

BY JOHN HOWZE
PHOTOS BY GERALD HYDE

IF OLD records are any indication, 1914 was a rough year for Monroe County residents, especially those living in the southeastern portion near Coker Creek, Rural Vale, and Paynes. Of the 19 death certificates which were issued that year for the state office of vital statistics, six were infant deaths, four were the result of gunshot wounds, and half a dozen others were victims of diphtheria, whooping cough, tuberculosis and the like. In fact, only one death was attributed to old age, that of Ruth Night, who died at 100 on August 12 of that year. Even including her in the statistics, the average age of those who died was something less than 20 years.

Fred C. Payne, for whom Paynes was named, was the storekeeper who issued those grim notices. A 24 year-old Coker Creek native at the time, he had already attended high school and Hiwassee College, then spent three years teaching at his own school up in the hills near Coker Creek. The school was a one-room affair with a woodstove for heat, and Payne taught all the grades himself. Now 88 years old and residing in Tellico Plains, he well remembers what teaching school was like in those days.

"**SCHOOL LASTED** from July until we got in six months," he says. "Of course we took off a week or two each fall while the children gathered fodder. The parents were always hinting when it was time to gather the fodder each fall, like they were afraid I wouldn't let the children out. Once that was done, school went right on until we were finished." Payne, who began teaching in the Coker Creek area at the age of 19 in 1909, had little idea at the time of the role he would play in the history of the county.

After the school year ended in the latter part of 1911, Payne and his wife, the former Josephine Evelyn Tilley, decided to open a store near Coker

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Creek where they resided. When that happened early in 1912, Payne also took over the postal service for the vicinity, and the postmark of Paynes, Tennessee, established the community in history for all time. The store carried dry goods, clothing, and the usual run of staples for the mountain people. Sugar, streaked meat, salt, and beans were often in demand. "Even the moonshiners would *come in and trade with me,*" Payne recalls. "They often bought sugar from me, although I didn't know exactly what they were doing with it at the time. I knew they used it to make whiskey, though." At one time the moonshiners purchased 600 pounds of sugar in a single order.

IT WAS while the young Payne was keeping store that one of his favorite incidents happened. The year was somewhere around 1915, and a postal inspector from higher-up was visiting the Payne post office and store. The inspector casually asked Payne about his involvement in the community, noting that he must be of some importance to be both storekeeper and post office clerk. Payne replied that he was also a Sunday school superintendent, keeper of vital statistics for the state government, and a deputy sheriff as well. "That inspector told me I couldn't be both a deputy and a post office clerk," Payne recalls. "He said I would have to give up one of the jobs."

"Very well," Payne jokingly replied to the inspector. "You can take the post office with you." What actually happened was that Payne kept the post office, "although I shouldn't have," he says. "I like to never found somebody to take it over later." He went and told Sheriff Harrison Webb that he could no longer serve as deputy because of postal rules. "Okay, then," the sheriff said. "Just between me and you, you've resigned. But as far as anyone else knows you're still a deputy, so you can continue to serve as one. And if anyone asks me, I don't know a thing about it."

SO PAYNE continued as a deputy, although he officially was not one any longer. As mentioned earlier, gunshot wounds accounted for a goodly portion of the deaths which occurred in those years,

and Payne often was called to the scene of a shooting or to apprehend someone who had been involved. Many of the killings were of a "justifiable" nature, according to Payne, as in those cases where a family feud was taking place. A trial was not always necessary, either, because justices of the peace had the authority to decide guilt or innocence and to sentence criminals. If a killing was "justified," a man might be let go without even a fine.

In 1918 Payne was elected a justice of the peace himself. "I was told I ought to run," he says. "But I never asked one person to vote for me. I was elected, though." That was also the year he was scheduled to be called up for the war effort. World War I was coming to an end and the county was "short of men," he recalls. "It was my job to take the boys into Madisonville where they were signed up and sent on to camps." He was on his way into town with one of the last groups of men in classification three, and he himself was in classification four which would have been called next, when he learned of the armistice.

"PEOPLE WERE firing off guns everywhere, and there was noise everywhere," he remembers. "When we got into town the courthouse was deserted. I finally found someone who told me the war was over." There was unrestrained singing as the wagon load of boys and men made their way back to the Coker Creek section of the county.

Sometime during the year of 1919, as best as Payne can remember, he became afflicted with tuberculosis himself. "I didn't want to die at that time," he recalls, "but I felt like it might happen. I took shots every week and at one time it seemed pretty bad. I also slept out in the open air alot and slept with the windows open at night." Somehow, he recovered. "My children were little then," he recalls.

AS A JUSTICE of the peace, he was often



MRS. PAYNE still gets around, too, as was evidenced last week when she made preserves and a cobbler from a half-gallon of blackberries Mr. Payne picked near their home. (Photo by Gerald Hyde)

called when shootings occurred, and many of the shootings which Payne investigated are now a famous part of Monroe County's past. Among them were the Lindeman shootout which happened on Coker Creek in 1920, in which Dave Lindeman (according to his own testimony) killed Bill Garland Sr., and Obe Garland, his son. The two Garlands had come to Lindeman's store early one spring morning, the younger one being armed with a shotgun. Trouble erupted and when the shootout was over, both Garlands lay dead. Two Lindemans,



GOING STRONG at 88, Fred C. Payne can remember as much as anyone cares to ask, even the details of the early years of his life. Payne has always been a firm churchgoer, and still attends twice a week. (Photo by Gerald Hyde)

Dave armed with a .45 pistol and Luke armed with a shotgun, had protected themselves as best they could. Both Lindemans lived.

IN 1934 Payne was elected County Court Clerk, a position he held for four years. Earl May was County Judge at the time, and Payne often assisted the judge when his workload was too much. It was the custom at the time to issue marriage licenses by mail. All a person had to do was send in the license fee and the name of the bride and groom and the license was mailed back to them. When there was a question about the age of one or another of the brides from time to time, Judge May would often

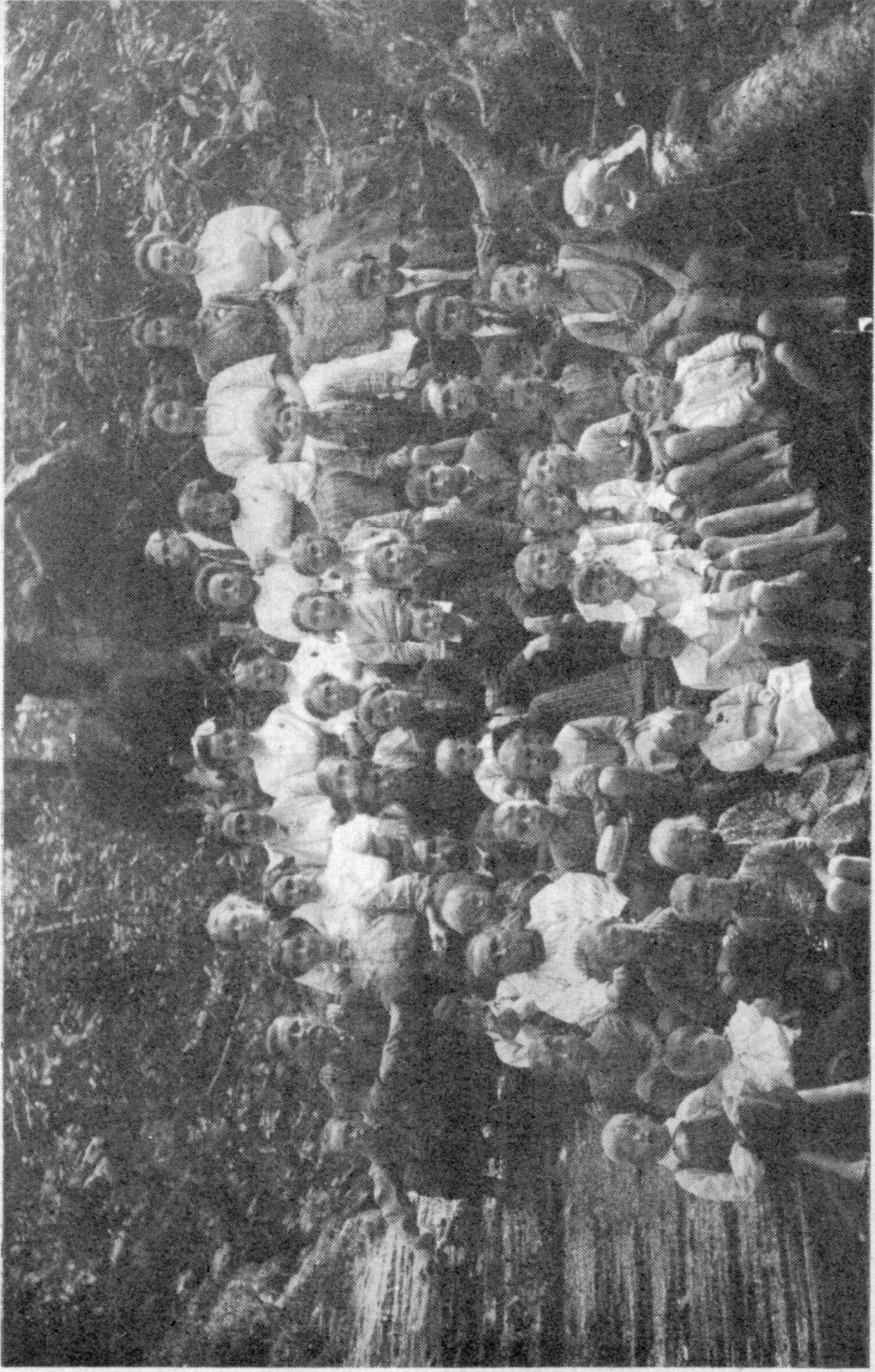
approve the license before it was mailed back to the couple.

On one occasion, this resulted in a court case that made the news as far away as London. The license in question was issued to one Homer Peels, according to Payne, and a girl whose name he could not remember. The girl, it was later learned, was no more than 12 years old. Much ado was made, and Payne was threatened with a lawsuit. Reporters came from far and wide to visit the couple, and according to Payne, one reporter found Peels sitting in a chair with his wife sitting on his knee as a young child might do. The case never came to court, being dropped along the way after it was learned that the county judge was responsible for approving the license also.

THE PAYNES later moved from Coker Creek to a farm near Tellico Plains, before selling it in order to move to Florida in 1949. As time passed and they grew older, though, their children wanted them closer to home, so the couple sold their Florida home and returned to Tellico. With that move, Monroe County gained something more than just another retired couple who would buy groceries and pay taxes.

The Paynes' home is a treasure of old documents, photos, letters, and tools. They themselves are a treasure, too, a treasure of memories, stories about the county's past, and recollections of the way things really were, when postage was two cents and men cut timber for 50 cents a thousand board feet. For anyone who takes the time to drive to Tellico and visit this charming couple, there can be no doubt. When the Paynes moved back from Florida earlier this year, a part of the past came home.

NEXT WEEK THE Observer will be looking at the thriving town of Tellico near the turn of the century. Besides the Babcock Lumber Company, the railroad, churches and a school, Tellico of the early 1900's also boasted a Tanning mill, a planing mill, and the Tellico Land Company, which an early edition of the Tellico Times called "the original and largest land holding company" in the area. If you have information, pictures, memories, or items that might be of interest, give The Observer a call. That way, you can share the treasures of the past with a host of others.



FRED C. PAYNE, fifth from right at the back of the picture, was wearing a tie the day he had his school's picture made back in 1911. Then 21 years old and recently married, Payne played an important part in

Monroe County history for the next three decades as deputy, justice of the peace and county court clerk. (Photo courtesy Fred C. Payne)

brides from time to time, Judge May would often host of others.



TIMES WERE HARD, as the grim faces of these youngsters testify. The photo was made at Payne's school near Coker Creek about 1909. The site of the school is now

covered with the waters of yet another small mountain lake. (Photo courtesy Fred C. Payne)

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