

*Thomas Gunter*

MISSISSIPPI

MARLIN DREW and his wife, Pearl, lived, with their three children, at the home of Pearl's elderly parents, Mr. and Mrs. Thomas G. Gunter, in Ashland, Mississippi. Marlin Drew was a railroad section hand and in the summer of 1929 was jobless. Many and bitter were the quarrels between Marlin and Pearl arising out of her complaints about his drinking and philandering, and his insinuations that some other man was the father of her expected child. Pearl's parents usually sided with her.

One hot night early in July, 1929, the neighbors were startled by a pistol shot in the Gunter house. Marlin was found in his bed, dead, with a bullet through his heart. A revolver lay near by. The authorities, after the usual investigation, concluded that it was a case of suicide, resulting from drunken despondency.

Dorothy Louise Drew, seven-year-old daughter of the dead man, was sent north to visit some relatives in Tennessee until things calmed down a bit. There, to the surprise of everyone, Dorothy Louise related how she had been sleeping with her "pop," when her "granddad," Thomas Gunter, came into the room and shot her father. The widow, Pearl, who was nearing confinement in Ashland, confirmed the story of her daughter. Gunter was consequently arrested by Sheriff L. L. Winborn on July 7, 1929. Indictment for the murder of his son-in-law quickly followed, and he was brought to trial on August 16, 1929, before Judge Thomas E. Pegram of the Benton County Circuit Court at Ashland. He was prosecuted by District Attorney Fred M. Belk and County Attorney L. T. McKenzie and defended by J. Marvin Crawford. Gunter pleaded not guilty.

The principal witnesses against Gunter were his daughter, Pearl, and her seven-year-old child, Dorothy Louise. The latter, who said she did not know what a Bible was and had heard of God only one time when she went to Sunday school, made a remarkable witness and convinced the jury and those

attending the trial that she was telling the truth about seeing her grandfather commit the murder. Pearl's testimony corroborated that of her daughter. The principal defense witness was the prisoner's wife, who swore that Marlin had been shot by Pearl, in a fit of jealousy, while the prisoner was in a drunken stupor in another part of the house. Gunter had never denied that he was drunk on the night of the murder.

The jury chose to believe the widow and daughter of the murdered man and returned a verdict of guilty. Judge Pegram sentenced the convicted man to five years in the state penitentiary, where he was sent at once. Mrs. Drew and her family moved from Benton County. In October, 1929, she gave birth to her fourth child.

As soon as her strength returned, she sent to Gov. Theodore Bilbo a confession in folk-lore rhyme, a variation of the famous ballad, "A Jealous Lover in Lone Green Valley." The rhyme received wide publicity and created a wave of sympathy for its authoress. The confession was accompanied by a plea that her sixty-three-year-old father be pardoned.

At the request of the Governor, Judge Pegram heard Mrs. Drew's full statement in the presence of the district attorney, the county attorney, and the sheriff. Dorothy Louise also told her story and confessed that she had not told the truth before. Pearl confessed that she shot and killed her husband in a rage after he had made remarks about her expected child. She had coached Dorothy Louise, who had witnessed the shooting, to say that her grandfather had done it. Pearl said that it had always been her intention to tell the truth after the birth of her baby, but that she could not bear the idea of its life beginning in prison. All present were convinced of the truthfulness of this confession, and she was arrested for the murder and bound over for appearance before the Grand Jury of Benton County. Governor Bilbo was advised of this action and at once, on November 19, 1929, granted a ninety-day suspension of sentence to Gunter. On February 13, 1930, the Grand Jury indicted Mrs. Drew for the murder and for perjury. She was arraigned before the court the following day and pleaded

guilty. Judge Pegram, under his statutory discretion, suspended sentence.

On February 20, 1930, when the ninety-day suspension expired, Governor Bilbo denied Gunter's application for a pardon, and ordered his return to the state penitentiary. The Governor made the following public statement:

Somebody ought to be in the penitentiary all the time for the murder of a sleeping man. If Judge Pegram does not believe Mrs. Drew is guilty enough to serve her term, then the man convicted of the murder will have to serve his term.

Husbands ought to have some protection.

Gunter refused to return to the penitentiary. According to the latest news (February, 1931), Gunter and Pearl Drew, both found guilty of the same murder, had fled from the state of Mississippi—and the ultimate solution of the legal situation remains in abeyance.

THIS case of perjury has curious features. There is Judge Pegram's suspension of sentence of Pearl, and even more amazing is Governor Bilbo's Solomonic judgment that, if the real murderer is not jailed, then the wrongly convicted person must serve time. Gunter and his daughter seem to have decided upon their own method of administering justice in the case.

#### BIBLIOGRAPHY

1. *Mississippi v. Thomas G. Gunter*, No. 1501, August Term, 1929, Benton County Circuit Court, Ashland, Miss.
2. *Mississippi v. Mrs. Pearl Drew*, No. 1514, February Term, Benton County Circuit Court, Ashland, Miss.
3. *Washington (D.C.) Evening Star*, November 20, 1929.
4. *Hattiesburg (Miss.) American*, February 11, 13, 14, 20, 22, and 26, 1930.
5. *Time* (magazine), February 14, 1930, p. 17 (picture).
6. *Washington Sunday Times*, June 22, 1930 (magazine section—pictures).
7. Acknowledgment: Hon. Thomas E. Pegram, Ripley, Miss.