

THE STATE
vs.

In the Circuit Court of Baldwin County,

CLARENCE MORRIS

Term, 193

Venire of the jurors in the above stated cause, names herein stated from No. 72 to No. 72 both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. 1 to No. 71, both inclusive, being the regular jurors drawn and summoned for the Second week of the Fall Term of said Court, the said cause having been set for trial on the 7th day of December 1934, which is a day of said 2nd week of the Fall Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	CARL LENZ	MECHANIC	ELBERTA	
2	BROOKS BUSH SR.	SCHOOL BUS DRIVER	CROSSROADS	
3	ARCHIE McMILLAN	LOGGING	STOCKTON	
4	HENDON HUXFORD HURLEY	MECHANIC	DAPHNE	
5	GROVER WOODARD	RAILROAD	BAY MINETTE	
6	HAROLD STUART	PRESSER	BAY MINETTE	
7	R. HAROLD AGEE	MERCHANT	FOLEY	
8	GEORGE A. LYRENE	FARMER	SILVERHILL	
9	J. C. WYNN	FARMER	SUMMERDALE	
10	GUST RIEMER	FARMER	ELBERTA	
11	GEORGE K. PAGE	CLERK	ROBERTSDALE	
12	R. N. STANTON	FARMER	ROBERTSDALE	
13	BARNETT B. LARRIMORE	MERCHANT	ROBERTSDALE	
14	NORMAN McENNIS	SUPT. MILL CO.	STOCKTON	
15	WILTON A. RAGINE	CLERK	ROBERTSDALE	
16	JACK JONES	MERCHANT	BAY MINETTE	
17	JAMES T. BRADLEY	MERCHANT	BAY MINETTE	
18	JOHN SCHENK	FARMER	ELBERTA	
19	JOE WHITE	FARMER	LOXLEY	
20	WILLIAMS P. DIRICH	LABORER	ELBERTA	
21	JOHN E. LINDBERG	FARMER	SUMMERDALE	
22	JAMES WELSH	LABORER	FOLEY	
23	HAROLD BOONE	SALESMAN	LOXLEY	
24	ADOLPH WIGSTROM	FARMER	SILVERHILL	
25	ROBERT GREEN	SHIPYARD	FAIRHOPE	
26	JAMES C. GRAHAM	RETIRED INSURANCE SALESMAN	MAGNOLIA SPRINGS	
27	AKEL BUNDQUIST	INSURANCE SALESMAN	SILVERHILL	
28	ARTHUR SIMON	FARMER	BEFOREST	
29	MALVERN IRWIN	FARMER	GATESWOOD	
30	GILBERT COOPER	FARMER	ROSINTON	
31	TED W. COOPER	FARMER	ROSINTON	
32	JOSEPH R. KROB.	FARMER	SILVERHILL	
33	CHARLES J. EBERT	REAL ESTATE	FOLEY	
34	ALTON B. HANKINS	FARMER	ROSINTON	
35	HERBERT H. McLAIN	ELECTRICIAN	ROBERTSDALE	
36	FLOYD BOONE	FARMER	GATESWOOD	
37	J. C. MORRIS	FARMER	GATESWOOD	
38	LEONARD E. GROVER	FARMER	DAPHNE	
39	HENRY E. YENNE	FARMER	PT. CLEAR	
40	RALPH GANTT	FARMER	LITTLE RIVER	
41	Y. A. COX JR.	STORE WORK	STOCKTON	
42	EDWARD HADLEY	SCHOOL BUS	ELBERTA RT.	
43	JOHN BLOCHT	FARMER	ELBERTA	
44	BRUCE WILLITS	FORESTER	MEFLIN	
45	E. H. GOODEN	POSTAL CLERK	FAIRHOPE	
46	MARVIN BERGLIN	CREAMERY	FAIRHOPE	
47	OTTO BROWN	EXPERIMENT FARM OP.	FAIRHOPE	
48	HANNIS HEAD	SHIP YARD	STAPLETON	
49	LESLIE DEAN	SHIP YARD	STAPLETON	
50	JACK ROBERTSON	FARMER	BAY MINETTE	
51	J. ARTHUR BRYARS	FARMER	STOCKTON	
52	GRADY FAIRCLOTH	MERCHANT	MAGNOLIA SPRINGS	

No.	NAME	Occupation	Residence Address	Business Address
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72	Ted Craft	Fleet	Stockton	
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I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. _____

_____ charged with _____
 _____ Robbery _____; that the names of jurors from
 No. 72 to No. 72, both inclusive, are the special jurors drawn by the presiding Judge, in
 open Court, and that the names of jurors from No. 1 to No. 21, both inclusive, is a correct list
 of the regular jurors drawn and summoned for the Second week of the Fall Term, 1948, of the
 Circuit Court of Baldwin County, Alabama. I further certify that the foregoing copy of the indictment is a true and correct
 copy of the the indictment in this case.

Witness my hand this 8th day of Nov 1948 _____
 Taylor Wilkins
 Sheriff Baldwin County, Ala.

Executed by serving a copy of the indictment and a correct list of the jurors in this case, on this the 8th day of
Nov, 1948, upon Clarence Morris
 the Defendant _____
 Taylor Wilkins Sheriff.

original

The State of Alabama
 Baldwin County

CIRCUIT COURT

LIST of JURORS and COPY of INDICTMENT

STATE
 vs.
Clarence Morris

THE STATE
VS.

In the Circuit Court of Baldwin County,

Neil McDuffie

----- Fall Session ----- Term, 1938 -----

Venire of the jurors in the above stated cause, names herein stated from No. 72 to No. 72 both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. 1 to No. 71, both inclusive, being the regular jurors drawn and summoned for the Second week of the Fall Session Term of said Court, the said cause having been set for trial on the 6th day of December 1938, which is a day of said Second week of the Fall session Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	CARL LEWIS	MERCHANT	STURTA	
2	BROOKS WISE SR.	SCHOOL BUS DRIVER	GROSSROADS	
3	WILLIE WHELAN	LABORER	STOCKTON	
4	BARON HUNTER GUNLEY	MERCHANT	DAPHNE	
5	GEORGE W. DAVIS	RAILROAD	BAY MINETTE	
6	HAROLD SPART	BREWER	BAY MINETTE	
7	H. HADLEY JR.	MERCHANT	FOLEY	
8	GEORGE A. LYNNER	FARMER	SILVERHILL	
9	J. C. BYRN	FARMER	WHEATDALE	
10	CHRIS RICHES	FARMER	ALBERTA	
11	GEORGE K. PAGE	LABORER	ROBERTSDALE	
12	H. W. STANTON	FARMER	ROBERTSDALE	
13	HAROLD E. LARRIKER	MERCHANT	ROBERTSDALE	
14	EDMAN HERRIS	WRT. MIL. CO.	STOCKTON	
15	WILSON A. RACIER	LABORER	ROBERTSDALE	
16	JACK JONES	MERCHANT	BAY MINETTE	
17	JAMES T. SHALBY	MERCHANT	BAY MINETTE	
18	JOHN RICHIE	FARMER	ALBERTA	
19	JOE WHITE	FARMER	FOLEY	
20	JULIUS P. HIRSON	LABORER	ALBERTA	
21	JOHN E. LINDBERG	FARMER	WHEATDALE	
22	JAMES HULLSI	LABORER	FOLEY	
23	HAROLD BOONE	SALESMAN	LOXLEY	
24	ADOLPH WIASTRON	FARMER	SILVERHILL	
25	ROBERT GREEN	SHIPTARD	FAIRHOPE	
26	JAMES C. BRAMAN	RETIRED	MACGILL SPRINGS	
27	ARL HINDENIST	INSURANCE SALESMAN	SILVERHILL	
28	ARTHUR STROM	FARMER	BRIDGEPORT	
29	MALVERN LEWIN	FARMER	GATEWOOD	
30	CLIPPERT COOPER	FARMER	ROBINSON	
31	TED W. COOPER	FARMER	ROBINSON	
32	JOSEPH B. EROB.	FARMER	SILVERHILL	
33	CHARLES J. RHEAT	REAL ESTATE	FOLEY	
34	ALTON E. HARRIS	FARMER	ROBINSON	
35	HENRY E. MCJAIN	ELECTRICIAN	ROBERTSDALE	
36	FLOYD MOORE	FARMER	GATEWOOD	
37	J. C. MORRIS	FARMER	GATEWOOD	
38	LEONARD E. GROVER	FARMER	DAPHNE	
39	HENRY E. YANKE	FARMER	PT. CLEAR	
40	RAIPH GANTT	FARMER	LITTLE RIVER	
41	T. A. COX JR.	STORE WORK	STOCKTON	
42	EDWARD HADLEY	SCHOOL BUS	ALBERTA PT.	
43	BOON BLOUNT	FARMER	ALBERTA	
44	BRUCE WILIE	FORGEMAN	WELLS	
45	H. H. COOPER	POSTAL CLERK	FAIRHOPE	
46	MARVIN BERGLIN	CHEMIST	FAIRHOPE	
47	OTTO BROWN	EXPERIMENT FARM CO.	FAIRHOPE	
48	HARRIS DEAN	SHIP YARD	STAPLETON	
49	LESLIE DEAN	SHIP YARD	STAPLETON	
50	JACK ROBERTSON	FARMER	BAY MINETTE	
51	J. ARTHUR BRVARD	FARMER	STOCKTON	
52	GRADY PATRICK	LABORER	MACGILL SPRINGS	

No.	NAME	Occupation	Residence Address	Business Address
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55	J. S. WILSON			
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57	J. E. PATE			
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72	Morgan A Lovell	Dairyman	Loxley	
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I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. _____

Neil Mc Duffie
Murder

charged with

No. *72* to No. *72*, both inclusive, are the special jurors drawn by the presiding Judge, in

open Court, and that the names of jurors from No. *1* to No. *71*, both inclusive, is a correct list of the regular jurors drawn and summoned for the *Second* week of the *Fall* Term, 19*48*, of the Circuit Court of Baldwin County, Alabama. I further certify that the foregoing copy of the indictment is a true and correct copy of the the indictment in this case.

Witness my hand this *8* day of *Nov* 19*48*

Taylor Wilkins
Sheriff Baldwin County, Ala.

Executed by serving a copy of the indictment and a correct list of the jurors in this case, on this the *8th* day of

Nov, 19*48*, upon

Neil Mc Duffie

the Defendant

Taylor Wilkins
Sheriff.

original

The State of Alabama
Baldwin County

CIRCUIT COURT

LIST of JURORS and COPY of INDICTMENT

STATE
vs.

Neil Mc Duffie

THE STATE
VS.

In the Circuit Court of Baldwin County,

James A. Mangrum

Fall

Term, 19*48*

Venire of the jurors in the above stated cause, names herein stated from No. *71* to No. *71* both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. *1* to No. *70*, both inclusive, being the regular jurors drawn and summoned for the *Second* week of the *Fall Session* Term of said Court, the said cause having been set for trial on the *6* day of *Dec* 19*48*, which is a day of said *Second* week of the *Fall* Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
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No.	NAME	Occupation	Residence Address	Business Address
53	VIRGIL V. RHODES	FARMER	BAY MINETTE	
54	WARREN WILCOX	FARMER	ROSINTON	
55	J. R. WILSON	FARM IMPLEMENT CO & CHEVROLET CO	BAY MINETTE	
56	BLAINE DICKMAN	FARMER	BAY MINETTE	
57	JACK PAGE	CLERK	BAY MINETTE	
58	JAMES LINDSEY	REAL ESTATE	BAY MINETTE	
59	ARTHUR HARTSHORN	FARMER	FAIRHOPE	
60	CHESTER A. STAPLETON	MERCHANT	BAY MINETTE	
61	HOWARD CONVERSE	POTTER	FAIRHOPE	
62	WILLIAM A. MILLER	BARBER	BAY MINETTE	
63	PIERCE HOLMES	ELECTRICIAN	STOCKTON	
64	ORRIE COGHIAN	STOCKTON	TENSAW	
65	DOCK GANEY	FARMER	TENSAW	
66	FRANCIS B. SMITH	MERCHANT	TENSAW	
	E. K. MILES	BUS DRIVER	LITTLE RIVER	
	EDWARD MILES	PAPER MILL	LITTLE RIVER	
	H. M. COLLINS	FISHERMAN	FOLEY	
	J. CLEO BOOTHE	CARPENTER	FAIRHOPE	
71	WOODROW BISHOP	FARMER	FAIRHOPE	
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I hereby certify that the foregoing is a correct list of the venire, in the case of the State vs. _____

_____ charged with
1st Degree Burglary
 No. *21* to No. *51*, both inclusive, are the special jurors drawn by the presiding Judge, in open Court, and that the names of jurors from No. *70* to No. *70*, both inclusive, is a correct list of the regular jurors drawn and summoned for the *second* week of the *fall* Term, 19*48*, of the Circuit Court of Baldwin County, Alabama. I further certify that the foregoing copy of the indictment is a true and correct copy of the the indictment in this case.

Witness my hand this *24th* day of *Nov* 19*48* *Jay W. Wilkin*
 Sheriff Baldwin County, Ala.

Executed by serving a copy of the indictment and a correct list of the jurors in this case, on this the *24th* day of *Nov*, 19*48*, upon *James C. Wingren*
 the Defendant *Jay W. Wilkin* Sheriff.

The State of Alabama
 Baldwin County
 CIRCUIT COURT
 LIST of JURORS and COPY of INDICTMENT

STATE
 vs.

James C. Wingren

STATE OF ALABAMA, }
Baldwin County.

IN THE JUSTICE COURT OF
FRANK P. PROPST

Before me, FRANK P. PROPST, Justice of the Peace

in and for said County, personally appeared Taylor Wilkins who, being
duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County, on
or about Oct 2 1948 that one Neal M. Duffie
unlawfully and with malice aforethought
killed Edith M. Duffie by shooting her
with a gun or a pistol.
Oct 2

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 21

day of Oct, A.D. 19 48
Frank P Propst, J.P.

Taylor Wilkins

WARRANT

STATE OF ALABAMA }
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest Neal M. Duffie
and bring him

before me to answer the State of Alabama on a charge
MURDER

and have you then and there this writ with your return thereon

Witness my hand this 21 day of Oct 19 48
Frank P Propst, J.P.

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT OF
FRANK P. PROPST

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Neal M^c Duffie

WITNESSES FOR THE STATE:

JUSTICE COURT OF
BALDWIN COUNTY

WARRANT OF ARREST

THE STATE OF ALABAMA

vs.

Neal M^c Duffie

Executed this 21 day of oct, 1948

By arresting the within

named Defendant

and placing him in jail

Taylor Wickins, Sheriff
Zollie B. Griffin, Deputy Sheriff

O. Mills

State of Alabama,

Dr.

To Taylor Wilkins

Sheriff of Baldwin County,

For removal of Neil McDuffie

from Baldwin County to jail in Asylum at Tuscaloosa County

Date or dates of removal, December 14 19 48

To <u>Taylor Wilkins</u>	Sheriff,	<u>1</u>	days, at \$3.00 per day,	\$ <u>3</u>	<u>00</u>
To <u>H. F. Hall</u>	Gauard,	<u>1</u>	days, at \$2.00 per day,	<u>2</u>	<u>00</u>

DATE	TO WHOM PAID	FOR WHAT PAID		
	Trip to Tuscaloosa and return, 446 miles at			
	5¢ per mile		<u>22</u>	<u>30</u>
			<u>27</u>	<u>30</u>

The State of Alabama, {
 Baldwin County } I, Alice J. Duck Clerk
 of the Circuit Court in and for said County, do hereby certify that the case
 against Neil McDuffie was pending in and
 triable before said Circuit Court at the time he was arrested for the offense
 charged, and that the fees have been reported to and docketed by me this 18th day of
August 1950.
 _____ Clerk.

The State of Alabama, {
 Baldwin County } Personally appeared before me, _____
Taylor Wilkins Sheriff of Baldwin County, who, being duly sworn, says the
 above account for the sum of \$ 27.30 Dollars is correct; that he has never received
 the same or any part thereof; that he had 1 guard .. employed; that said account
 embraces, aside from per diem for self or deputy and guard, only actual necessary traveling expenses,
 and that without any unnecessary delay the nearest route usually traveled was followed from
 Baldwin County to the jail in Asylum at Tuscaloosa County.
 _____ Sheriff.

Sworn to and subscribed before me this _____ day of _____ 19____.
 _____ Judge of Probate.

Mr. _____ of _____
 is hereby authorized to receipt for the Auditor's Warrant in payment of this account, and collect the
 same from the State Treasurer.
 _____ Sheriff.

State of Alabama,

County.

SHERIFF'S ACCOUNT
FOR
Removal of Prisoner

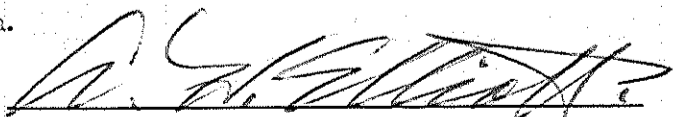
THE STATE OF ALABAMA, }
Baldwin County }

Circuit Court, Fall Session Term, 1948

The Grand Jury of said County charge that before the finding of this indictment

Neil McDuffie, whose name is to the Grand Jury otherwise unknown,
unlawfully, and with malice aforethought, killed Edith McDuffie,
by shooting her with a gun,

against the peace and dignity of the State of Alabama.



Solicitor of the Twenty-first Judicial Circuit.

RECORDED

No. _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

Fall Session _____ 1948

THE STATE
vs.

Neil McDuffie

INDICTMENT

Murder, First Degree

No _____ Prosecutor.

WITNESSES:

Florida McDuffie

George Lambert

Mrs. Gibson

Dr. J. M. Reid

Roseland Reid

GRAND JURY NO. 68

A TRUE BILL

Wm. Miller

Foreman Grand Jury.

Filed in open Court and in the presence of the

Grand Jury on the 4th day of

Nov, 1948

Alvin J. Leuch Clerk

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in
the presence of 17 other Grand Jurors.

Alvin J. Leuch Clerk.

Bail fixed \$ _____

Judge.

SHERIFF'S APPEARANCE BOND.

Moore Printing Co.

THE STATE OF ALABAMA,
Baldwin County

We, Neil Mc Duffie, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of

One Thousand DOLLARS unless the said Neil Mc Duffie appear at the

Next Term, 1919 of the Circuit Court of Baldwin County, Alabama, and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Murder

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the _____ day of _____, 19____

Neil Mc Duffie (Seal)

Mrs. Mattie Lou Hall (Seal)

H. C. Owen (Seal)

_____, Baldwin County, Ala.

_____, (Seal)

Taken and approved this the 24 day of April 1919

Jayson [Signature] Sheriff
By _____, Deputy Sheriff

Handwritten notes and signatures in the left margin, including a large signature that appears to read "W. J. ...".

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

..... COURT

SHERIFF'S OFFICE

The State

vs.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed

....., Clerk

THE STATE OF ALABAMA,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:
An indictment having been found against

Neil Mc Duffie

at the Nov Term, 1948, of the Circuit Court of Baldwin County, for the offense of

Murder, First Degree

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ accord-
ing to law

Dated this 4th day of Nov, 1948.

Reese J. Wessick
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA,
Baldwin County

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to

Term thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions al-
lowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this _____ day of _____, 194_____.

- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)

Taken and approved _____ day of _____, 194_____.

Sheriff of Baldwin County.

CAPIAS

No. 68

THE STATE
vs.

Neil Mcuffie

Bail Fixed in This Case in Open Court at

\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Executed this 4 day of Nov, 1948

By arresting the within

named Defendant

and placing him in jail

Jayla Welkin, Sheriff

Jacob B. Griffin, Deputy Sheriff

State of Alabama,

Dr.

To Taylor Wilkins

Sheriff of Baldwin County,

For removal of Neil McDuffie

from Tuscaloosa County to jail in Baldwin County

Date or dates of removal, April 21 19 49

To Taylor Wilkins	Sheriff,	1	days, at \$3.00 per day,	\$ 3	00
To H. P. Hall	Guard,	1	days, at \$2.00 per day,	2	00

DATE	TO WHOM PAID	FOR WHAT PAID		
	Trip to Tuscaloosa and return,	446 miles at 5¢		
	per mile		22	30
			27	30

The State of Alabama, {
Baldwin County

I, Alice J. Duck Clerk

of the Circuit Court in and for said County, do hereby certify that the case against Neil McDuffie was pending in and triable before said Circuit Court at the time he was arrested for the offense charged, and that the fees have been reported to and docketed by me this 18th day of August 19 50.

Clerk.

The State of Alabama, {
Baldwin County

Personally appeared before me, Taylor Wilkins

Sheriff of Baldwin County, who, being duly sworn, says the above account for the sum of \$ 27.30 Dollars is correct ; that he has never received the same or any part thereof; that he had 1 guard .. employed; that said account embraces, aside from per diem for self or deputy and guard, only actual necessary traveling expenses, and that without any unnecessary delay the nearest route usually traveled was followed from Baldwin County to the jail in Asylum in Tuscaloosa County.

Sheriff.

Sworn to and subscribed before me this _____ day of _____ 19____.

Judge of Probate.

Mr. _____ of _____ is hereby authorized to receipt for the Auditor's Warrant in payment of this account, and collect the same from the State Treasurer.

Sheriff.

State of Alabama,

County.

SHERIFF'S ACCOUNT
FOR
Removal of Prisoner

STATE OF ALABAMA
VS.
NEIL McDUFFIE,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

MOTION.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Now comes the Defendant, by his Attorney, and respectfully represents unto the Court as follows:


1. This Defendant was indicted by the Circuit Court of Baldwin County, Alabama at the Fall Term, 1948 for murder in the first degree as will appear from a copy of the indictment which is hereto attached and by reference made a part hereof as though fully incorporated herein.

2. It is suggested and made known to the Court that the Defendant was insane at the time of the commission of the crime with which he is charged and for which he has been indicted, because of which the question of the sanity of the Defendant should be settled before further proceedings are had in this case.

WHEREFORE, the Defendant moves the Court to appoint a commission of experts known as a Lunacy Commission as provided by Title 15, Section 425 of the 1940 Code of Alabama as provided by the said statute.

The Defendant further moves the Court that he be ordered delivered by the Sheriff of Baldwin County, Alabama to the acting Superintendent of the Alabama State Hospitals for examination and observation as provided by law.

Respectfully submitted,


Attorney for Defendant.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, Fall Session, Term, 1948

The Grand Jury of said County charge that before finding this indictment

Neil McDuffie, whose name is to the Grand Jury otherwise unknown, unlawfully,
and with malice aforethought, killed Edith McDuffie, by shooting her with a gun,

against the peace and dignity of the State of Alabama.

.....A. H. ELLIOTT.....
Solicitor of the Twenty-First Judicial Circuit.

No.

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Circuit Court

Fall Session Term, 194...8

THE STATE

Vs.

Neil McDuffie

INDICTMENT

Murder, First Degree
No Prosecutor.

WITNESSES:

Florida McDuffie

George Lambert

Mrs. Gibson

Dr. J. M. Reid

Roseland Reid

GRAND JURY NO. 68.....

A TRUE BILL

V. O. McMillan

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 4th day of

Nov., 194 8..

ALICE J. DUCK

....., Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of ...17..... other Grand Jurors.

ALICE J. DUCK

.....
Clerk.

Bail fixed \$.....

.....
Judge.

MOTION FOR APPOINTMENT
OF LUNACY COMMISSION

STATE OF ALABAMA,

VS.

NEIL McDUFFIE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

AT LAW.

*Filed 12-6-48
Alice French
Clerk*

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

Order

STATE OF ALABAMA

VS.

NEIL McDUFFIE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

WHEREAS, it has been made known to me, F. W. Hare, the presiding Judge of the Circuit Court of Baldwin County, Alabama, in which Court an indictment ^{5 have} has been returned against Neil McDuffie [for murder in the first degree, a capital offense;] that there is reasonable ground to believe that the said Defendant, Neil McDuffie, was insane at the time of the commission of the said offense and is presently insane and the Court being of the opinion that all questions as to the sanity of the said Defendant, should be settled before further proceedings are had in this cause, it is therefore ordered by the Court as follows:

1. Taylor D. Wilkins, as Sheriff of Baldwin County, Alabama is hereby ordered to deliver the said Defendant, Neil McDuffie to the acting Superintendent of the Alabama State Hospitals for the Insane for the purpose of observation and examination as provided by Title 15, Section ⁴¹⁸ 425 of the 1940 Code of Alabama.

2. The acting Superintendent of the Alabama State Hospitals and two members of his medical staff, to be named by him, shall be and they are hereby constituted a commission on lunacy to observe and examine the said Neil McDuffie with the view of determining his mental condition and the existence of any mental disease or defect which would effect his present criminal responsibility or his criminal responsibility at the time of the commission of the crime with which he has been charged and for which he has been indicted.

3. The said Defendant, Neil McDuffie, shall remain in the custody of the acting Superintendent of the Alabama State Hospitals and subject to the observation of and examination by the Lunacy Commission for such length of time as may be in the judgment

of the Lunacy Commission necessary to determine his mental condition so far as it effects his criminal responsibility.

4. The said Lunacy Commission shall, after reaching a conclusion as to the mental condition of the Defendant, Neil McDuffie, make a full written report thereof to the Clerk of the Circuit Court of Baldwin County, Alabama, which report shall be placed on file and accessible to the Court, to the Solicitor and to the Attorney for the Defendant.

5. The expense of maintaining the Defendant while so confined shall be paid in the same manner as provided by law in the case of persons adjudged to be of unsound mind in accordance with the provisions of Title 15, Section 429 of the 1940 Code of Alabama.

Done on this the 6th day of December, 1948.

F. W. Hase
Judge.

1056
ORDER COMMITTING DEFENDANT
TO INSANE HOSPITAL AND AP-
POINTING LUNACY COMMISSION.

STATE OF ALABAMA,

VS.

NEIL McDUFFIE,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
AT LAW.

Filed
12-6-48
Alice J. Smith
clerk.

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

THE BRYCE HOSPITAL
TUSCALOOSA, ALA.

THE SEARCY HOSPITAL
MT. VERNON, ALA.

THE PARTLOW STATE SCHOOL
TUSCALOOSA, ALA.

THE ALABAMA STATE HOSPITALS
AND

OFFICE OF THE SUPERINTENDENT
W. D. PARTLOW, M. D.

THE PARTLOW STATE SCHOOL

TUSCALOOSA, ALA.

April 8, 1949

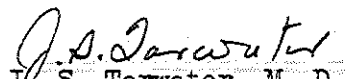
Miss Alice J. Duck
Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

Re: Lunacy Commission Report
Neil McDuffie

Dear Miss Duck:

I am inclosing report of the Lunacy Commission
in the case of the above named man who was committed to The Bryce Hospital
December 1, 1948 by Hon. F. W. Hare, Judge of the Circuit Court, Baldwin
County, Alabama, and admitted in The Bryce Hospital December 14, 1948.

Yours very truly,


J. S. Tarwater, M. D.
Acting Superintendent

JST/rc

STATE OF ALABAMA
TUSCALOOSA COUNTY

TO: MISS ALICE J. DUCK, CLERK
CIRCUIT COURT OF BALDWIN COUNTY
BAY MINETTE, ALABAMA

Under the provisions of an Act of the Legislature of Alabama approved April 17, 1933, (Title 15, Section 425, Code of Alabama of 1940), one Neil McDuffie, indicted for murder, first degree, was admitted to The Bryce Hospital on December 14, 1948 under Order of Hon. F. W. Hare, Judge, Circuit Court of Baldwin County, Bay Minette, Alabama, for observation and report as provided in the Act referred to above.

In compliance with the provisions of the Act, The Acting Superintendent of the hospital appointed Dr. Toombs Lawrence, Acting Assistant Superintendent, and Dr. M. D. Paine, Assistant Physician, who associated with the Acting Superintendent constitute the undersigned commission. After having the said Neil McDuffie under our study and observation continually since the above date of admission, we desire to submit the following report:

It is the opinion of each of us, and our opinion jointly and collectively, that the said Neil McDuffie at the time of his admission to The Bryce Hospital on December 14, 1948 was sane and competent. After a long period of study and observation it is our further opinion that he has remained sane and competent and is at present sane and competent.

After lengthy study of his case, it is our further opinion that for a period of time prior to and at the time of the commission of the crime for which he is charged, he was insane and incompetent.

Under the provisions of the Act referred to above, we understand that with the rendering of this report our obligation and that of The Bryce Hospital has been discharged and that therefore if it is the wish of the Court that the said Neil McDuffie be detained longer in this institution as a patient, it would be necessary for this Court or some Court of Jurisdiction to issue a commitment or an Order for the further detention of the said Neil McDuffie in The Bryce Hospital.

Awaiting your further Order or that of the Court or the Sheriff of Baldwin County.

Respectfully submitted,

Signed and executed this the 8th day of April, 1949 at The Bryce Hospital,
Tuscaloosa, Alabama.

J. S. Tarwater M. D.
J. S. TARWATER, M. D.
ACTING SUPERINTENDENT

Toombs Lawrence M. D.
TOOMBS LAWRENCE, M. D.
ACTING ASST. SUPERINTENDENT

M. D. Paine, Jr. M. D.
M. D. PAINE, M. D.
ASSISTANT PHYSICIAN

STATE OF ALABAMA
TUSCALOOSA COUNTY

TO: MISS ALICE J. DUCK, CLERK
CIRCUIT COURT OF BALDWIN COUNTY
BAY MINETTE, ALABAMA

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J. S. TARWATER, M. D.
ACTING SUPERINTENDENT

Toombs Lawrence
TOOMBS LAWRENCE, M. D.
ACTING ASST. SUPERINTENDENT

M. D. Paine M. D.
M. D. PAINE, M. D.
ASSISTANT PHYSICIAN

Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	<i>Murder</i>
	<i>Neal M^c Duffie</i>	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>Taylor Wilkins</i>	JUDGE'S FEES Warrant at 50c, Affidavit at 25c	75
Returnable <i>J. P. Cabent - (Prosec)</i>	Bond at 50c, Sci. Fa. at 50c	
Witness—For State <i>Mrs. M^c Duffie</i>	Witnesses' Recognizances at 25c	
<i>Mrs. George Lambert - Pete Sellers - H. F. Hall - Dr. M^c Leo Taylor Wilkins</i>	Subpoena or Notice at 25c	
<i>The defendant waived preliminary hearing and was heard before 1948 Fall Term of Grand Jury</i>	Continuance at 25c	
<i>Frank P. Probst J. P. Vincent 4 Bay Minette</i>	Trial of Misdemeanor at \$1.00	
	Mittimus at 25c	25
	Judgment on Forfeited Bond at 25c	
	Taking Bond, etc., on Appeal at \$1.00	
	Execution of costs at 25c	
	CONSTABLE'S FEES	
	Subpoena or Notice at 25c	
	Carrying Defendant before Justice, each mile for himself and guard at 10c	
	Arrest, 50c	
	SHERIFF'S FEES	4.00
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c	2.00
	Committing, \$1.00; Releasing, \$1.00	1.00
	Subpoenas at 25c Day's Board at 30c	10
	<i>Subpoena</i> BUSINESS FEES <i>FP10</i>	
	Days at 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	

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