers were in any way hurt. Until the circumstances of the affair can be more fully examined into we forbear any comment.

The Daily Herald (Wilmington)

January 8, 1856

We regret to state that Mr. Chas. Baldwin, who was seriously injured by an accident on the Manchester road, Friday evening last, died last night. Mr. Baldwin was highly esteemed for his many good qualities, and his death is deeply deplored by a large number of friends.

The Wilmington Journal

January 14, 1856

THE LATE RAILROAD ACCIDENT

A coroner's jury, summoned by Coroner J. C. Wood, to examine into the circumstances by which the late lamented Mr. Charles Baldwin came to his

death, after mature deliberation, report that it was occasioned by a blow received on the head, on the night of Friday, the 4th inst., while acting as Conductor on the mail train of the Wilmington and Manchester R. R., by a collision of the engine and mail train. The jury cannot find, from the testimony, that the Engineer, Mr. Nicholas Walker, is in the least culpable, as there was no light at the front end of the train, which it was the duty of the Conductor to have placed there. Signed by Benjamin Hallett, foreman.

The publication of this verdict of a jury of twelve men, who have fully examined the testimony, is we think, eminently due to the Engineer, Mr. Walker, who must necessarily feel sufficiently pained by the circumstance, without having to bear the burden of culpability with which he is not chargeable.

NOTE: The above newspaper articles have been transcribed exactly from the original newspapers on microfilm at the North Carolina State Archives.

Courtesy of the North Carolina State Archives

STATE OF NORTH CAROLINA, }
 COUNTY. }

BE IT REMEMBERED,

That on the 8th day of January A. D. 1856, I *John C Wood* one of the Coroners of said County, attended by a jury of good and lawful men, viz: *Benj Hallett, A. W. Hewlett, H. B. Eilers, Tho' C. Craft, Henry Burkimer, W. M. Dowell, Jas. Patterney, Jas. Stokely, Geo. I. King, Tho' Stokely, W. H. Buford and Jas. I. Morris,*

by me summoned for that purpose, according to law. After being duly sworn by me, and empaneled, at *the Washington Hotel* in the County aforesaid, did hold an Inquest over the dead body of *Charles Baldwin*; and after inquiring into the facts and circumstances of the death of the deceased, from a view of the corpse and all the testimony to be procured, the jury find as follows, that is to say, that the deceased came to his death by a blow received on the head on the night of Friday the 4th inst while acting as conductor on the Mail train of the Wilmington and Manchester Rail Road, by a collision of the engine and Mail train. The Jury cannot find from the testimony that the Engineer, *W. Nicholas Walker*, is in the least culpable, as there was no light at the front end of the train which it was the duty of the conductor to have placed there.

John C Wood Cor Seal
Benjamin Hallett Seal
A. W. Hewlett Seal
H. B. Eilers Seal
Tho' C. Craft Seal
Henry Burkimer Seal
W. M. Dowell Seal
Jas. Patterney Seal
Jas. Stokely Seal
Geo. I. King Seal
Tho' Stokely Seal
W. H. Buford Seal
Jas. I. Morris Seal

Courtesy of the North Carolina State Archives

Activity Sheet: Fact vs. Legend

| | Charles Baldwin | Joe Baldwin |
|------------------------|-----------------|-------------|
| Occupation | | |
| Date of death | | |
| Place of death | | |
| Cause of death | | |
| Blame for the accident | | |
| | | |
| | | |
| | | |
| | | |

Courtesy of the North Carolina State Archives

Lesson Plan: Emeline Pigott, Confederate Spy

Grades: Middle school

Overview: Emeline Pigott lived in Carteret County. During the Civil War, while the area was occupied by Union forces, she provided information to the Confederates.

Objectives: Students should be able to

1. discuss why Emeline Pigott acted as she did.
2. discuss the concepts of treason vs. “spying for the cause.”
3. define the “Lost Cause.”
4. contrast daily life in a federally occupied area with life in an unoccupied area.

Procedure: Students should read the material about Pigott in this *Adviser Supplement* and the article in the fall 2008 issue of *Tar Heel Junior Historian*. An Internet search will probably yield information as well.

After reading the *Old North State* article and studying the drawing on page 15, make cardboard cutouts of all the items reported to be hidden in Emeline Pigott’s clothing. Demonstrate how you might hide these items.

Discuss how clothing such as the skirt worn by Pigott would affect one’s activities. What kind of activities that women do today could not be done wearing a gown of this type?

Extension Activities:

Write a story pretending to be a woman in occupied northeastern North Carolina. What would your feelings and actions be?

Research the changes in fashion that occurred between 1850 and 1870.

Sources:

Barnes, Ruth Royal, “Emeline Pigott.” In *Dictionary of North Carolina Biography*, ed. William S. Powell, Vol. 5: 99. Chapel Hill: The University of North Carolina Press, 1994.

Kent, Scotti. *More Than Petticoats: Remarkable North Carolina Women*. Helena, Mont.: Falcon Publishing Inc., 2000.

Smith, Margaret S., and Emily H. Wilson. *North Carolina Women Making History*. Chapel Hill: The University of North Carolina Press, 1999.
The State Magazine, January 1996.

Web sites including www.fashion-era.com, www.americancenturies.mass.edu, and www.victoriana.com.

Courtesy of the North Carolina State Archives

Emeline Pigott

Emeline Jamison Pigott was born in Carteret County on December 15, 1836. She was the daughter of Levi W. and Eliza A. Dennis Pigott. For many years, she lived on the family farm at Crab Point on Calico Creek. The land is now across from the Morehead City cemetery.

During the Civil War, Pigott fell in love with Private Stokes MacRae, who was killed at Gettysburg, Pennsylvania. He, by then a sergeant major, was probably buried there in a mass grave. Subsequently Pigott served as a nurse for soldiers. After Morehead City fell to Union forces in 1862, officers were garrisoned nearby. In the evenings Pigott distracted the men while her brother-in-law took food to Confederates hiding nearby. She also took food, medicine, and mail, hidden beneath her skirts, to predetermined dropoff points where it could be collected by the soldiers.

In 1865 Emeline Pigott was arrested in Beaufort for sharing war information with Confederates and imprisoned in New Bern for about a month. During that time an attempt was made on her life. For reasons that are unclear, Pigott was never brought to trial and eventually was released.

In the years following the Civil War, Pigott continued to live in Morehead City. There she organized a chapter of the United Daughters of the Confederacy in 1906. As she had vowed when Sergeant Major MacRae died, she never married.

Emeline Pigott died in Morehead City May 26, 1919. As long as she was able to do so, she took care of the grave of an unknown Confederate soldier who was buried in her family's cemetery near Calico Creek.



Courtesy of the North Carolina State Archives

PC 1841 Levi Woodbury Pigott Collection, North Carolina State Archives

Copied from a manuscript by Levi Woodbury Pigott

Being handsome and intelligent, bright and dignified, and hightoned (for she came from some of the best families of the land) and had bright prospects of a happy future, now all blasted, she was so soured with all mankind, especially with the Yankees, and having her fondest hopes destroyed, would not let a man come near enough to her to make even a semblance of courtship, so that she remains in single blessedness till this late day, 1902. And now, since nearly forty years have settled on her brow, whitening it for a home in heaven, she has mellowed considerably, and is not so bitter against the Yankees; for she knows that if she does not forgive, she cannot expect to be forgiven.

I consider her release a miracle, for the United States government had a clear case against her—although she had permits to buy the Confederate grey cloth that was for a Confederate Lieutenant, and a pair of cavalry boots, yet she had also several letters written to their friends in Dixie and these letters contained news about the Union army which was criminal. I was agreeably surprised, and utterly astonished, when she obtained her release.

After she went home the Union soldiers stationed at Morehead City, NC, would go up and shoot minnie balls at her mother's house, situated across Calico Creek. This however was done by the soldiers individually and not by authority or knowledge of their officers.

So she considers herself, not a daughter of the Confederacy, but a veteran. There is no class of the community she likes as she does the Confederate Veterans. In fact, here feelings toward them amounts to veneration. They are the very Idols of her great Confederate heart and soul. She loves the ground on which they tread. The old rebel grey suit to her is a thing of beauty and admiration. If she had been a man she would have entered the army and would have been so enthusiastic and courageous that she would either been killed or would have risen to eminence as a soldier.

She loved the cause as few can or do, and she has mourned over the "Lost Cause" intensely, and would not be comforted.



This is a transcription of a sketch of Emeline Pigott that was written by her cousin, Levi Woodbury Pigott, in 1902. The following questions should stimulate discussion of the document.

- What does the writer mean when he says that Pigott considered herself a veteran?
- Explain the concept of the "Lost Cause."

- Given what is written in the second paragraph, as well as what is written about her arrest in the other biographical sketch, why do you think Pigott was released from imprisonment and not taken to trial?
- The first paragraph is written in a flowery style that was popular during that time. Can you rewrite it using today's style?
- Why did Mr. Pigott write this short biography of his cousin?
- Why is it important that such a document be saved and preserved?

Courtesy of the North Carolina State Archives



Old North State.

BEAUFORT, SATURDAY, FEB. 18, 1865.

THIS PAPER PUBLISHES THE LAWS
AND RESOLUTIONS OF CONGRESS
BY AUTHORITY.

JOHN HOOPER & Co., are our authorized Agents for New York city, and wherever they choose to operate. Their office is in the Times Building, Park Row, opposite City Hall, N. Y.

Joy, Cox & Co., Advertising Agents, Tribune Building, New York, are authorized to solicit advertisements for our paper.

TO SUBSCRIBERS.

Persons wishing our paper left at their houses or places of business, can have their wishes gratified by calling at our office and leaving their names together with the money in advance; at our advertised rates.

Beaufort Waiflets.

BLOCKADE RUNNING.—Major GRAVES, the efficient Provost Marshal of this town, has within a few days past made a very important arrest. A lady by the name of EVELINE PIGOTT, had excited some attention lately, which led to her being closely watched and final arrest, as she was about to leave town. On being arrested, with consummate impudence, she blustered about the arrest of high-toned Southern ladies as though they could do nothing wrong. She was very anxious to return to a house from whence she started, but instead, was taken to the Marshal's office where her person was searched by some ladies, and the following stock in trade found concealed under her clothes: 1 pair of fine boots, 2 pairs of pants, 1 shirt, 1 naval cap, 1 dozen linen collars, 1 dozen linen pocket hdkfs, 50 skeins sewing silk, a lot spool cotton, needles, tooth brushes, hair combs, 2 pocket knives, dressing pins, several pair gloves, 1 razor, four or five pounds assorted candy; also several letters addressed to rebels outside of our lines, denouncing the federals, calling them Yankees and Buffalos, giving information about the supposed movements of federal troops, etc. A very large and prominent store in Beaufort was closed, supposed to be in complicity with the above named blockade runner. It is one of the most important arrests that has been made.

BIRTH-DAY BALL.—A Ball, in commemoration of Washington's birth-day, is to be given by the followers of Terpsichore in this town, on Wednesday next. The matter is in good hands, and promises to be a fine thing, and a success.

Activity Sheet: Emeline Pigott's Skirt



Drawn by Mary Hobbs Martin

Courtesy of the North Carolina State Archives

Lesson Plan: Hang Down Your Head, Tom Dula

Grades: Middle school

Overview: On May 1, 1868, Tom Dula (pronounced Dooley) of Wilkes County was hanged for the murder of Laura Foster. The hanging followed several sensational trials, including two in the North Carolina Supreme Court. Prior to the hanging, Dula gave one of his attorneys a note in which he said that he was the only one who “had any hand in the murder of Laura Foster.” A ballad about the events, titled “Hang Down Your Head, Tom Dooley,” reached the top of the Billboard song chart for 1958.

NOTE: Documents about this case include frank discussion of sexuality and sexually-transmitted disease that has not been included in the lesson plan material. If the teacher uses actual trial materials and publicity, such will be mentioned.

Procedure: Students should read the materials provided in this *Adviser Supplement*. If possible, the teacher should play the Kingston Trio’s version of “Hang Down Your Head, Tom Dooley.”

As a class, create a newspaper—complete with masthead and articles—in which the murder of Laura Foster, the trials, and the subsequent hanging of Tom Dula are the focus.

Discuss the song and its characterization of Tom Dooley as opposed to the character of Tom Dula given in the court testimony. Does the song disregard the facts of the case? When you hear the song, how does it make you feel about Tom?

Extension Activities:

Dramatize a trial scene.

Discuss other stories in which a “bad guy” can be portrayed as a hero. Examples include Robin Hood and Captain Jack Sparrow.

Sources:

The New York Herald, May 2, 1868.

PC 1272 Thomas Dula Papers, North Carolina State Archives, Division of Archives and History, Raleigh.

State v. Thomas Dula, Case 8122 and Case 8123, Supreme Court Original Cases, 1800–1909, State Archives.

West, John Foster. *Lift Up Your Head, Tom Dooley*. Asheboro: Down Home Press, 1993.

Courtesy of the North Carolina State Archives

The Lineup

Tom Dula (pronounced Dooley)—a twenty-one-year-old Confederate veteran, reported to be a ladies' man and known to be courting both Ann Melton and Laura Foster

Laura Foster—a twenty-one- or twenty-two-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 twenty-three-year-old wife of James Melton, cousin of Pauline and Laura Foster, childhood friend of Tom Dula, and illegitimate daughter of Lotty Foster. Ann had two daughters and died in the mid-1870s.

James Melton—a shoemaker and husband of Ann Melton; married Ann when she was fourteen or fifteen. After Ann's death, he married Louisa Gilbert.

Pauline Foster—cousin of Ann Melton, staying 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 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.

Colonel James Grayson—large landowner in Tennessee near the North Carolina 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

Courtesy of the North Carolina State Archives

Time Line of Events Mentioned in Testimony at Trial of Tom Dula

NOTE: The following does not include all of the testimony given in the trials; it merely hits the highlights. For a look at a transcription of additional testimony, see John Foster West's book (listed on page 16). The trial documents themselves can be found in the original case files at the State Archives.

Events of Thursday, May 24, 1866

Pauline Foster said that Ann Melton told her that she was going to kill Laura Foster, threatened Pauline Foster to keep her quiet, and then left. She also said that she saw Tom Dula coming to the Meltons' 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 toward his mother's (Mary Dula's) house; she did not get her mattock back for three or four 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 two hundred to three hundred yards from the grave, one hundred yards from Mrs. Dula's, and above the old field toward Lotty Foster's.

Pauline Foster said 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.

Events of Friday, May 25, 1866

Washington Anderson returned to James Melton's on Friday morning; 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 (soft earth, distinctive hoof) to the Bates place, where he lost the trail.

Betsy 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. Betsy 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) on the path from his house toward the Bates place; he

came from the direction of Wilson Foster's (several others, such as Hezekiah Kendall and Mrs. James Scott, testified to the same).

Pauline Foster testified that she saw Tom Dula early Friday morning about 8 or 9 o'clock at James Melton's house. She was going to the field to drop corn but saw that the cows had come home so returned to get the 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 toward his house. She saw him again late in the day going toward the Bates place. She also noticed two places that had been freshly dug on the path toward Tom Dula's mother's house.

Thomas Foster said that after breakfast he saw Tom Dula coming toward James Melton's on the Stony Fork Road before the turnoff to the Bates place. He saw him again the same day about sundown going in the same direction. About fifteen minutes later, Thomas Foster went on horseback to James Melton's; Tom Dula was not there; 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 that Tom Dula had come in to talk to Ann Melton. Wilson Foster came to James Melton's about dark and left two or three hours after nightfall. 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 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 she went to take care of her cows and saw Carson Gilbert and Jessie Gilbert, who asked her where Tom Dula was. She said that she did not know. She said that he stayed with her for supper and the night.

Events of Saturday, May 26, 1866

Pauline Foster said that in the early morning Tom Dula came, and he and Ann Melton talked quietly for a half 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 four weeks after Laura Foster dis-appeared and then went to Tennessee. Wilson Foster's mare returned home with the remains of a chewed rope on her.

Events during the following months

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 two hundred yards away on the same side (left) of Stony Fork Road; it was discolored and had an offensive odor and looked different from the surrounding earth. It was about three-fourths of a mile from the blood spot to the grave.

Colonel James M. Isbell said that when they found the grave (probably about Sept. 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 Foster's but on a secluded ridge covered by thickets.

Dr. George N. Carter testified that he examined the body of a female at spot where it was found. There was a cut in the clothes that corresponded to a cut in the body on the left breast between the third and fourth ribs. The grave was two-and-a-half-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 that he was leaving Wilkes County but would return for his mother and Ann Melton later in the year.

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

Courtesy of the North Carolina State Archives

Map Used as “Exhibit A” in Tom Dula Trials

The map used as “Exhibit A” in the Tom Dula trials (pages 22 and 23) was drawn by Colonel James Isbell. It shows the neighborhood in which the Dulas and the Fosters lived. There is no precision in the drawing, and distances are approximated. Written on the map in lieu of a key is the following information:

“Path thro from Wilson Foster to Bates place is 5 miles
Road around do do 6 miles
Wilson Foster to A Scott 1 m
Place of murder to where rope was found 200 yds
Place of murder to grave $\frac{1}{2}$ to $\frac{3}{4}$ m
Grave to path from Lotty Fosters 150 to 175 yds
Dula’s house to grave 400 or 500 yds
Lotty Fosters to Mrs. Dula $\frac{1}{2}$ m
From where rope was found in the bushes to Stony Fork Road 75 yds”

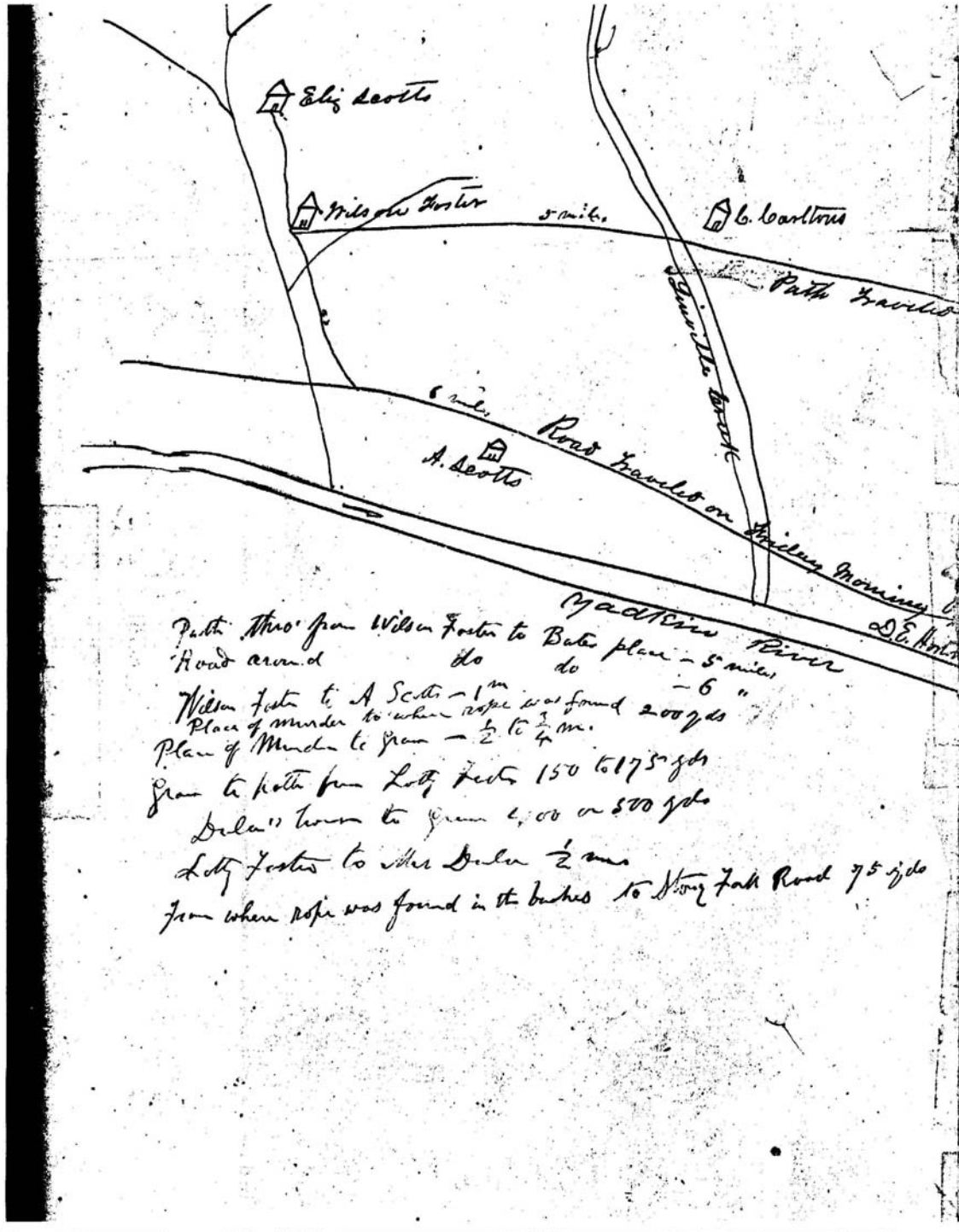
NOTES: On old documents “do” is an abbreviation of “ditto.” Caldwell County is located west of Elk Creek, and Wilkes County is located east of the creek. This information is not on the map.

The teacher can use any of the following questions to stimulate discussion or test skill levels.

1. Does the testimony provide additional measurements that can be added to the map?
2. Try to calculate the distances from Wilson Foster’s house to James Melton’s house, as well as from Tom Dula’s to James Melton’s house.
3. Given the testimony and the map, about how far did Tom Dula travel on Friday, May 25, 1866?
4. How far is it from Lotty Foster’s house to the Bates place?
5. Using the testimony and the map try to plot out all of Tom Dula’s travels on Thursday and Friday. Remembering that all of his travels were likely on foot, how far did he travel?
6. Can you find this area on a present-day map?

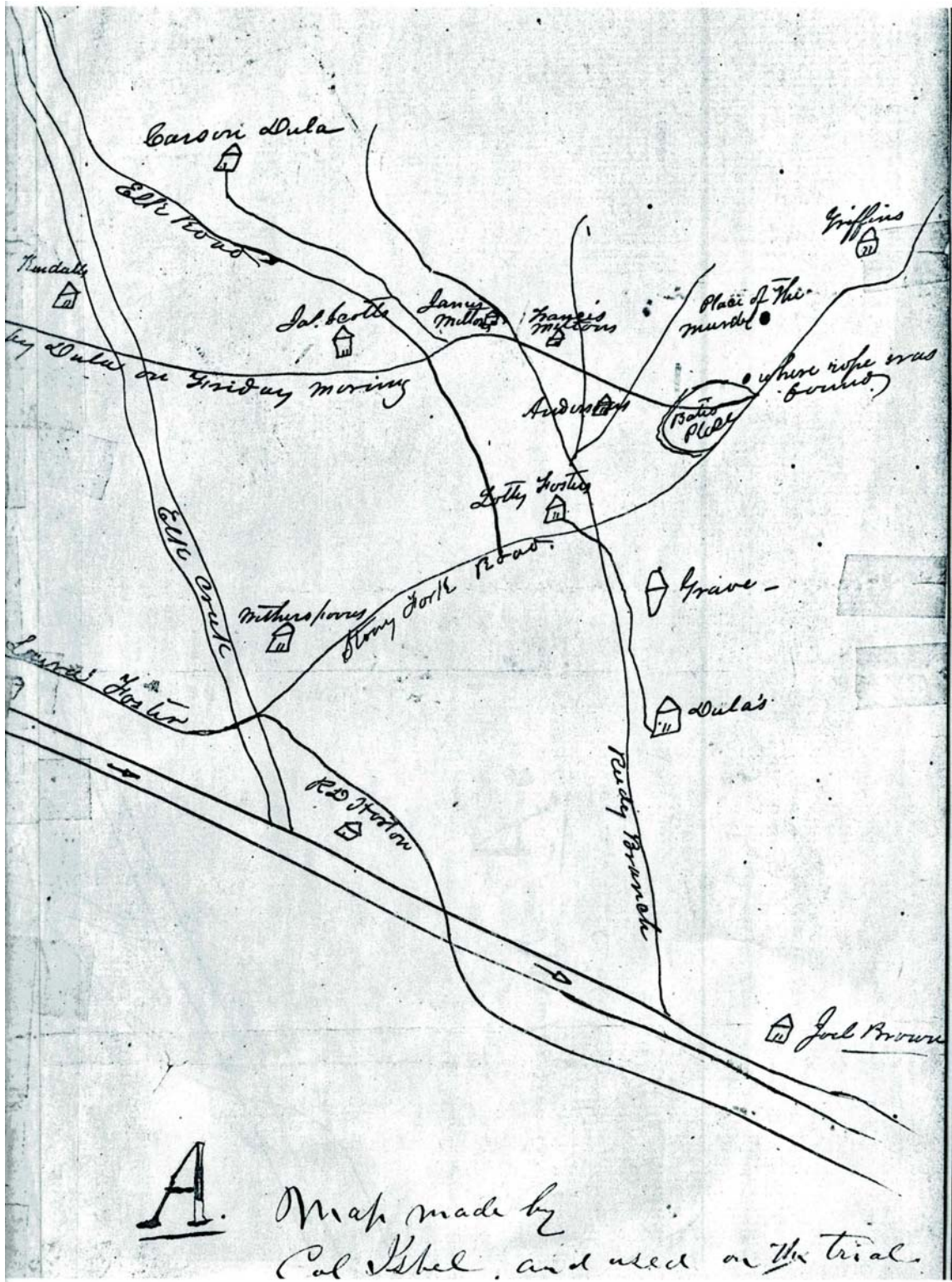
Courtesy of the North Carolina State Archives

Map Used in Trials: Left Side



Courtesy of the North Carolina State Archives

Map Used in Trials: Right Side



Courtesy of the North Carolina State Archives

Lyrics: "Hang Down Your Head, Tom Dooley," by the Kingston Trio

Throughout history
There've 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
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

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

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

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

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

Poor boy, you're bound to die
Poor boy you're bound to die
Poor boy, you're bound to die...

Source: <http://www.lyricstime.com/the-kingston-trio-tom-dooley-lyrics.html>

Activity Sheet: Evidence in the Tom Dula Trials

The case of Tom Dula is largely circumstantial, but cases built on such evidence have been successfully prosecuted. For each bit of evidence listed below, decide whether it is circumstantial or direct. For items that are circumstantial, indicate the person who corroborated the testimony. For those that are direct, indicate the fact.

| | |
|--------------------------------|---|
| Circumstantial Evidence: | Direct Evidence: |
| Evidence of an indirect nature | Means of proof that tends to show the existence of a fact in question without the intervention of the proof of any other fact |

Wilson Foster's mare was at the Bates place.

Tom Dula dug a grave on Thursday before Laura Foster was killed.

Laura Foster was stabbed.

Ann Melton helped Tom Dula dig the grave.

Laura Foster was alive at daybreak on Friday.

Tom Dula and Laura Foster were going to run away and get married.

The body found in the grave is that of Laura Foster.

Courtesy of the North Carolina State Archives

Education Resources

Web Sites

The Federation of North Carolina Historical Societies: www.fnchs.org

The Federation of North Carolina Historical Societies is a coalition of societies, associations, and commissions located throughout the state that are dedicated to preserving and promoting history in North Carolina. Many of their efforts to preserve local and state history may spur student interest.

North Carolina Highway Historical Marker Program: www.ncmarkers.com

Established in 1935, the North Carolina Highway Historical Marker Program is one of the oldest such programs in continuous operation in the United States. For young people the markers may spark a curiosity that leads to further study of and appreciation for the historical development of the region. For visitors the signs may be their only exposure to the history of the Tar Heel State. For native North Carolinians the presence of a state marker in their community can be a source of pride—a signal that an event of historical significance took place close to home.

Bibliography

Bledsoe, Jerry, and Sara Pitzer. *North Carolina Curiosities, third ed.: Jerry Bledsoe's Guide to Outlandish Things to See and Do in North Carolina*. Guilford, Conn.: The Globe Pequot Press, 1999.

Claiborne, Jack. *Discovering North Carolina: A Tar Heel Reader*. Chapel Hill: University of North Carolina Press, 1993.

Couch, Ernie, and Jill Couch. *North Carolina Trivia*. Nashville, Tenn.: Rutledge Hill Press, 1991.

Harden, John. *The Devil's Tramping Ground and Other North Carolina Mystery Stories*. Chapel Hill: University of North Carolina Press, 1949.

Jones, H.G., K. Randell Jones, and Caitlin Jones. *Scoundrels, Rogues, and Heroes of the Old North State*. Charleston, S.C.: The History Press, 2007.

Lacey, Theresa Jensen. *Amazing North Carolina: Fascinating Facts, Entertaining Tales, Bizarre Happenings, and Historical Oddities about the Tarheel State*. Chattanooga, Tenn.: Jefferson Press, 2008.

Manley, Roger, Mark Moran, and Mark Sceurman. *Weird Carolinas*. New York: Sterling, 2007.

Smith, Margaret Supplee, Emily Harris Wilson, and Doris Bettes. *North Carolina Women: Making History*. Chapel Hill: University of North Carolina Press, 2007.

Walser, Richard. *North Carolina Legends*. Raleigh: North Carolina Office of Archives and History, 1980.

Wellman, Manly Wade. *Dead and Gone: Classic Crimes of North Carolina*. Chapel Hill: University of North Carolina Press, 1954.

Whedbee, Charles Harry. *The Flaming Ship of Ocracoke and Other Tales of the Outer Banks*. Winston-Salem: John F. Blair, 1971.