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SERVING FOR LIFE ON A TECHNICALITY

By Harry L. Spooner

The drizzling rain on that Saturday afternoon made a steady tattoo on the ground as it dropped from the wooden eaves trough of the porch running along one side of the little two-story, four-room, tar-paper covered farm cottage. The dripping lilac bushes at one front corner of the cottage and cedars at the opposite corner also added to the general picture of depression.

The dreary, stormy day was only one more day, but a fateful one, in the stormy life of the Dudgeon family, headed by Mrs. Alice Dudgeon, since they moved into the swamp country of Goodwell township, Newaygo county, Michigan, seventeen years before.

Little did the family know when they arose that morning, May 6, 1922, that as a result of the events of that day, four members of their family and a hired man of one of them would be framed by state police, subjected by them to inhuman and cruel tortures in order to force confessions to crimes they did not commit, and finally convicted of these crimes by a prejudiced jury. The story of these

tortures forms one of the darkest pages in the history of criminal investigation. They are unparalleled by anything else that has ever happened in a civilized community under the pretext of detecting crime, and stamp the perpetrators as greater outlaws than any murderer.

The unfortunate story of the Dudgeon family began in 1902, when the family moved from Indiana to a good farm seven miles west of Fremont, Mich. The father, Charles Dudgeon, was sickly and not able to do much hard work and the children were too small to assist. The family consisted of Charles Dudgeon, his wife Alice, two daughters, Lola and Meda, the latter a tiny baby, and three sons, Lee, Wilmer and Herman.

In order to have a place where so much manual labor was not required, Mr. Dudgeon traded his place near Fremont in 1905 for 1280 acres of wild land in Goodwell township, seven miles from the village of White Cloud, the county seat. This land had been used as a stock ranch, and here the Dudgeons hoped to make an easier living.

The land was in the midst of a large swamp and mostly covered with a dense growth of brush and small trees. A little-traveled road ran past it. Much of the road was corduroy and had but little dirt covering the poles and logs so the road was full of "chuck-holes." There was an occasional sand ridge running through the swamp and where these ridges crossed the highway the ruts were deep and sandy. Eight hundred acres of the place were fenced. A small clearing had been made on this, but most of the land was suited only for pasturage. There was no house, or barn, or other buildings on the place.

Into this un-inviting environment the Dudgeon family moved. They occupied an old lumber shanty while building a home. The father, with the assistance of his wife and his oldest son, Lee, managed to

get the frame of a house up and to get it boarded up on the outside and a roof on it. The family moved in before it had windows or doors. The inside was papered with newspapers, and, shabbily as the house was built, the father and mother ^{hoped} to find happiness in rearing their family.

But happiness was not long in store for them. Four hundred-eighty acres of the land was unfenced and had been used by some of the neighbors as common pasture for their cattle. These neighbors resented the fencing in of the land and after it was fenced, they often cut the wires and let the Dudgeon stock out. Thus the Dudgeons were put in the position right from the start of defending their rights.

Lola, the oldest daughter, married a man named Frank Priest. Priest wanted to buy eighty acres of land a half mile west of the Dudgeon place but had no money. Dudgeon mortgaged a part of his land to make a down payment for Priest and Priest bought it on contract.

One fall work was scarce and times were hard. Mr. Dudgeon and his sons dug some old pine logs out of the swamp on this place and dragged them out to the road. Unknown to the Dudgeons, Priest had sold his contract to Jake Terwillegar.

One day the Dudgeons found Terwillegar drawing the logs across the road on to the land he owned. The elder Dudgeon asked him about it and Terwillegar said he had bought the contract from Priest and the logs belonged to him. Dudgeon ordered him to quit taking the logs but later found he was drawing them away. Dudgeon, his wife, and Lee went to the place to remonstrate with Terwillegar. He refused to desist and a fight ensued in which Terwillegar was badly mussed up. The Dudgeons were arrested and convicted of assault. They never received a penny for the logs nor for the \$350 they paid on the place.