

The State of Alabama, }

Baldwin County

CIRCUIT COURT, Spring SESSION, 19 61

The Grand Jury of said County charge that before finding this indictment Earline Clark unlawfully and with malice aforethought killed Richard Peebles by shooting him with a rifle, but without premeditation or deliberation,

against the peace and dignity of the State of Alabama.

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

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Spring Term, 1961

The State

vs.

Earline Clark

Murder, 2nd

INDICTMENT

No Prosecutor

WITNESSES:

Edleigh Steadham

Booker T. Washington 1-80-375

Evelyn Peebles 1-60-375

Nelson Grubbs 1-70-4125

Taylor Wilkins

Carlisle Childress 1-70-4125

GRAND JURY NO. 27

A TRUE BILL

James W. Crosby
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 15 day of
Mar, 1961

Allice 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.

Allice J. Leuch
Clerk.

Bail fixed \$500

10 M. J. [Signature]
Judge.

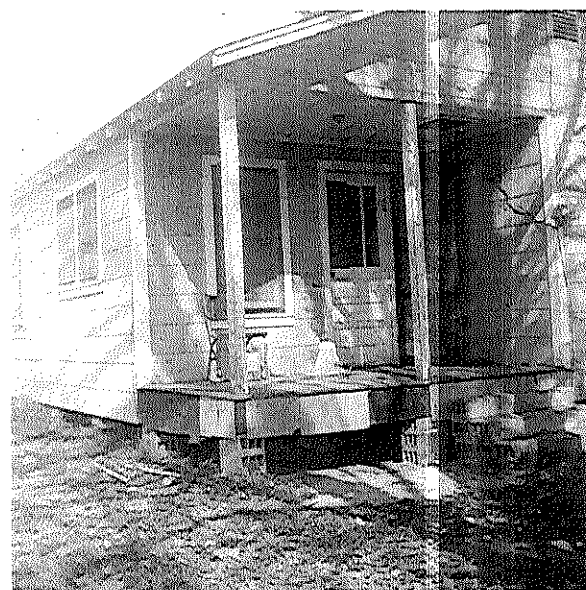
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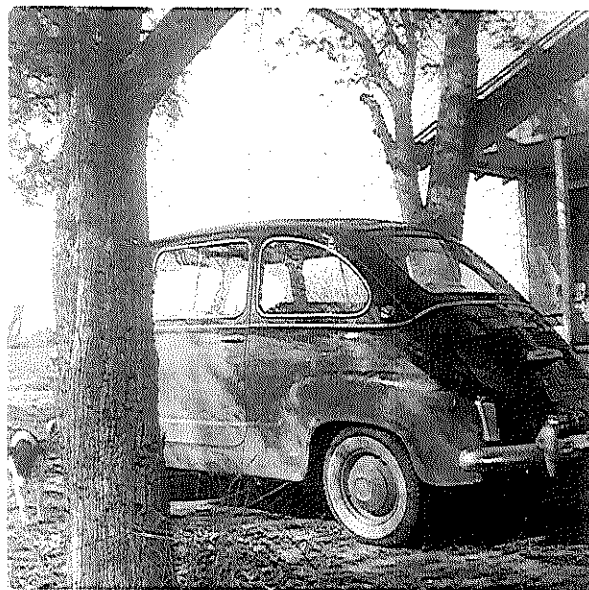
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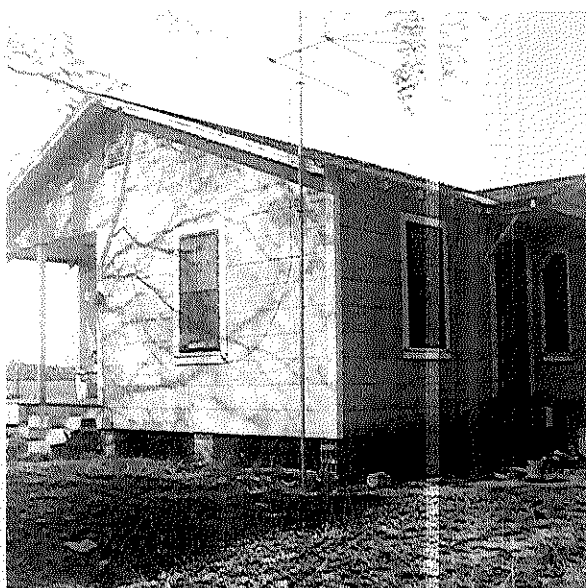
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FEB • 61 •



Foley, Alabama

January 4, 1961

Earline Clark
May 13, 1933 W/F

This is a free a voluntary statement on my part with no promises of immunity, nor threats against me having been made:

Richard Peeples came to my house yesterday, after I went home. He said he had some work to do at the cow pasture we rode home with him. I went in the house he followed me. I told him not to come in he come any way. He told me he was tired of fooling around with me. I could cry or beg he was going to do it anyway. (Go to bed with me) He said I could tell Wilburn if I wanted to he would just have to kill Wilburn and I would just have it on my conscience. After that my little girl came in the house and he left. He told me that I would see you in the morning that ~~HI?SSSII?R?II?R?R?R?~~ he would kill me or I would have to kill him. I packed my suitcase and put it on the bed I asked my husband if I could go home and stay with my mother some(that was last night) I never told my husband He told me that if I ever told him that he and Wilburn would have to fight it out and he would kill Wilburn. He came down there this morning with a wrench in his hand. He told me he was going to fix the heater. I told him I was going to leave, What are you going to tell Wilburn, I said I'm going to tell him the truth. I can't take it any longer. He has been fooling with me about three years. He told me if I told he would kill Wilburn and make it look like an accident. When he attacked me he would throw me down on the floor or on the bed. He told me Wilburn wouldn't believe me that he had raised him to ~~to~~ think and believe ~~like~~ like him. He was standing close to the heater had a wrench in his hand he was looking out the window where Wilburn was ~~in~~ in the truck. I was standing in the door coming out of the bedroom coming to the kitchen he said I wasn't going to tell Wilburn anything. He started toward me. I picked up the rifle and shot him, I didn't intend to kill him. I run after I shot I didn't know if I hit him or not. He followed me and said God Dam you Earline. My husband and Booker T Washington heard me hollering and screaming and came to me. Wilburn took the gun out of my hands and ~~asked~~ asked me where I hit him. He pulled his shirt off and he was bleeding in the chest. The loaded him in the car and took him to the hospital in Foley.

Signed: Earline Clark

AFFIDAVIT

Printed by Moore Printing Co.

State Of Alabama, }
Baldwin County. }

In the Justice Court of M. R. HOWELL

Before me, M. R. HOWELL, Justice of the Peace

in and for said County, personally appeared Carlisle Childress 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 Jan. 4 th, 1961 that one Earline Clark unlawfully, and with malice aforethought, killed Richard Peebles, by shooting him with a 22 cal. rifle.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 4th
day of Jan. A D., 19 61
M. R. Howell, J. P.

Carlisle Childress

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Earline Clark

and bring her
before me Jan. 7th at 1 P.M. to answer the State of Alabama on a charge
murder First Degree

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

Witness my hand this 4 day of Jan.

19 61

M. R. Howell, J. P.

MITTIMUS OR COMMITMENT

State Of Alabama, }
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of Carlisle Childress
charging Earline Clark
with the offense of murder First Degree

it appearing that such offense has been committed, and that there is sufficient cause to believe that she
has been guilty thereof, you are
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 4 day of Jan., 19 61

M. R. Howell
Justice of the Peace.

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

M. R. HOWELL

AFFIDAVIT

THE STATE OF ALABAMA

vs.

EARLINE CLARK

Witnesses for the State

Edleigh Steadham
Booker T Washington
Evelyn Peebles
Nelson Grubbs

DESCRIPTION

Height _____ Weight _____

Color _____ Sex _____

Age _____ Hair _____

Address _____

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA
vs.

EARLINE CLARK

Executed this the 11 day of Jan 1961

By arresting the within named Defendant

and placing him or her in jail

Gaylon White, Sheriff

C. L. Lewis, 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

77
_____ 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
_____ day of _____ 19____

Clerk J. P. Court

The State Of Alabama

Baldwin County

JUSTICE COURT OF

M. R. HOWELL

THE STATE OF ALABAMA

vs.

EARLINE CLARK

Mittimus

The State of Alabama

Baldwin County

I, _____
a Justice of the Peace in and for said State
and County, do and hereby certify that.....

_____ the Defendant; is required to give bail in the
sum of \$..... for his appearance at the
19..... Term of the.....
Court of..... County, Ala.

Given under hand this the.....
day of..... 19.....

..... J. P.

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Emeline Clark, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Twenty Five Hundred (\$2500.00) DOLLARS unless the said Emeline Clark appears at the

Next Term, 1961 of the Spring 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 in the First Degree

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 7 day of Jan, 1961

Raymond Speake, Sheriff
By Charles E. Speake, Deputy Sheriff

Emeline Clark L. S.
Paul Helverdan L. S.
Bob Anderson L. S.

State of Alabama

Baldwin County

No.

2

3

4

James H. Hester

No.

State of Alabama

Baldwin County

Court

Sheriff's Office

The State

vs.

State of Alabama

Baldwin County

No.

Amount of Bond \$

Sheriff's Appearance Bond

Amount of Bond \$

Filed

, 19

, Clerk

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Carline Clark

at the *Spring* Term, 19*61* of the Circuit Court of Baldwin County, for the offense of

Murder, 2nd

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 according to law.

Dated this *15* day of *March*, 19*61*

Alice J. Duck
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 hand and seal this _____ day of _____, 19____

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19____

Sheriff of Baldwin County

CAPIAS

No. 27

The State

vs.

Earline Clark

Pdals

Bail fixed in this case in open Court at

\$ 1500.⁰⁰

By H. M. Hall
Judge Presiding.

Attest: _____
Clerk.

Executed this 21 day of March, 1961

By arresting the within

named Defendant

and placing him on same Bond

Jaylen Wilkins, Sheriff

W. O. Gainer, Deputy Sheriff

Omi

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	First Degree Murder
No.	Vs. Earline Clark	

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to Sheriff	Judge's Fees	
Returnable Jan 7, 1946	Warrant at 50c, Affidavit at 25c	
Witness—for State Edleigh Stradham	Bond at 50c, Sci Fa. at 50c	
Booker, T. Washington	Witnesses' Recognizances at 25c	
Evelyn Peabody	Subpoenas or notice at 25c	
Nelson Brubaker	Continuance at 25c	
	Trial of Misdemeanor at \$1.00	
	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	
	Guard \$2.00, Finger Printing 10c	
	Subpoenas at 50c, Mileage	
	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	

The defendant waived the preliminary hearing to the Spring Term of the Grand Jury
 Bond set at \$250.00
 M. R. Howell, Jr.