

Pewter Garner – The Way It Was

Researched and Written by Jackie Layne Partin (2010-2011)

Mention his name to any of the older generation around the southwestern section of the plateau, and the stories will come. However, one must call him “Pewter Garner” and not by his given name, Perry Egbert Garner. He was one of those local characters, who, in his day, brought more color to the moment than the autumn leaves of our fall seasons. Of course, autumn brings wonderful memories of childhood jumps onto huge piles of fallen leaves gathered for burning or composting. Billy Thomas recently spoke of the yearly rides that he and his mother, Helen (French) Thomas Partin, made down the beautiful mountain at Jump Off. They lunched in Jasper, traveled through the valleys often looking up to the varying colors on the mountainsides, and ascended on the other end of the plateau into the brightest earth colors of fall. Pewter knew that same country well.

Contrary to nature, Pewter painted his life with swaths of colors that left his canvas difficult to view and discern. His life is viewed as folklore by some—to be displayed on a stage for entertainment, but others look back and remember him as being trouble with a capital “T.” Was he an actor on a live stage entertaining an otherwise bored audience? Was he a good neighbor that anyone would be happy to call a friend? Was he a likeable soul just trying to make a living the only way that mountain folks could in those years? Was he a pitiful soul, always prodded and bullied by others? Or was he a thorn in the side of everyone around him, a murderer, a leader of a mafia-like gang, a man to be feared? Had Pewter mottled his paints so cleverly that it is difficult, even today, for those who remember him to gather from his canvas the real image?

On September 11, **1897**, in Grundy County, Tennessee, just as a few, reluctant leaves began to show their fall colors, Perry Egbert Garner was born. His parents were George Washington and Sarah Ellen (Bearden) Garner. They lost their next born son, Charles Wesley Garner (1899-1900) and placed his tiny body in the Summerfield Cemetery. Sarah lost at least two more children who may also be in unmarked graves in the same cemetery; his other siblings were all sisters, Emma, Allie May, Mary and Hula. No doubt, Pewter did as my husband did when a young boy. When they got old enough to wander the forest alone, they took off like a streak of lightning away from “woman’s work” and all that female stuff. George W. Garner supported his family as a blacksmith at times, but like many families, he had a second profession, which we will speak of later.

Pewter grew up with the wilderness for a playground. The tall stately oaks, the sugar maples with their hidden fall colors, the prickly bull pines along the bluffs, and the giant,

relaxed hemlocks deeply planted on the floors of the coves were a canopy for him on hot days. The icy cold, fast-moving waters in the creeks that hurried along to the valleys below, and the majestic, white waterfalls with their colorful rainbows were everywhere for his entertainment. And there were always those dark, creepy crevices, those alluring rock houses with the echo of “drip, drip, drip” coming from within, or small, inviting caves in the bluffs along the mountainside that mountain boys yearned to explore. I remember my grandfather, Alex Layne, talking about Wildman’s Cave situated somewhere in Layne’s Cove where he grew up on the first flat along the mountainside. I also remember my brothers taking me to what they thought might have been the same little cave spoken of by our “Pop,” but I would not enter because it was full of those hideous cave crickets. Those things could jump so far and so quickly as to cause a young girl to have a “conniption fit.” When they didn’t want to be found, Pewter and many other young boys knew exactly how to disappear into this old foothill of Appalachia.



On December 23, 1916, in Grundy County, at the age of nineteen, he married Margaret Ethel Jane “Maggie” Kilgore, daughter of Allen N. and Lou Rebecca (Starling) Kilgore. Some say that she was the prettiest one of their daughters. Pewter was supporting his young wife as a coal miner working for Jim Levan. **(At left is a photo of Pewter and Maggie thought to be taken on their wedding day.)** Maggie’s paternal grandparents were Hiram and Nancy Jane (Tolbert) Kilgore. Her maternal grandparents were Alexander and Margaret (Turner) Starling.

On September 12, 1918 Pewter registered for the World War I draft, but he was lucky in that the fighting stopped on November 11, 1918. He and Maggie were living close to Daniel Cicero and Pearl (Sanders) King on Lee St. in Monteagle. *(I want to make a note here that if the Monteagle streets had names when I was a child, everyone forgot to tell me about it. They say ignorance is bliss, so I must have been a blissful child.)* Many young men with limited education, including my Pop, found working the mines one of the few legitimate choices to support one’s family.

On Mar. 09, **1919**, Pewter was the informant to those who kept records of deaths when his fifty-year-old father-in-law, Allen N. Kilgore, was shot and killed by Ed Myers. A newspaper article stated, *“Al Kilgore was shot and instantly killed at Monteagle, Sunday March 9, by Edgar Myers with a pistol. Myers was exonerated in justice court on ground of self-defense.”* One note I read was that this killing was over a “crap game.” Pewter was such a young man at twenty-one to have already been involved with such ghastly scenes. Sometimes ones heart becomes harden to violence at such a young age to the point that it seems normal or natural.

.When the 18th Amendment of the U. S. Constitution and the Volstead Act were implemented in **1919**, Pewter probably tired of the coal mines and ventured to change his occupation. He was then twenty-two years of age, just a great age to take advantage of the void left by the amendment. Already a practiced moonshiner, Pewter set about building his kingdom of secrets—hush-hush conversations; well-hidden, hard-to-reach hovels of foliage near water—by necessity; workable distilleries like those he had seen while romping the woods as a child; suppliers of corn and sugar; tough, fearless and trustworthy men; and clients with money. There was plenty “dough” to be made, but not without cost. Going deep into the earth to bring out coal was a dangerous occupation and for little compensation. On the other hand, distilling and bootlegging liquor were dangerous but much more lucrative. His knowledge of the coves around the mountain made it easy to set up stills and begin bootlegging just as his father, George W. Garner, was doing. Their occupations were so well-known that in the 1930 Census record of district five in Marion County, Pewter was listed as a “moonshiner,” and George W. was listed as a “bootlegger.” That alone was a bold admission by the Census taker, Thomas F. Gilliam, who simply wrote what he was told, or maybe he didn’t even have to ask; he probably already knew.

This reminds me of a story my husband tells about one particular time when he was a young boy in the 1950’s; in the woods where he was playing, he came upon a whiskey still with the mash fermenting. When he got back to one of the Partin families’ stores, Tracy City Furniture Store, he ran in loudly telling his relatives, “Guess what I just found. I found a still...!” Interrupting him, his tiny grandmother, Octavia Belle (Goodman) Partin, quickly rose from her rocking chair firmly declaring in her quiet, little voice, “Hush, hush child, you will get us burned out!” And she meant every word she said.

Lots of action happened in young Pewter’s life before 1930. In **1921**, Pewter went on a rampage and shot up a circus traveling through the Monteagle area. The story comes down that a man with an elephant kept getting closer and closer to where Pewter was sitting, and as the elephant walked passed, dirt was thrust upon Pewter’s clothing. Pewter, tiring of the dust and dirt, asked the trainer to move the elephant away, but he did not. So Pewter shot the man and the elephant ultimately bringing about the death of both. At least one Garner descendant

remembered the animal being a tiger and didn't recall the murder of the trainer. The following clip was listed in a newspaper in January 20, 1922: "Egbert Garner, of Monteagle, alias Pewter Garner, will go on trial on February 10, in connection with the shooting up of a circus at Monteagle." This is a portion of what was later written in a newspaper article:

Puter Garner Trial Set for October Court Docket

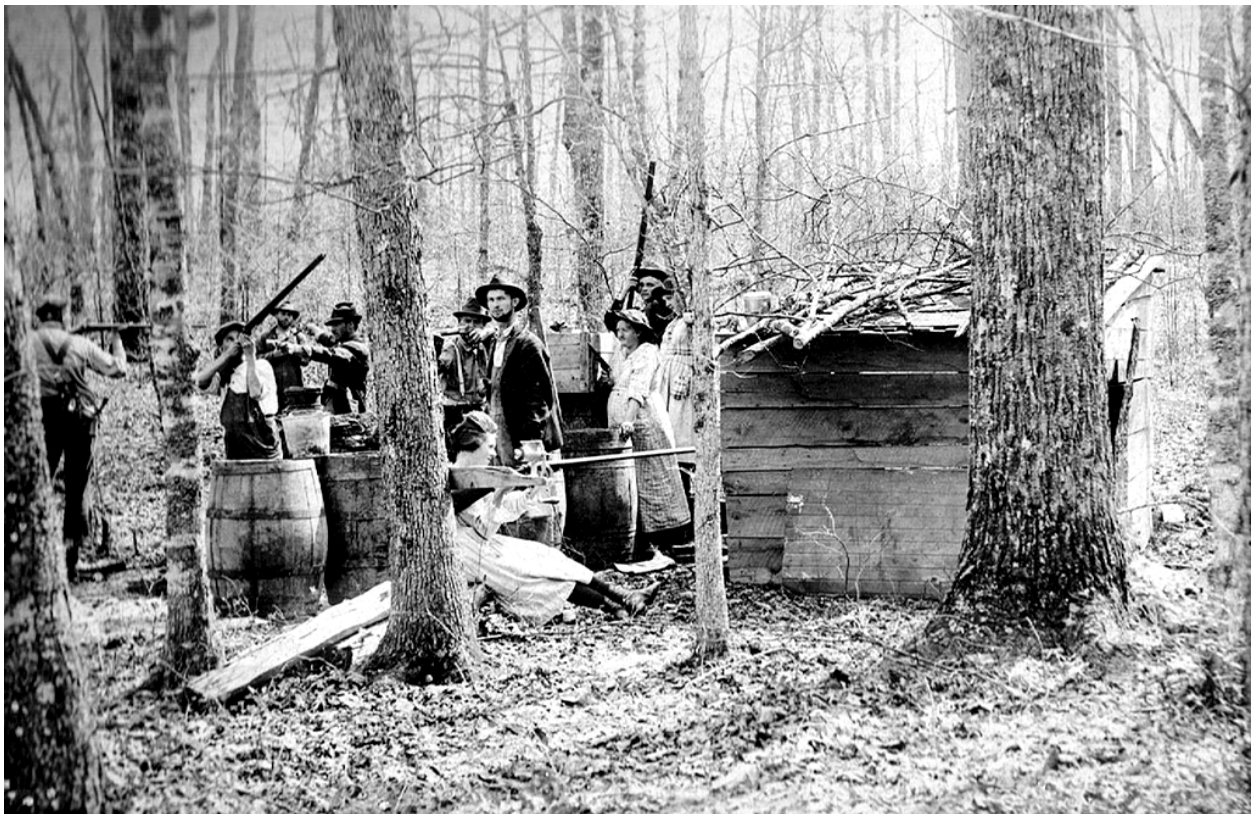
"Failure to Subpoena Witnesses Necessitates Continuance Of Monteagle Case; The case of Puter Garner, charged with shooting up a circus at Monteagle with serious results, and, which was set for hearing last Monday in circuit court at Jasper, has been continued to the October term of court. Postponement was made necessary by failure to secure witnesses."

Being that the case was to be heard in Jasper, the circus must have been situated on the Marion County side of the railroad tracks in Monteagle. Pewter was charged with felonious assault in four cases in connection with the shootings. Early on, some local folks began to fear Pewter—thus "no witnesses" in the above story. He had built a reputation of notoriety, which aided in keeping the locations of his whiskey operations secret. It was far easier to make and sell the illegal brew if the locals were afraid to tell the revenuer what they knew about any distilleries. The forest and coves around Monteagle, Summerfield, Jump Off, Sherwood, Ladd's Cove and Orme were not places where one wanted to take a long *family* hike. Customers knew who the middle men were and their places of business, so they stayed away from the actual stills. Rarely could a stranger accidentally walk upon a still; men on the watch prevented that from happening. Some moonshiners/bootleggers feared getting caught, for it meant certain jail or prison time, but they normally would not go so far as to kill anyone. But there were those like Pewter who appeared to fear no one, consistently displaying his power, being certain that others got the message. (The word "bootleg" originates from the practice of smuggling illicit items in the legs of tall boots, particularly the smuggling of alcohol during the American Prohibition era. **Moonshine** (also called **white lightning**, **mountain dew**, **hooch**, and many other names) is an illegally produced distilled beverage. The word is believed to derive from early English smugglers and illegal Appalachian distillers who clandestinely (i.e., by the light of the moon) produced and distributed whiskey – Wikipedia).

On several occasions, I was told with sincerity that Pewter was prodded into the confrontations he encountered with others, that he wasn't such a bad fellow. In other words, if outsiders including the law had minded their own business, there would have been no trouble at all. Oddly enough, word was that in the 1930's, someone's moonshine distillery had a whistle on it which sounded each morning, lunchtime, quitting time and at night to let the men around the area know that a brand new batch of moonshine was ready. One man handed that story down to his son, the whistle actually was blown; what a "fly-in-your-face" attitude

toward the law and the law-abiding citizens of the area. (**There surely were some law-abiding citizens in and around Grundy, Marion and Franklin Counties, weren't there?**) But we all know that often the law was on the dole, so **blow that whistle loudly**, no one will notice, except the eager consumers, and the women and children who endured the destruction created by liquor. Recently an elderly lady informed me that everyone was scared to death of Pewter Garner in his more active days, and that mothers warned their children to stay clear of his presence.

Pewter was a sharp shooter and taught his buddies and relatives to shoot. One story goes that a young boy was on watch on the edge of the bluff where Pewter was living when six or seven revenuers came up to the bluff and asked the boy where Pewter Garner could be found. The boy pointed in a certain direction down under the bluff; then one man in the group asked the youngster, "After we go down there, is there a quicker, easier way to get out of here?" The boy declared, "If you go down there, you won't ever be coming out!" This frightened the men, so they left to seek backup. This is just the fear Pewter intended to instill in the minds of outsiders. He was shrewd and calculating.



Making Moonshine in Grundy County

The tall man in the center is Lonnie Edgar Bess (1898-1977)

Pewter moved around a lot. He lived near the old Kunz home, now Meadowood, in Tracy City for a while. For a period he also lived on Pigeon Springs Road near “Yellow Crossing,” the Haynes railroad station. In Monteagle, he lived across the road from where Layne’s Detail Shop is now at the old Overturf home. He lived up the lane between the Summerfield School and the little Church of Christ that later became the Dick Meeks’ house. And then he lived in Orme and in a place called Doran’s Cove. He lived in a two-story house in Orme which enabled him to keep a lookout for the always sneaky, threatening federal law. His relatives report that Pewter always kept a gallon of that “steamed corn whiskey” placed on a table ready for the pleasure of anyone who might drop by for a visit. In the Lost Cove area of Sherwood, he distanced himself from the law. When he needed to hide out deeper into the woods, those coves in Franklin County were good places to get lost, or maybe a trip up to Detroit, Michigan, to hide out would be helpful—of course, always bootlegging wherever he went. Maybe he just tired of one area and found one he liked better, but I figure he followed the money and the secret hideaways.

In an August 1922 newspaper article, we read of “**TWO BATTLES ON MOUNTAIN.**”

There were two shooting affrays in the Monteagle district of Marion and Grundy counties Saturday, in each of which Bill Davis, a mountaineer lumberman, figured, in the latter of which a battle was fought between him and Egbert Garner across the line dividing the counties of Marion and Grundy, Garner being in Marion county and Davis in Grundy. The first shooting was in Marion county and two men went down under the buckshot from a shotgun carried by Davis. In the second battle Mrs. Egbert Garner was killed as she came from her home upon hearing a pistol battle before her door, the shot being aimed at her husband.

The first shooting occurred at the home of Bill Davis about one mile from the top of the mountain at the head of Battle Creek Cove, when with a double-barrel shotgun loaded with buckshot Davis opened fire on Milt Tate and John Ladd, who had come to his place where he operates a saw mill. Both fell. Tate was slightly wounded, but Ladd was “shot to the hollow” and his condition Sunday was desperate. Davis claimed he shot them because they resisted arrest, claiming himself to be a revenue officer and clothed with power to take them. However, this had not been verified, and popular opinion is that it is the result of a grudge against them on account of some law suits. Whether either of the parties or both were in the moonshine business is a question, but at any rate the illicit distilling business has been a great factor in disturbing the peace of the section where the parties reside....

Shooting No. 2 was staged on the streets of Monteagle, the quiet mountain town, where culture is pre-eminent. After the shooting at his home Davis went to

Monteagle, it is presumed to effect a get-away from the Marion sheriff now on his track. He was heavily armed, and meeting Egbert Garner, popularly known as "Pewter" Garner, with whom it was said he was at odds, a battle ensued, this time with pistols. The battle occurred where the railway tracks pass thru Monteagle and Garner after his pistol was empty ran to his home near-by and got his 30-30 high-powered rifle. Davis was waiting for him directly across the railroad track on the Grundy county side, ready for action. Garner had renewed the battle because one of Davis' shots had struck his wife, Mrs. Egbert Garner, who on hearing the shots and fearing for her husband when she saw the trouble between the men, had run out into the street. One of the five shots that Davis had directed at her husband struck her, and she died in a few moments.

Sheriff Sartain, of Grundy county, who had been summoned to assist in the arrest of Davis for the first shooting, had now run up to him and commanded him to yield. Whether (~~illegible~~) was about to do so or not, is not said, but Garner as he came up with his high-powered rifle ordered the sheriff to stand aside. The sheriff refused to do this and a second command came from Garner, who ordered him to get out of the way or he would shoot thru him to get at Davis. This, the sheriff was forced to do, as he was between two infuriated men, and the battle was renewed. Garner's first shot, with the railroad track between the two men, struck Davis in the right shoulder, a second shot struck him in the side, and as he fell a third shot hit him in the other side. Davis was still alive Sunday and Garner was not injured. Garner was arrested and placed in jail at Tracy City."

According to local stories, Davis tried desperately to hide behind a telephone pole right in front of the New York Store (*later Lacy's Drugstore*) to protect himself from the array of bullets coming from Pewter's gun. Maybe he had not heard the stories about the sharp eye and sure hand of his opponent. Davis' wounds in the right shoulder and in both sides indicate that something was protecting his torso, probably the telephone pole.

William Levi Davis was reportedly carried to the Monteagle Hotel where his wounds were cared for only to die nine days later. He was buried at Bonnie Oak Cemetery in Coalmont. He was fifty-eight. Sheriff Isaac "Ike" Washington Sartain, husband of Grace May (Thomas) Sartain, had his hands full with these young troublemakers. What between Pewter and those Barlew boys in Tracy City – better known as the "Blue" brothers, Sheriff Sartain had no rest. However, he too was no stranger to the use of the gun to settle problems, but that is another story.

John Ladd wounded by Davis in the above newspaper clip stayed in trouble with the law all the time. The wounds inflicted by Davis on that day, obviously healed well enough for

Ladd to continue his mischief, but the sad thing is that he didn't learn a thing from the incident as seen from the following article:

“JOHN LADD SHOT TO DEATH DURING STREET FRACAS: *John Ladd, well-known in Marion county and often in difficulties with officers of the law because of alleged law violations, was shot and instantly killed in Monteagle Tuesday, September 16, following a street encounter with Henry Norwood. The killing took place at the railroad crossing near the old Fairmount college site. Ladd, according to reports following the shooting, had lost a quantity of wine, and had charged sons of Henry Norwood with the theft. Ladd and the elder Norwood met at the grade crossing and a hot discussion followed. Norwood, who was armed with a shotgun, fired on Ladd at short range, the charge striking him in the chest, killing him instantly. Norwood claimed that Ladd had made a gesture as if to draw a weapon, and that he fired in self-defense. Both Ladd and Norwood are well-known in the Monteagle section. Ladd was at one time a prisoner in Marion County jail, and made his escape by taking out a section of brick wall. He was later recaptured.”*

I grew up in the nice quiet town of Monteagle. It saddens me to know of so much killing, not only in the years before my birth in 1942, but for years afterwards. I grew up in the presence of several of these murderers, or maybe they were just innocent men prodded into mischief by unsavory characters. Of this, I have my doubts. I know from one frightening experience within my own family involving a gun, that there are only seconds between life and possible death. Alcohol and firearms don't mix. It is moments like this, allowing my thoughts to go back in time, that I am almost ready to forgive Elizabeth Purnell for writing (1898-1900) in her book, *John Gamp*, about some of the Layne folks around Monteagle as though they were from another planet. I have noticed throughout the years of our killings in Monteagle that there is something quite dangerous about those “railroad tracks.” It seems that it was quite important to kill or be killed on the right side of the tracks. If you were a resident of Grundy County, then keep the argument going until the other guy gets both his feet on the Grundy side or vice versa. Never do your mischief on the other side of the railroad tracks; those lawmen from the rival county might just not take a liking to you shooting up their county. Jail time might just be a little less comfortable. You know, I am glad those old railroad tracks are gone; maybe, just maybe Monteagle can stay the peaceful town it appears to be right now in 2011.

Also there are two stories of the killing of sweet, innocent Maggie Garner, one being that she took the gunshots to protect her husband, and the other is that Pewter ran behind Maggie to seek protection. In the recesses of my mind, I pulled out this little story told to me by someone in my past: *Maggie Garner was hanging her clothes out to dry one day when a bullet went*

straight through her clothing. I wonder if she was just used to it and kept on hanging out the clothes, or if she lived in constant fear for her life! I love my husband, but I am not sure that if he and another crazy fellow were involved in a shooting “affray” on the streets of my sweet hometown of Monteagle, that I would run into the line of fire. However, I can positively beyond a shadow of a doubt, declare to the reader, that if someone were shooting at my children or grandchildren, I would step into the line of fire and meet my Maker. Only Maggie could tell us what was on her mind at the time. In the Monteagle Cemetery one can find her little stone that reads: “Margaret E. Jane Garner, Aug 3, 1899 – Aug 19, 1921.” She is buried near a maternal aunt, Martha Ida “Mattie” (Starling) Wallace. The difference in the death year in the newspaper (1922) and on the stone (1921) is anyone’s guess.

As we move along in Pewter’s life, we must remember that Prohibition was in effect until 1933 with the revenuer always quietly creeping throughout the deep hollows and heavy forests around the mountain. Several killings in Grundy County during those years had to do with moonshine liquor. In the August 2, 1923, “Mrs. Grundy” newspaper we read:

“Egbert Garner, commonly called “Pewter” Garner, and Frank Kilgore, of Monteagle, became involved in a difficulty with Jordan Aylor Sunday afternoon, as a result of which Aylor died at the hospital in Sewanee Sunday night from the effects of several gunshot wounds. Kilgore was shot in the hands and face, and Garner in the leg, but neither seriously hurt. Just what the trouble came up over is not known, except that bad blood had existed between Garner and Aylor for years, Aylor having cut Garner on one occasion with a knife, and beat him up with his fists on another occasion.

Garner and some other party were scuffling, and Kilgore was nearby when Aylor, who had a young man under arrest for carrying a pistol came up. The report is that Aylor shot Kilgore in the hands with a shotgun without warning. Kilgore then procured a high power rifle, or having it, put cartridges in it and opened fire on Aylor, and Garner did likewise. Aylor was shot a number of times, but was able to walk 150 yards before he fell. He was then carried to the hospital at Sewanee and died Sunday night. The shooting took place on the road from Monteagle to Tracy City, and about one mile from Monteagle.

Aylor was considered a dangerous man as he shot and killed a man by the name of Clepper about 3 years ago and on the Saturday night before he was killed had unmercifully beat up a man by the name of Carter Bennett who he had under arrest. Kilgore and Garner were later arrested, and gave bond for their appearance for preliminary hearing next Friday. Hubert Wooten was also arrested as an accessory.”

Now let's follow the claims in this newspaper article step by step:

- 1) Around 1920, Jordan Aylor shot and killed a Clepper man. (**Note:** *Jordan Aylor did kill Jim Clepper on Dec. 26, 1919 in Grundy County.*)
- 2) Jordan (*Jerd*) Aylor had at some time in the past cut Pewter Garner with a knife and had beaten him with his fists on another occasion.
- 3) Saturday night before the following event, Jordan Aylor had arrested Carter Bennett and had unmercifully beaten him.
- 4) Sunday afternoon, Pewter Garner and someone were scuffling; Frank Kilgore was nearby.
- 5) Jordan Aylor walks up to the scuffle with a handcuffed prisoner in tow. Jordan had a shotgun (*and probably the arrested prisoner's pistol. Also remember that Jordan's fists had to be swollen, bruised and maybe even broken somewhat because of the beating the night before.*)
- 6) Jordan Aylor shoots Frank Kilgore, an onlooker, in the hands for no reason at all. He also shoots Pewter Garner in the leg.
- 7) Frank Kilgore procures a high-powered rifle, loads it and begins firing at Jordan Aylor; Pewter does the same thing. (*Jordan Aylor seems to have just stood there and waited for Kilgore and Garner to get guns, load them and fire at him.*)
- 8) Jordan Aylor managed to walk 150 yards before he fell to the ground. He died later that night at the hospital in Sewanee.
- 9) Obviously there were at least two eye witnesses to this event, the person with whom Pewter was scuffling, and the arrested young man in handcuffs. One of these two must have been Hubert Wooten, probably the one with whom Pewter was scuffling.
- 10) Garner, Kilgore and Hubert Wooten (*who had grown up in the neighborhood with Frank Kilgore*) were arrested.

Interestingly in the same edition of "Mrs. Grundy," an obituary was written for Jordan Aylor "by a friend Dr. Lillian W. Johnson."

"Greater love hath no man than this, that a man lay down his life for his friends." Jordan Aylor, who was shot to death from ambush Sunday, July 29th, while in the discharge of his official duty, is no less a hero than the men who gave their lives in France. For the past five years with his own life constantly threatened, he has persisted in his efforts to check the evils which he believed liquor drinking aroused in men's nature.

A man is best judged by the company he keeps. Jordan Aylor had as his friends the best men and women of his home communities of Summerfield and Monteagle.

He was idolized by his sisters and brothers, and even while under a charge of murder, he won and married Myrtle McFarland, a woman of rare strength and sweetness of character. Their two babies have been robbed of a devoted father.

Hundreds of the best men and women of this section gathered around the bier of Jordan Aylor and expressed their devotion to him, they mourn him not only as a friend, but also as a martyr to the cause of righteousness."

Dr. Lillian W. Johnson was "the beginning" of Highlander Folk School. She donated land and a house in Summerfield to Myles Horton and Don West for the establishment of the school. She served on the Grundy County Board of Education, and it was she who brought May Justus to our county. She also was a neighbor of the Aylor family who resided not too far from where the school was built. This gave her first hand knowledge of how her friend, Jordan, conducted himself in his home and in his job as a law officer. Subsequently, Pewter was also well-known to all. She knew him well and needed to rid the community of his influence so that she could continue with her vision for what became known as the Highlander Folk School. It was actually believed by some that Dr. Lillian appointed Aylor to marshal the area and that he was not an official revenue officer. However, let's read this clipping from a **March 29, 1923** news article:

"Sheriff Belk and deputy sheriff J. D. Aylor of Montegle who had wide experience with the revenue forces under Revenue Officer Jackson, former sheriff of this county, arrested Key Coppinger of this place Friday with one and a half gallons of liquor in his possession...After the arrest, Aylor loaded the whiskey, which was in a gallon jug and a half gallon fruit jar, into his automobile and took it to Jasper...Aylor, who was active in the raid, is a fearless officer. He has taken part in many dangerous raids. He has heard the bullets sing many times, and he has learned his calling by hard experience. His methods are most approved of modern revenue science, and he takes no chances. His education also consists of wonderful ability to use a gun which if its bullet merely flicks a man's skull at 500 yards drops him like a (?)og."

A month later, "...Deputy Sheriff J. D. Aylor and assistant deputy Elbert McFarland both got a prisoner and then lost him in the person of George Massy Sunday evening in the Dripping Spring neighborhood near Monteagle...when Aylor returned and found Massey gone his chagrin was intense, but he says he is sure going to get him..."

From the Grundy County Registry of Prisoners one can read tidbits of activity in Pewter and his friends' lives.

1) Aug. 01, 1923, I. M. Sartain brought in Hubert Wooten, Pewter Garner and Frank Kilgore for murder. They were released on Aug. 03, 1923 upon paying the \$2.00 bond fee. (*Hubert Wooten was the son of Benjamin F. and Cynthia J. Wooten; Frank Kilgore was a first cousin to Maggie (Kilgore) Garner and a son of John Stephen and Tennessee Kilgore. The Wootens and Kilgores were neighbors in the Trussell Road area of Monteagle.*)

2) Nov. 23, 1923, Hubert Wooten was released after one night in jail.

3) Nov. 27, 1923, twenty-three-year-old Frank Kilgore was arrested for murder on a true bill. (*Interestingly, at the time, Frank was sporting three gold teeth.*) The county judge was John Gallagher.

4) Dec. 26, 1923, Hubert Wooten was arrested for "aiding a prisoner to escape." He was dismissed from jail on Dec. 29, 1923 after he paid his dues. (*I guess he felt Pewter needed to be home for Christmas and helped him do just that.*)

5) Mar. 06, 1924, P. H. McGovern brought in Pewter Garner for murder. He was returned from his escape. He paid his \$1.00 bail and was released.

6) Mar. 08, 1924, P. H. McGovern arrested Frank Kilgore who was taken to Winchester two days later.

7) July 24, 1924, Frank Kilgore was arrested and "removed to Winchester July 31, 1924."

8) Feb. 27, 1926, Frank Kilgore was once again arrested and released on Mar. 02, 1926.

Busy, busy, little gang, weren't they? One wonders who the "confused ones" were—Pewter and his friends or the law of the day? In the August 9, **1923**, edition of "Mrs. Grundy" we read:

"The preliminary trial of Pewter Garner, Frank Killgore and Rufus Wooten who were charged with the killing of Jordan Aylor on July 29, was tried before Esq. A. J. Brannan last Friday and Rufus Wooten was acquitted and Garner and Killgore were placed under small bonds for their appearance at court, which was quickly made by the defendants."

Notice the bond cost in # 5 above. One to two dollars was a set bond for those days for just about any crime. In another newspaper, this account was given:

"Tracy City, Tenn., March 14—Circuit court adjourned here last Saturday night after a three-days' session devoted to the trial of Egbert Garner, Frank Kilgore

and Hubert Wooten, charged with the murder of Jordan Aylor on July 29, last. At the conclusion acquittal – as to Wooten, the proof not being sufficient to connect him with the crime. The jury found the other two defendants guilty of manslaughter, and fixed their maximum punishment at four years in the penitentiary. A motion for a new trial was made, and will be argued some time in the future and if over-ruled, an appeal will be taken to the supreme court.

Garner was recently acquitted of a murder charge in Franklin County, is under indictment for another killing in Grundy county and was not indicted for still another killing at Monteagle some months ago.”

In a March 04, 1925 newspaper clipping, we read more about Frank Kilgore’s court case:

“Case Affirmed Against Kilgore—The supreme court affirmed the case against Frank Kilgore of Grundy county, who was convicted for voluntary manslaughter, with sentence to the penitentiary for not less than two years nor more than four years. Case was for shooting and killing Jordan Aylor, a deputy sheriff of Marion county, near the Monteagle Sunday School assembly grounds. The proof showed a very bitter enmity between Kilgore and Aylor, and an exchange of shots followed the meeting of the two men at the time Aylor was killed. The court found that Aylor was not the aggressor and that Kilgore did not shoot in lawful self-defense.”

From newspaper reports and county jail records one is able to see that Pewter, his relatives and his friends were living dangerously, but when the gallons of whiskey were delivered at a buyer’s secret place and the money counted and hidden, things were good for the moonshiners. Pewter once took two large tanker-like milk trucks to Cleveland, Ohio; of course, they were full of moonshine. Bootlegging had taken on a whole new form of distribution. Life was one big adventure made easy by having access to the ingredients for making the illegal beverage at our local stores. The only hard work involved was finding just the right place in the deep woods near water to set up the distillery. The revenue men watched like hawks every move, so “look outs” were planted around to warn the moonshiners. It always seemed to me that all the law men needed to do was follow the wagon or truck loaded with sugar, but maybe they had to find the distillery to have the real proof—*no pun intended*. I also wondered how the storekeepers got away with selling sugar in large quantities. It is obvious that even they broke the law.

One “Pewter” story was that he was logging on the side of the mountain near Highway 41 as it climbed up from Pelham to Monteagle. He noticed a vehicle stuck in the mud and went to help free it. The owner of the car, Al Capone, later introduced himself to Pewter. My take on that story now is that Pewter probably knew Big Al well and was waiting for him to

arrive. Someone had to keep the whiskey flowing to the big fellows passing through. Of course, even after 1933 when the Prohibition era ended, homemade brew was still popular. I can tell you from my childhood memories just who was making whiskey and running it in private cars and taxi cabs, but thankfully the name Pewter Garner was not one I knew as a child. Pewter did continue to make whiskey not too many years before his death. Better yet, I knew many who were buying it. Let's face it—the stuff was just desired above that produced in commercial breweries, and it was not just the poor, sorry sot on the side of the road who was buying from the moonshiner—the rich folks who lived in our town or frequented our area were great customers. An enormously wealthy man told me a few years back exactly which house in Monteagle he went to buy his liquor. He told me nothing that I didn't already know.

On December 3, 1928, Pewter married again. His new bride was Eva May Overturf whose grandfather, Henry Lee Overturf, had once served Grundy County as its sheriff. The Overturf family hailed from Gruetli, Tennessee. Eva May was the daughter of Edward Finley and Mary Florence (Fults) Overturf who was a daughter of Smith and Tymi (Sanders) Fults. Edward and Florence children were Gilbert Earl, Wilma, Ora Estelle, Oscar Darrell, Elsie, Eva, Iva, Woodrow and Delma Louise.



Overturf Family Pictured in 1910

Standing Left to Right: Mrs. Lockhart, Ora Estelle, Gilbert, Wilma and Oscar Darrell Overturf; Seated: Elsie, Mary Florence, Eva May, Edward Fenlon/Finley and Iva Overturf

Elsie {b. ca. 1904, (1910 Census record)—d. Dec. 15, 1910}, is the child being held by the mother, Mary Florence Overturf. Little Elsie is dead. She is dressed for burial, and the family in its bereavement gathered for a picture before she was buried.

The little girl, Eva, standing between her father and mother in the picture above grew up to be a strong, confident, young woman. Maybe she had an adventuresome soul making her fit right in with her new Garner family. Pewter and his new bride lived for a while in Dorans' Cove next to George W. and Sarah Garner. As stated before, in the 1930 Census both father and son were recognized as dealing in illegal whiskey. One needs only to look at the photo of Pewter and Eva on the right and muster several opinions. I have looked at many old, "couples" photos and find this one quite unusual in that she is sitting in an unlady-like manner for those days and on the arm of the chair instead of behind her husband. When I first saw the photo, I thought of the notorious Bonnie and Clyde gangsters of the same era. They are both dressed in the best clothing and shoes of the day. Pewter is sporting a broken, or rearranged nose, smoking a nice cigar and wearing the look of a gangster, all leading me to conjure up an *opinion* of mischief.



Orme was a good hide-a-way for Pewter. He had dug a big hole for himself with all his mischief, and if he wanted to get away from the limelight for a period of time, he could think of no better place to go than the coves and mountainside around the little community of Orme. Near where the Garners were living was a huge sawdust pile which was used to fuel the fire needed to keep the family distillery up and running. (*I don't exactly know how that works, but it was told to me by a Garner descendant.*) One day near this sawdust pile Pewter and a buddy were hanging out and drinking whiskey. As usual Pewter had his gun with him for protection. His buddy and he got into an argument over how far Pewter could shoot and hit his target. Pewter pointed to a small spot on a tree a good distance from where they were standing. He declared that he could hit that spot, but the friend argued that it was impossible because the tree was too far away. Pewter argued the point and told his buddy that if he didn't believe he could shoot that far and hit his target, then he should go stand at the tree and see. When his buddy reached the tree, Pewter fired hitting his friend directly in the "rear end" casting no doubt that Pewter was a sharp shooter and that his word should not be questioned.

From time to time, Pewter would climb out of his world at Orme and visit his sister in Summerfield. Emma (Garner) Sanders was the wife of Grover C. Sanders. Unlike Pewter, Emma was a quiet, humble and a loving person. She was always afraid for Pewter to visit her home for fear that there would be trouble when the drinking started. She did not like that kind of life and was always glad for her brother to leave. Trouble always seemed to follow him. He may not have always been the one who instigated the trouble, but it came calling anyway.

On September 11, 1930, we read from the Sequatchie Valley News:

“...Report was prevalent in this county this morning that ‘Pewter Garner,’ a desperado who has several notches on his gun for taking life had been slain in a raid, but this was denied officially. It is believed that the report came about by the return by writ of Kelly Duncan of Orme, from Detroit, for attempted manslaughter, Duncan is alleged to be an ally of Garner, who is wanted for crime committed. About two weeks before Sheriff Coppinger went out of office he organized a raid to attempt to secure Garner, dead or alive. A cabin in wild mountain country west of South Pittsburgh had been spotted as the lurking place of Garner and a strong force of deputies left Jasper by night to surround it and endeavor to capture the man, being specially armed for the trouble they expected would occur if he was in the cabin but after all their trouble there was no Garner. He it was who held up deputies Mayfield and Shoemake and informed them there was no path for them in the woods of Cumberland west of South Pittsburg, and this indignity rather spurred the officers to further effort.”

Pewter Garner carried on as though he was free from the hands of the law as far as doing any prison time until in 1933, this was written:

Garner Sent On to Pen – Revenge Proves Undoing of Man Convicted 9 Years Ago

“Tracy city, July 28 – Rivalry and revenge, the two qualities that go hand in hand, sent the “long chain” man away from here this week with Egbert (Pewter) Garner, who was given a sentence of from two to four years in the penitentiary for a crime he committed nine years ago.

It was Garner’s desire to see his old mountain rival, Fritz Poe convicted of moonshining, that led to his sentence for not less than two years for manslaughter. The case grew out of the death in 1924 of Jerd (Jordan) Aylor – Frank Kilgore was convicted with Garner. The latter escaped while a motion for a new trial was pending and headed for the hills, where he assumed the leadership of a host of moonshiners.

Later Poe, fugitive from Franklin county, joined the gang and the rivalry for the chieftainship began. Both men were leaders in their gangs, and their natural thirst for power is understood by residents of the section in which they held forth.

It is recorded that Garner shot Poe one day during an argument and that since that time they have carried guns for each other.

Recently Poe was arrested for violating the dry laws and Garner, revenge still beating in his breast, came down to Winchester to testify against him. But....

Sheriff George Hall saw Garner and knew that he was wanted in Grundy county for the manslaughter conviction and he was arrested. Sheriff Phillip McGovern brought Garner to Tracy City and he was resentenced for the crime he committed nine years ago." (from Euline Harris' newspaper clippings)

For interest, I decided to see how young Fritz Poe's occupation was listed in the 1930 Census record for Franklin County. Well, it was no surprise to me when I read that thirty-one-year old Fritz was in the Franklin County jail, and guess who was keeping him company – sixty-four-year old George W. Garner, Pewter's father. I wonder if Pewter got to tip his hat to his father and his young rival before Sheriff McGovern brought him back to Tracy City.

From the Grundy County Court records we read:

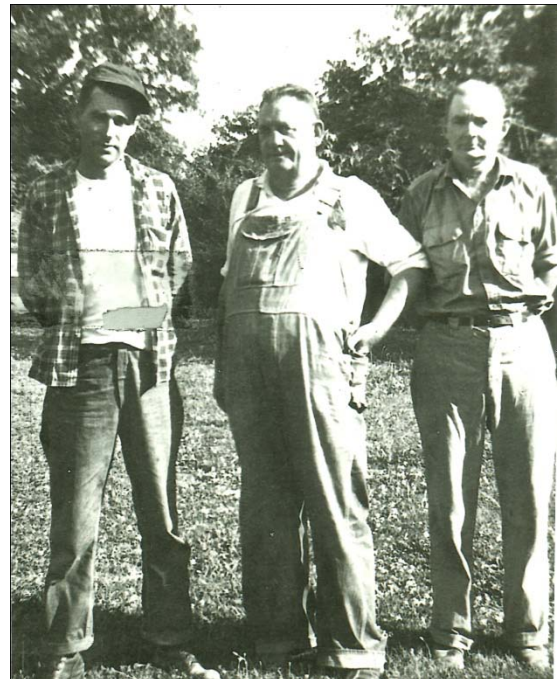
"State of Tenn. Vs. Egbert Garner – Murder-----Circuit Court, Grundy County, Tracy City, Tenn. July Term 1933: This case is by the Court restored to the docket. In this cause it appearing to the Court that the defendant Egbert Garner was tried in this court at the March 1924 Term, on a charge of Murder in this county and jurisdiction, and that the defendant was convicted of voluntary manslaughter and his maximum punishment fixed by the Jury at four years; all as shown by orders – heretofore entered in Minute book 5 page 109 and 165 thereof; and it further appearing that the defendant filed a motion for a new trial and before same was heard by the Court the Defendant Egbert Garner escaped from custody and has since about March 1924 been a fugitive from justice, and therefore has abandoned his said motion for a new trial; said motion was of no avail because filed after the close of the trial term. The said Egbert Garner having been recently captured and being new in custody of the Sheriff of the county and in person in open court and the District Attorney being present the Court proceeded to pronounce sentence on said defendant, is therefore ordered and adjudged that the defendant Egbert Garner serve not less than 2 years nor more than 4 years in the State Penitentiary, Nashville, Tenn. And pay costs of the prosecution. The Defendant excepted to the motion of the Court in pronouncing

sentence on him, and prayed an appeal to the Supreme Court; which action was denied. To which action the Defendant excepts."

Stories have it that when Pewter was finally on his way to the penitentiary in Nashville, he knocked his guard out, jumped from the train, and hit the ground running. He made his escape, landing in Chicago where he opened a bar. Eventually, the law was circling him, so he made his way back to Orme and the Monteagle area.

In 1940 Pewter and Eva were in Orme where he worked as a watchman for the mines. They later settled into Granny Overturf's home on Layne Road in Monteagle. When Eva passed away on Nov. 22, 1963, she was taken back to her home area to be buried. With Bailey Brooks officiating at her funeral, she was interred in the Fall Creek Cemetery in Gruetli beside her mother and siblings. It is thought that her father was buried at the old Smith Fults family cemetery. By this time Pewter had mellowed and "took" to just sitting and drinking with his buddies. Now don't let the word "mellowed" fool you because anyone who wanted to buy the whiskey could do so at Pewter's house. Even in his waning years, Pewter solicited the help of a young man who was twice asked to haul moonshine to Altamont, but when he got stopped by the Tennessee Highway Patrol and sent off to spend a night in jail, he decided that was all he wanted of that kind of living.

Young men in Pewter's family remember him as always wearing overalls; he spoke with a gruff voice and sported a crooked nose. When I asked one Garner relative if Pewter maybe got his nose moved around a little bit from a fight, his response was, "I don't think Pewter did much physical fighting; he just shot anyone who was bothering him." As he grew older and tended a heart condition, his neighbor John Layne took him wherever he needed to go. Dorothy (Rollins) Layne, John's wife, sent food from time to time for Pewter. Eventually, his heart gave out, and Pewter died October 26, 1968 not long after the autumn leaves began to fall. *(Pictured left to right: John Layne, Perry Egbert "Pewter" Garner and Hinton Click)*



Perry Egbert “Pewter” Garner was laid out at the funeral home with no flowers. Some of the Raulston family who knew Pewter called Dorothy Layne and mentioned the fact that Pewter had no flowers—*no not one*. Dorothy assured the Raulstons that she would tend to that matter. She and her sister went out to all those “old friends” who sat and drank with him and took up a collection. After all, wasn’t that the least his old patrons could do for him? Flowers were paid for and delivered to the funeral home giving the appearance that Pewter had friends or relatives who were mourning his passing.

Not long before his death, Pewter had bought himself a new garden tiller and asked John Layne to use it to dig his grave when he died. Upon his death John went to get the tiller, but it was gone. John and others dug the grave anyway under the supervision of Jim Scott who was not really able to do the work. Pewter was buried at the Summerfield Cemetery in the area on the right of the main entrance probably next to his baby brother and close to his sister Emma (Garner) Sanders. A grandson of Emma’s believes that his g-grandparents, George W. and Sarah, are also buried there. Although John Layne made a stone for Pewter and one for Shortie Womack, Pewter’s stone no longer exists and the exact spot of his grave remains unknown. The area pointed out to me by Dorothy Layne is mighty close to the graves of Jordan Aylor’s parents, Anthony and Rebecca Aylor, and his sister Mattie (Aylor) Barnes. Ironic, isn’t it?

Before his death, Pewter had sent for a favorite nephew to come to him quickly because he knew he was dying. Pewter had something for him. When the nephew arrived, Pewter had already died, and whatever it was that Pewter wanted to pass on was never known. An interesting side story to Pewter’s death is that in order to pay for the funeral, the offer was made to someone, that anything found in Pewter’s house could be used for payment. The only “good” item found in the house was a gallon of home-brewed whiskey which was slowly drunk until the consumer was out cold. Even in death, Pewter was still bootlegging.

As I finish this story in February **2011**, during the past few weeks, five peaceful, white snows have blanketed the plateau and coves that once were Pewter’s playground. We all have heard the saying, “He or she cleans up good!” The snows have “cleaned up good” these ancient foothills of Appalachia. My honest and sincere hope is that Pewter and his friends “cleaned up good” before their passings.

Notes: All newspaper quotes were transcribed verbatim with the spelling and wording of the times. Please send any comments, additions or corrections to me at jackiepartin@blomand.net .