

ROBERT AUSTIN WATTS RECORDS, 1948

Collection #:
M 621

Table of Contents

[User Information](#)
[Historical Sketch](#)
[Scope and Content Note](#)
[Box and Folder Listing](#)
[Cataloguing Information](#)

Processed by:
Wilma L. Gibbs
17 May 1995

USER INFORMATION

VOLUME OF COLLECTION: 2 manuscript boxes

COLLECTION DATE: 1948

PROVENANCE: Unknown

RESTRICTIONS: None

REPRODUCTION RIGHTS: Permission to reproduce or publish material in this collection must be obtained in writing from the Indiana Historical Society.

ALTERNATE FORMATS: None

OTHER FINDING AIDS: None

RELATED HOLDINGS: None

ACCESSION: 95.0003x

NOTES:

HISTORICAL SKETCH

Robert Austin Watts (1922-1951) was indicted for first degree murder in the shotgun slaying of Mary Lois Burney by the Marion County grand jury on 19 November 1947. Watts was first tried for the Burney murder in Shelby County in January 1948, after a change of venue. He was found guilty and was sentenced to die by electrocution on 10 May 1948. After the defense filed a new trial motion, the Indiana Supreme Court postponed the date of execution twice. In December 1948, the Indiana Supreme Court denied a petition for a new trial and set Watts's execution date for 1 February 1949. The National Association for the Advancement of Colored People took the case to the United States Supreme Court on the grounds that Negroes were discriminated against in the selection of the Marion County grand jury that indicted Watts, and that he was denied the right to consult with counsel during a six-day period while he was detained by authorities, but not charged. Within hours of Watts's scheduled execution, Justice Franklin Murphy ordered a last minute stay of execution, pending an opportunity for the entire Court to hear the question of constitutional rights.

On 27 June 1949, the United States Supreme Court ordered a new trial for Watts, after reversing the decision of the state Supreme Court. The trial was ordered on the grounds that blacks had been systematically excluded from the grand jury and that Watts had been coerced into making a confession under illegal conditions. Due to the Supreme Court findings, Special Judge William Marshall of Rushville set aside the original indictment in October 1949. Watts was again found guilty of murder in Bartholomew County. Judge George W. Long set an execution date for 12 July 1950. In June the execution date was postponed until 14 November to allow for another Indiana Supreme Court hearing. The final execution date was set for 16 January 1951.

On 8 January 1951, Governor Henry Schricker refused for the second time to commute Watts's sentence. Watts was executed at Michigan City on Tuesday, 16 January 1951. His body was shipped to Chicago for burial.

Sources: Material in collection.

Indianapolis Recorder, 6, 13, 20 January 1951

SCOPE AND CONTENT NOTE

This collection consists of 2 boxes of court transcripts pertaining to the 1948 State of Indiana vs. Robert Austin Watts murder case. The murder case (#4723) was tried in the Shelby Circuit Court before Judge Harold G. Barger. The transcripts were originally bound in four volumes; their original order has been retained. There is a chronological and alphabetical index to the 1,715 pages of court transcripts. The transcripts are contained in 16 folders in two boxes, arranged consecutively. The last folder in box 2 contains a Supreme Court Brief dated October 1948.

BOX AND FOLDER LISTING

Box 1: STATE OF INDIANA VS. ROBERT AUSTIN WATTS COURT TRANSCRIPTS, JANUARY 1948 (PP. 1-983) **FOLDER**

1: Court Transcripts (pp. 1-100)

2: Court Transcripts (pp. 101-200)

3: Court Transcripts (pp. 201-300)

4: Court Transcripts (pp. 301-400)

5: Court Transcripts (pp. 401-500)

6: Court Transcripts (pp. 501-600)

7: Court Transcripts (pp. 601-700)

8: Court Transcripts (pp. 701-800)

9: Court Transcripts (pp. 801-900)

10: Court Transcripts (pp. 901-983)

**BOX 2: STATE OF INDIANA VS. ROBERT AUSTIN WATTS COURT TRANSCRIPTS, JANUARY 1948
(PP. 984-1715); INDIANA SUPREME COURT BRIEF, OCTOBER 1948
FOLDER**

1: Court Transcripts (pp. 984-1100)

2: Court Transcripts (pp. 1101-1200)

3: Court Transcripts (pp. 1201-1300)

4: Court Transcripts (pp. 1301-1400)

5: Court Transcripts (pp. 1401-1478)

6: Court Transcripts (pp. 1601-1715)

7: Indiana Supreme Court Brief, October 1948

CATALOGUING INFORMATION

MAIN ENTRY: Watts, Robert Austin, 1922-1951

SUBJECT ENTRIES: Watts, Robert Austin, 1922-1951

Barger, Harold G.

Indiana. Supreme Court

Afro-Americans--Legal status, laws, etc.--Indiana

Afro-American criminals--Indiana--Indianapolis

Murderers--Indiana--Indianapolis

Trials (Murder)--Indiana--Shelby County

Trial transcripts--Indiana--Shelby County

Discrimination in criminal justice administration--Indiana

Afro-Americans--Civil rights--Indiana

END

