

## Hang Down Your Head, Tom Dooley Introduction



**Thomas C. Dula** (June 22, 1845 – May 1, 1868) was a former Confederate soldier, who was tried, convicted, and hanged for the murder of his fiancée, Laura Foster. The trial and hanging received national publicity from newspapers such as *The New York Times*, thus turning Dula's story into a folk legend.

While the murder happened in Wilkes County, North Carolina, the trial, conviction, and execution took place in Statesville, North Carolina. There was considerable controversy surrounding his conviction and execution. In subsequent years, a folk song was written (entitled “Tom Dooley”, based on the pronunciation in the local dialect), and many oral traditions were passed down, regarding the sensational occurrences surrounding the murder of Foster, and Dula's subsequent execution. The Kingston Trio recorded a hit version of the murder ballad in 1958.

Tom Dula was born to a poor Appalachian hill country family in Wilkes County, North Carolina, most likely the youngest of three brothers, with one younger sister, Eliza. The young Dula grew up, attended school, and "probably played with the female Fosters", Ann (later Melton), and Laura, her younger cousin. As the children grew up, Tom and Ann apparently courted. Three months before his eighteenth birthday, on 15 March 1862, he joined the Confederate Army. Dula served as a private in Company K in the 42nd North Carolina Infantry Regiment until the war ended in 1865.

Upon returning from the war, Dula discovered that Ann had married James Melton. Given his reputation as something of ‘ladies man’, it did not take Dula long to take up with young Laura. She and Dula decided to elope. On the night she was to meet Dula, about the 26th of May, 1866, she left her home, never to be seen alive again.

While it is not known for certain what happened that evening, many of the stories that have grown out of the folklore of the time implicate Ann Melton in some way. Some believe that Ann may have murdered Laura Foster because she was still in love with Dula and was jealous that Laura was marrying him; others believe that perhaps Dula knew or suspected that Ann had murdered Foster, but because he still loved Ann he refused to implicate her after he was arrested and took the blame for the murder. In fact, it was Ann's word that led to the discovery of the girl's body. Foster had been stabbed multiple times with a large knife. The gruesome nature of the murder captured the public's attention, and led to the enduring notoriety of the crime.



The role of Dula in the slaying is unclear. He fled shortly after her body was found– when he was declared a suspect– working for a time for Colonel James Grayson, in Watauga County, before taking refuge across the state line in Trade, Tennessee. Grayson did help the Wilkes County posse bring Dula in, once his identity was discovered.

After Dula was arrested, former North Carolina Governor Zebulon Vance represented him *pro bono*, and maintained Dula's innocence of the charges. He



succeeded in having the trial moved from Wilkesboro to Statesville, as it was widely believed that Dula would not receive a fair trial in Wilkes County. Dula was convicted and, although he was given a new trial on appeal, he was convicted again. His supposed accomplice, Jack Keaton, was set free and, on Dula's word, Melton was acquitted of the crime. As he stood on the gallows facing his death, he is reported to have said, "Gentlemen, do you see this hand? I didn't harm a hair on the girl's head".

He was executed nearly two years after the murder of his fiancée, on 1 May 1868. His younger sister and her husband retrieved his body for burial after the execution.

Subsequently, much legend and folklore arose around the tragedy and the life of Tom Dula. Not the least of these tales has Dula surviving the war without a scratch, and Governor Zebulon Baird Vance making use of Dula's supposed talents with a banjo for his own personal entertainment. Both Dula's and Vance's accounts, as well as Dula's own military record, show this legend to be untrue; it persists nonetheless.



Pre Visit Lesson  
Hang Down Your Head, Tom Dooley

Goal:

To use reading and writing to help students understand the difference between folklore and folktales to prepare for the “Hang Down Your Head, Tom Dooley” program from Smith McDowell House Museum.

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)

A Connecticut Yankee  
Folktale  
retold by  
S.E. Schlosser

Now, here in the South, we all do not approve of your so-called Connecticut Yankee peddlers. So when one appeared in the yard of my tavern, I was not of a mind to give him room for the night.

He was a scrawny fellow with a mop of white hair and a withered face. He did not seem like a crafty Yankee peddler. He looked more like a grandfather on his last legs. Surely this Connecticut Yankee had no harm in him!

Curiosity being my downfall, as my wife would be the first to tell you, I was keen to see a real Yankee trick. So I told him that he might have lodgings for the night if he would play a Yankee trick before he left. Well, he promised me the trick, but said he was tired and went directly to bed.

The next morning, everything went wrong. My yard boy never showed up. I was forced to care for the horses myself while my wife cooked breakfast. When I finally got inside, my wife was leaning over a table full of the peddler's wares. She was fingering a coverlet which matched the ones we had upstairs. The peddler named a ridiculously low price and my wife nodded eagerly. Just then one of our other customers called me to his table to pay his bill, so I did not see the peddler finalize the sale. It was only after the peddler had called for his buggy, paid for his room, and begun to drive away that I suddenly remembered his promise.

"Peddler!" I called. "What about the Yankee trick you promised? I did not see any trick!"

"You will," he said, whipping up his horse.

Just then, my wife stuck her head out from one of the rooms upstairs.

"Harry!" she cried. "That sneaky Yankee just sold me the cover from off his bed!"

Pecos Bill Rides a Tornado  
A Kansas Tall Tale  
retold by  
S.E. Schlosser

Now everyone in the West knows that Pecos Bill could ride anything. No bronco could throw him, no sir! Fact is, I only heard of Bill getting' throwed once in his whole career as a cowboy. Yep, it was that time he was up Kansas way and decided to ride him a tornado.

Now Bill wasn't gonna ride jest any tornado, no ma'am. He waited for the biggest goldurned tornado you ever saw. It was turning the sky black and green, and roaring so loud it woke up the farmers away over in China. Well, Bill jest grabbed that there tornado, pushed it to the ground and jumped on its back. The tornado whipped and whirled and sidewinded and generally cussed its bad luck all the way down to Texas. Tied the rivers into knots, flattened all the forests so bad they had to rename one place the Staked Plains. But Bill jest rode along all calm-like, give it an occasional jab with his spurs.

Finally, that tornado decided it wasn't getting this cowboy off its back no-how. So it headed west to California and jest rained itself out. Made so much water it washed out the Grand Canyon. That tornado was down to practically nothing when Bill finally fell off. He hit the ground so hard it sank below sea level. Folks call the spot Death Valley. Anyway, that's how rodeo got started. Though most cowboys stick to broncos these days.

The First Tears  
(Inuit)  
retold by  
S. E. Schlosser

Once long ago, Man went hunting along the water's edge for seals. To Man's delight, many seals were crowded together along the seashore. He would certainly bring home a great feast for Woman and Son. He crept cautiously towards the seals. The seals grew restless. Man slowed down. Suddenly, the seals began to slip into the water. Man was frantic. His feast was getting away.

Then Man saw a single seal towards the back of the group. It was not moving as quickly as the others. Ah! Here was his prize. He imagined the pride on Woman's face, the joy in Son's eyes. Their bellies would be filled for many days from such a seal.

Man crept towards the last seal. It did not see him, or so Man thought. Suddenly, it sprang away and slipped into the water. Man rose to his feet. He was filled with a strange emotion. He felt water begin to drip from his eyes. He touched his eyes and tasted the drops. Yes, they tasted like salty water. Strange choking sounds were coming from his mouth and chest.

Son heard the cries of Man and called Woman. They ran to the seashore to find out what was wrong with Man. Woman and Son were alarmed to see water flowing out of Man's eyes.

Man told them about the shore filled with seals. He told how he had hunted them, and how every seal had escaped his knife. As he spoke, water began to flow from the eyes of Woman and Son, and they cried with Man. In this way, people first learned to weep. Later, Man and Son hunted a seal together. They killed it and used its skin to make snares for more seals.

Jesse James and the Widow  
A Missouri Folktale  
retold by  
S.E. Schlosser

One day, as Jesse James and his gang were riding through Missouri; they saw a farmhouse and stopped to ask for something to eat. A widow lived there with three small children. She didn't have much in the house, but shared with them what she had. It was while they were eating lunch that Jesse James noticed that something was bothering this generous widow. He questioned her about it, and she broke down and told him her story. The mortgage was due on the house that very day, and since her husband had died, she did not have the money to pay it. Her landlord was not a generous man, and was sure to put her children and herself out on the street.

"How much money do you need to pay the mortgage?" Jesse asked the widow.

"Fifteen hundred dollars," the widow sobbed.

Jesse James took out his money bag, counted out \$1500 dollars and presented it to the widow.

"I can't take this," she protested, but Jesse James insisted she use the money to pay off the mortgage.

"Just make sure you get a receipt," he warned her, and she promised that she would. Then he got a description of the man, and left with his gang.

Jesse James and his gang waited in the woods near the house until the man had collected his money from the widow. Then they rode out onto the road and stole their money back from the landlord.

Dancing with the Devil  
A Texas Ghost Story  
retold by  
S. E. Schlosser

The girl hurried through her schoolwork as fast as she could. It was the night of the high school dance, along about 70 years ago in the town of Kingsville, Texas. The girl was so excited about the dance. She had bought a brand new, sparkly red dress for the dance. She knew she looked smashing in it. It was going to be the best evening of her life. Then her mother came in the house, looking pale and determined.

"You are not going to that dance," her mother said.

"But why?" the girl asked her mother.

"I've just been talking to the preacher. He says the dance is going to be for the devil. You are absolutely forbidden to go," her mother said.

The girl nodded as if she accepted her mother's words. But she was determined to go to the dance. As soon as her mother was busy, she put on her brand new red dress and ran down to the K.C. Hall where the dance was being held.

As soon as she walked into the room, all the guys turned to look at her. She was startled by all the attention. Normally, no one noticed her. Her mother sometimes accused her of being too awkward to get a boyfriend. But she was not awkward that night. The boys in her class were fighting with each other to dance with her.

Later, she broke away from the crowd and went to the table to get some punch to drink. She heard a sudden hush. The music stopped. When she turned, she saw a handsome man with jet black hair and clothes standing next to her.

"Dance with me," he said.

She managed to stammer a "yes", completely stunned by this gorgeous man. He led her out on the dance floor. The music sprang up at once. She found herself dancing better than she had ever danced before. They were the center of attention.

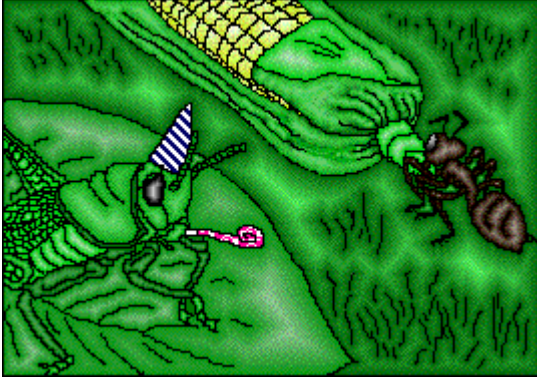
Then the man spun her around and around. She gasped for breath, trying to step out of the spin. But he spun her faster and faster. Her feet felt hot. The floor seemed to melt under her. He spun her even faster. She was spinning so fast that a cloud of dust flew up around them both so that they were hidden from the crowd.

When the dust settled, the girl was gone. The man in black bowed once to the crowd and disappeared. The devil had come to his party and he had spun the girl all the way to hell.

## The Ant and the Grasshopper

Illustrated by Scott Roberto

In a field one summer's day a Grasshopper was hopping about, chirping and singing to its heart's content. An Ant passed by, bearing along with great toil an ear of corn he was taking to the nest.



"Why not come and chat with me," said the Grasshopper, "instead of toiling and moiling in that way?"

"I am helping to lay up food for the winter," said the Ant, "and recommend you to do the same."

"Why bother about winter?" said the Grasshopper; we have got plenty of food at present." But the Ant went on its way and continued its toil.

When the winter came the Grasshopper found itself dying of hunger, while it saw the ants distributing, every day, corn and grain from the stores they had collected in the summer.



Then the Grasshopper knew...  
It is best to prepare for the days of necessity.

## Rapunzel

There were once a man and a woman who had long in vain wished for a child. At length the woman hoped that God was about to grant her desire. These people had a little window at the back of their house from which a splendid garden could be seen, which was full of the most beautiful flowers and herbs. It was, however, surrounded by a high wall, and no one dared to go into it because it belonged to an enchantress, who had great power and was dreaded by all the world. One day the woman was standing by this window and looking down into the garden, when she saw a bed which was planted with the most beautiful rampion - Rapunzel, and it looked so fresh and green that she longed for it, and had the greatest desire to eat some. This desire increased every day, and as she knew that she could not get any of it, she quite pined away, and began to look pale and miserable. Then her husband was alarmed, and asked, what ails you, dear wife. Ah, she replied, if I can't eat some of the rampion, which is in the garden behind our house, I shall die. The man, who loved her, thought, sooner than let your wife die, bring her some of the rampion yourself, let it cost what it will. At twilight, he clambered down over the wall into the garden of the enchantress, hastily clutched a handful of rampion, and took it to his wife. She at once made herself a salad of it, and ate it greedily. It tasted so good to her - so very good, that the next day she longed for it three times as much as before. If he was to have any rest, her husband must once more descend into the garden. In the gloom of evening, therefore, he let himself down again. But when he had clambered down the wall he was terribly afraid, for he saw the enchantress standing before him. How can you dare, said she with angry look, descend into my garden and steal my rampion like a thief. You shall suffer for it. Ah, answered he, let mercy take the place of justice, I only made up my mind to do it out of necessity. My wife saw your rampion from the window, and felt such a longing for it that she would have died if she had not got some to eat. Then the enchantress allowed her anger to be softened, and said to him, if the case be as you say, I will allow you to take away with you as much rampion as you will, only I make one condition, you must give me the child which your wife will bring

into the world. It shall be well treated, and I will care for it like a mother. The man in his terror consented to everything, and when the woman was brought to bed, the enchantress appeared at once, gave the child the name of Rapunzel, and took it away with her.

Rapunzel grew into the most beautiful child under the sun. When she was twelve years old, the enchantress shut her into a tower, which lay in a forest, and had neither stairs nor door, but quite at the top was a little window. When the enchantress wanted to go in, she placed herself beneath it and cried,

Rapunzel, Rapunzel,  
let down your hair to me.

Rapunzel had magnificent long hair, fine as spun gold, and when she heard the voice of the enchantress she unfastened her braided tresses, wound them round one of the hooks of the window above, and then the hair fell twenty ells down, and the enchantress climbed up by it.

After a year or two, it came to pass that the king's son rode through the forest and passed by the tower. Then he heard a song, which was so charming that he stood still and listened. This was Rapunzel, who in her solitude passed her time in letting her sweet voice resound. The king's son wanted to climb up to her, and looked for the door of the tower, but none was to be found. He rode home, but the singing had so deeply touched his heart, that every day he went out into the forest and listened to it. Once when he was thus standing behind a tree, he saw that an enchantress came there, and he heard how she cried,

Rapunzel, Rapunzel,  
let down your hair.

Then Rapunzel let down the braids of her hair, and the enchantress climbed up to her. If that is the ladder by which one mounts, I too will try my fortune, said he, and the next day when it began to grow dark, he went to the tower and cried,

Rapunzel, Rapunzel,  
let down your hair.

Immediately the hair fell down and the king's son climbed up. At first Rapunzel was terribly frightened when a man, such as her eyes had never yet beheld, came to her. But the king's son began to talk to her quite like a friend, and told her that his heart had been so stirred that it had let him have no rest, and he had been forced to see her. Then Rapunzel lost her fear, and when

he asked her if she would take him for her husband, and she saw that he was young and handsome, she thought, he will love me more than old dame Gothel does. And she said yes, and laid her hand in his.

She said, I will willingly go away with you, but I do not know how to get down. Bring with you a skein of silk every time that you come, and I will weave a ladder with it, and when that is ready I will descend, and you will take me on your horse. They agreed that until that time he should come to her every evening, for the old woman came by day. The enchantress remarked nothing of this, until once Rapunzel said to her, tell me, dame Gothel, how it happens that you are so much heavier for me to draw up than the young king's son - he is with me in a moment. Ah. You wicked child, cried the enchantress. What do I hear you say. I thought I had separated you from all the world, and yet you have deceived me. In her anger she clutched Rapunzel's beautiful tresses, wrapped them twice round her left hand, seized a pair of scissors with the right, and snip, snap, they were cut off, and the lovely braids lay on the ground. And she was so pitiless that she took poor Rapunzel into a desert where she had to live in great grief and misery.

On the same day that she cast out Rapunzel, however, the enchantress fastened the braids of hair, which she had cut off, to the hook of the window, and when the king's son came and cried,  
Rapunzel, Rapunzel,  
let down your hair,

she let the hair down. The king's son ascended, but instead of finding his dearest Rapunzel, he found the enchantress, who gazed at him with wicked and venomous looks. Aha, she cried mockingly, you would fetch your dearest, but the beautiful bird sits no longer singing in the nest. The cat has got it, and will scratch out your eyes as well. Rapunzel is lost to you. You will never see her again. The king's son was beside himself with pain, and in his despair he leapt down from the tower. He escaped with his life, but the thorns into which he fell pierced his eyes. Then he wandered quite blind about the forest, ate nothing but roots and berries, and did naught but lament and weep over the loss of his dearest wife. Thus he roamed about in misery for some years, and at length came to the desert where Rapunzel lived in wretchedness. He heard a voice, and it seemed so familiar to him that he went towards it, and when he approached, Rapunzel knew him and fell on his neck

and wept. Two of her tears wetted his eyes and they grew clear again, and he could see with them as before. He led her to his kingdom where he was joyfully received, and they lived for a long time afterwards, happy and contented.

## Hang Down Your Head, Tom Dooley On Site and Outreach Lesson

### Goal:

To present an interactive reenactment of the trial of Tom Dula (pronounced “Dooley”) using primary source testimonies and court evidence.

### Objectives:

- ❖ The students will participate as witnesses and give testimony as it was presented in the trial.
- ❖ The students will examine evidence in the form of a map.
- ❖ The students will weigh the evidence and testimonies to draw a conclusion as to the guilt or innocence of Tom Dula.
- ❖ The students will examine the cultural and community connections in a small NC community in the 19<sup>th</sup> century.

### NC Standard Course of Study: Social Studies

4 <sup>th</sup> grade
1.01
1.02
2.03
3.02
3.04
4.03
4.04
5.03
7.02

### Lesson:

1. Introduction: 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. As he stood on the gallows facing his death, he is reported to have said, “Gentlemen do you see this hand? I didn’t harm a hair on the girl’s head.”
2. This story happened at a time before radio, television and the internet were around. There were newspapers, but how do you suppose people found out about this story?
  - a. Told from person to person
3. Is this story a legend or a folktale? What makes it a legend?
  - a. It is based on true facts.
4. This story was told many times as a song, “Hang Down Your Head, Tom Dooley’.
  - a. Written some time after the trial and was sung in the Western NC mountains. It was recorded by the Kingston Trio in 1958 (90 years after

the hanging) and their version reached the top of the billboard song chart that year.

5. Distribute song sheets and have students follow and sing along with recording.
6. The song is based on the legend, but does not tell the story factually. There was a trial and we are going to re-create that trial.
7. Use the Power Point presentation to identify the characters in the story:
  - a. Tom Dula
  - b. Laura Foster
  - c. Etc.
8. Assign class members as the characters who will give 'testimony' and give them their sheets to read from.
9. Use the script from the handout as the students take their turns reading their testimony in order of the events that happened.
10. When 'trial' is finished, discuss with the students whether they think Tom Dula is guilty or innocent of the charge of murder. Remember, this is not the job of the jury, but who did they think did it?

Post Visit Lesson/Activity  
Hang Down Your Head, Tom Dooley

Goal:

To reinforce concepts learned through the on-site or outreach lesson presented by Smith McDowell House Museum.

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 truly 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?