

The State of Alabama,

Baldwin County

CIRCUIT COURT, FALL SESSION, 1960.

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

Douglas H. Walker and Elizabeth Walker, whose ^{names} are to the Grand Jury otherwise unknown, did have carnal knowledge of Betty Jo Petty a woman over the age of Fourteen years of age, without her consent, by administering to her a drug or other substance which produced such stupor, imbecility of mind, or weakness of body, as to prevent effectual resistance,

against the peace and dignity of the State of Alabama.

James C. Hendrix
Solicitor of the Twenty-Eight Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Fall Term, 19__60

The State
vs.

DOUGLAS H. WALKER and

ELIZABETH WALKER

INDICTMENT

RAPE

no Prosecutor

WITNESSES:

Betty Jo Petty 1-70-4125

Sally Philpot 1-70-4125

Carlisle Childress

B.D. Cobb

Mrs. Bernard Chavers 1-70-4125

GRAND JURY NO. 22

A TRUE BILL

George W. Engel
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 14 day of

Sept, 1960
W. J. Neuch
Clerk.

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

W. J. Neuch
Clerk.

Bail fixed \$5000.00

10 Major
Judge.

We the Jury find the defendant
not guilty

Frank Alden
Foreman

3137

STATE OF ALABAMA	*	IN THE CIRCUIT COURT
Plaintiff	*	OF BALDWIN COUNTY,
VS	*	ALABAMA
DOUGLAS HAIG WALKER & ELIZABETH WALKER	*	CRIMINAL DIVISION
Defendants	*	NO. _____
	*	

DEMURRERS TO INDICTMENT

Comes now the Defendants, jointly, individually, separately and severally and hereby demurs to the indictment and each and every count thereof alleges as follows:

ONE

The indictment is vague, indefinite and fails to allege sufficient facts on which to defend the charge.

TWO

The indictment is confusing and alleges an impossibility.

THREE

The indictment is indefinite and fails to apprise the Defendants of sufficient facts to state an offense against the State of Alabama.

FOUR

The indictment fails to allege an offense that each Defendant could be guilty of. For aught that appears Elizabeth Walker, a *single* lead Defendant, cannot be guilty of the same offense for which Douglas Walker, her husband, is charged. There is a *misjoinder* of parties. There *are* ~~is~~ no separate and distinct charges.

FIVE

The indictment does not state a criminal offense for which both parties could be charged.

SIX

The indictment fails to allege facts constituting a criminal

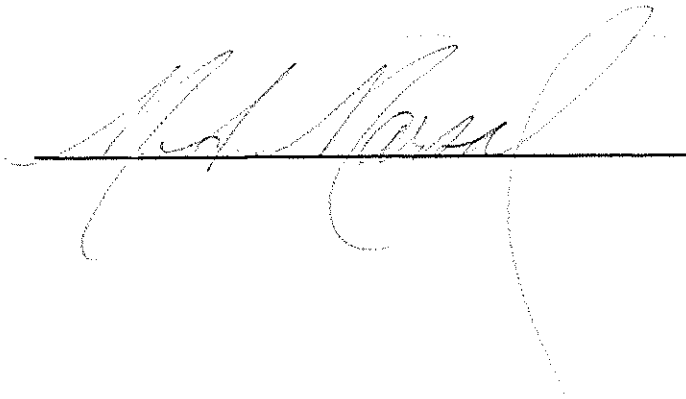
3137

-2-

offense against the State of Alabama.

SEVEN

Because of the confusing allegations of the indictment, the Defendants are not provided sufficient facts on which to defend this action.

A handwritten signature in dark ink, appearing to read "J. A. Marshall", is written over a horizontal line. The signature is fluid and cursive.

Filed
9-28-60
Alice J. Whack
Clerk

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Elizabeth Walker

at the Fall Term, 1961, of the Circuit Court of Baldwin County, for the offense of

Rape

you are, therefore, commanded forthwith to arrest the said Defendant and commit her to jail, unless she give bail to answer said indictment, and that you return this Writ according to law.

Dated this 14 day of Sept, 1961

Briggs W. Black
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 allowed us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19____.

Sheriff of Baldwin County.

CAPIAS

No. 99

The State
vs.

Elizabeth Walker

Executed this 14 day of Sept, 1960

By arresting the within

named Defendant

Bail fixed in this Case in Open Court at

\$ 5000.⁰⁰

and placing him On Bond

By H. M. Hall
Judge Presiding

Attest: _____
Clerk.

Jaylar Guilkins, Sheriff
W. O. Garner, Deputy Sheriff

O. M.

State of Ala
v.

Douglas Walker & Elizabeth Walker

JURY LIST - FALL, SEPT. 26, 1960

- ~~1. Matthews, Charles L., F.C.A., Robertsdale~~
- ~~2. Darnard, Dacie, Retired, Mag. Spgs.~~
- ~~3. Pauer, Randel, Telephone Oper., Daphne~~
- ~~4. Bishop, Aaron, Farmer, Fairhope~~
- ~~5. Bishop, Charles E., Carpenter, Fairhope~~
- ~~6. Bishop, Daniel L., Fisherman, Barnwell~~
- ~~7. Black, Rufus M., Farmer, Loxley~~
- ~~8. Brown, M.I., Service Station, Fairhope~~
- ~~9. Brown, Wesley, Farmer, Perdido~~
- ~~10. Bung, Floyd, Merchant, Fairhope~~
- ~~11. Bush, G.M., Mechanic, Stapleton~~
- ~~12. Carrer, Verlin, Farmer, Gulf Shores~~
- ~~13. Childress, Paul, Jr., Farmer, Loxley~~
- ~~14. Clemmons, W.P., Carpenter, Fairhope~~
- ~~15. Coche, James, Merchant, Fairhope~~
- ~~16. Countryman, B.C., Mechanic, Bay Minette~~
- ~~17. Davidson, W.W., Turpentine Farmer, Bay Minette~~
- ~~18. Durant, Earl, Brookley Field, Bay Minette~~
- ~~19. Edwards, Albert Dolphus, State Emp., Bay Minette~~
- ~~20. Faircloth, Gracy, Merchant, Mag. Spgs.~~
- ~~21. Foster, Walter H., Ford Dealer, Bay Minette~~
- ~~22. Frank, Jacob, Farmer, Elberta~~
- ~~23. Frank, Jake, Jr., Farmer, Elberta~~
- ~~24. Frank, Tony, Jr., Farmer, Elberta~~
- ~~25. Head, Hannis, Civil-Service, Stapleton~~
- ~~26. Hunt, Frank C., GRAMCO- Loans Manager S.E., Spanish Fort~~
- ~~27. Jackson, Thomas K., Brookley Field, Fairhope~~
- ~~28. James, Dayton, Mechanic, Foley~~
- ~~29. Kichler, Steve, Poultry Dealer, Elberta~~
- ~~30. Krischer, John, Farmer, Elberta~~
- ~~31. Laurendine, Timothy, Mechanic, Mag. Spgs.~~
- ~~32. Lindsey, Walter M., Abstractor, Bay Minette~~
- ~~33. Mullick, Frank, Jr., Farmer, Lillian~~
- ~~34. Sibley, Robert, Civil Service, Stapleton~~
- ~~35. Snowden, Forney N., Clerk, Bay Minette~~
- ~~36. Soesbe, John R., Farmer, Foley~~
- ~~37. Stuart, George, Construction Co., Spanish Fort~~
- ~~38. Sute, Anthony, Banker, Foley~~
- ~~39. Sute, Lawrence, Farmer, Foley~~
- ~~40. Swindler, Jimmie, Brookley Field, Rosinton~~
- ~~41. Venson, Cecil, Civil Service, Stapleton~~
- ~~42. Walters, Marion, Farmer, Bonx Secour~~
- ~~43. Waters, Freddie, Merchant, Bay Minette~~
- ~~44. Weatherford, Isaac, Merchant, Bay Minette~~
- ~~45. Weeks, Arthur, Farmer, Mag. Spgs.~~
- ~~46. Weeks, Hugh, Farmer, Mag. Spgs.~~
- ~~47. Weeks, Ralph, Farmer, Mag. Spgs.~~
- ~~48. White, Charlie, Dairyman, Robertsdale~~
- ~~49. White, John D., Civil Service, Stapleton~~
- ~~50. White, Rudolph P., Navy Yard, Robertsdale~~
- ~~51. Kaiser, Paul, Jr., Farmer, Gulf Shores~~
- ~~52. Kaiser, George, Farmer, Gulf Shores~~
- ~~53. Gill, R.A., Oil Co., Robertsdale~~

3137

3137

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|-----|-------------------------|------------------------------|--------------|----|
| 54. | Langham, Tommy M., | Merchant, | Bay Minette | 83 |
| 55. | Brantley, Billy S., | Salesman, | Fairhope | 86 |
| 56. | Robinson, Dale L., | Ins. Agt., | Foley | 62 |
| 57. | Crosby, John D., Jr., | Millman, | Bay Minette | 74 |
| 58. | Bruhn, Henry C., | Civil Service, | Elberta | 78 |
| 59. | Spencer, W.V., | Millman, | Stockton | 93 |
| 60. | Stuart, Harold | Cleaners, | Bay Minette | 90 |
| 61. | Hale, A.H., | Timber, | Stapleton | 12 |
| 62. | Noonan, Edward D., Jr., | Newport, | Bay Minette | 58 |
| 63. | Noonan, George L., | Signs, | Bay Minette | 12 |
| 64. | Krob, Joseph R., | Farmer, | Silverhill | 46 |
| 65. | Morris, Robert, | Farmer, | Gateswood | 12 |
| 66. | Brooks, Horace D., | Farmer, | Mag. Spjgs. | 58 |
| 67. | Langham, Lloyd, | Merchant, | Bay Minette | 12 |
| 68. | Richter, George A., | Farmer, | Elberta | |
| 69. | Yerman, Bryon A., | Salesman, | Mag. Spjgs., | |
| 70. | Ebert, Charles J., | Ins. Agt., | Foley | |
| 71. | James, D.E., | Clerk, | Robertsdale | |
| 72. | Boone, DeWitt, | Ideal Cement Cost Controller | Art Center | |
| 73. | Ruegg, Jacob, | Merchant, | Foley | |
| 74. | Leardbert, Carl, | Filling Station, | Bay Minette | |
| 75. | Chestang, Kim, | Civil Service, | Stapleton | |
| 76. | Rider, Billy, | Civil Service, | Stapleton | |
| 77. | Barrels, Herman, | Rest. Owner, | Lillian | |
| 78. | Brodbeck, Arnold, Jr., | Brookley Field, | Fairhope | |

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A series of 10 numbered diagrams (1-10) showing the progression of a musical staff with notes and rests, illustrating a sequence of musical notation.

3137
APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Elizabeth W. Walker, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Five Thousand + 00/100 - (\$5000.00) DOLLARS unless the said Elizabeth W. Walker appears at the NEXT Term, 1960 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 RAPE (CAPIAS)

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____

_____ Baldwin County, Ala.

Taken and approved this the 13th day of Sept, 1960

By Elizabeth W. Walker, Sheriff

Deputy Sheriff

Elizabeth W. Walker L. S.
Mobile Banking Co L. S.
Harvey P. Pugh L. S.

9-14-60
Brannan

No. _____

State of Alabama

Baldwin County

Court _____

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19

_____, Clerk

9-1-60

Children

No. _____

State of Alabama

Baldwin County

Court

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____

19 _____

_____, Clerk

3137 APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Douglas H. Walker, as principal and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Five Thousand + no (\$5000.00) DOLLARS unless the said Douglas H. Walker appears at the Next Term, 1960 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 RAPE (CAPIAS)

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____

_____ Baldwin County, Ala.

Taken and approved this the

14th day of Sept, 1960

By _____

Deputy Sheriff

Douglas H. Walker L. S.
Mehle Bonding Co L. S.
Harvey L. S.
_____ L. S.

John Wilkins, Sheriff

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Douglas H. Stackerat the Fall Term, 1960 of the Circuit Court of Baldwin County, for the offense ofRapeyou are, therefore, commanded forthwith to arrest the said Defendant and commit himto jail, unless he give bail to answer said indictment, and that you return this Writ according to law.Dated this 14 day of Sept, 1960Wm. J. Hunt
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 allowed us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19____.

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

Taken and approved _____ day of _____, 19____.

Sheriff of Baldwin County.

CAPIAS

No. 99

The State
vs.

Douglas H. Walker

Executed this 14 day of Sept, 1960

By arresting the within

named Defendant

Bail fixed in this Case in Open Court at

\$ 5000.00

By H. M. Ydelle
Judge Presiding

Attest: _____
Clerk.

and placing him on Bond

Taylor Wilkins, Sheriff
W. O. Gainer, Deputy Sheriff

O. M.

State Of Alabama, }
Baldwin County. }

In the Justice Court of W. R. HOWELL T.C. HAND

Before me, T.C. HAND W. R. HOWELL, Justice of the Peace

in and for said County, personally appeared Sallie Philphot 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 27 August 1960 that one Douglas H. Walker
forcible ravished Betty Joe Petty, a girl

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 7 Sep 1960
day of September A. D., 19 60

C. L. Lued, J. P.

Sallie Philphot

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Douglas H. Walker

and bring him
before me to answer the State of Alabama on a charge
Rape

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

Witness my hand this 7 day of September, 19 60

C. L. Lued, J. P.

No.....

Page.....

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

T. C. HAND

~~M/R HOWELL~~

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Douglas H. Walker

Witnesses for the State

Sallie Philphot
Carlisle Childress
B. D. Cobb
Taylor Wilkins

DESCRIPTION

Height.....Weight.....

Color.....Sex.....

Age.....Hair.....

Address.....

JUSTICE COURT OF BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA
vs.

Douglas H. Walker

Executed this the 7 day of Sept 1960

By arresting the within named Defendant

and placing him or her in jail

Taylor Wilkins, Sheriff

Carlisle Childress, Deputy Sheriff

....., Highway Patrol

Personally appeared the under signed,
who being duly sworn desposes and says:
I am a Deputy Sheriff of Baldwin Co.,
Ala., In the above case, in the above
mentioned Court in executing the warr-
ant of arrest of the defendant. I traveled

72
miles by the most direct route to point of
arrest and return, and the Sheriff is en-
titled to milage at 10c per mile. Point of
arrest: Daley

Signed.....

Subscribed and sworn to before me this

7 day of Sept 1960

J. P. Court
Clerk J. P. Court

3137

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

Attorneys	Case	Charge
No. 14779	THE STATE OF ALABAMA, Vs. Douglas H. Walker	Rape

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <i>Sallie B. Wilphat</i>	Judge's Fees	
	Returnable <i>Grand jury</i>	Warrant at 50c, Affidavit at 25c	25
	Witness—for State <i>Sallie B. Wilphat</i>	Bond at 50c, Sci Fa. at 50c	
	<i>Carlisle Childress</i>	Witnesses' Recognizances at 25c	
	<i>B. D. Cobb</i>	Subpoenas or notice at 25c	
	<i>Jay Lee Wilkins</i>	Continuance at 25c	
7 Sept 60	<i>Sent to Grand jury</i>	Trial of Misdemeanor at \$1.00	25
		Mittimus at 25c	
		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	
		Arrest \$2.00, Bond \$1.00, Sci Fa. 50c	5.00
		Guard \$2.00, Finger Printing 1.00	3.00
		Subpoenas at 50c, Mileage 72	7.20
		Witness Fees	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

3137