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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 mused 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.

Terwillegar was an influential man in the neighborhood and this altercation only widened the breach between the Dudgeons and their neighbors. Tom Scott, another neighbor, had a dispute with them about crossing their property which they had fenced in. Lee and Wilmer Dudgeon were both hurt by Scott, but the Dudgeons were again arrested and convicted of assault. Whenever anything untoward happened in the neighborhood after this, the rural finger of suspicion pointed to the Dudgeons.

Soon after they came on the place, the horses of the Dudgeons died and they had nothing but a pair of steers with which to work the farm. They used these for thirteen years. During this time the children often walked the seven miles to White Cloud and back for groceries.

The children attended a school across the road from their home and on Saturdays all worked hard to help their parents raise food. Grain was cut by hand with a cradle. Meda, although small, helped to rake, bind and place in shocks the rye and oats raised. She helped dig and pick up potatoes, husk corn, and cut wood with an axe and cross-cut saw.

The children sometimes worked for other people. Meda and her brothers picked up a lot of potatoes for a neighbor and he never paid them. The summer before she was married, Meda picked up 186 bushels of potatoes in one day.

The nearest Sunday school was five miles away and, after working hard all week, the family were too tired to walk to Sunday school and back. Up to the time Meda was convicted of murdering her father-in-law, she never attended a party or a carnival and had seen

but one ball game and three movies. She had never ridden on a train until she was seventeen years of age except when, as a tiny baby, the family came from Indiana.

Charles Dudgeon, the father, died in 1920. After his death, the mother became the head of the family. The boys finally managed to get enough together to buy two span of mules and later a truck.

With ever-deepening hostility between the Dudgeons and some of their neighbors, Romie Hodell came to the Dudgeon place looking for a place to get a load of cedar fence posts. The Dudgeon boys contracted with him to get them out. They were slow about it and Hodell was afraid they would not get them out in time and so he went there to help get them out. In this way he became acquainted with Meda, who was not yet twenty years old and who weighed less than a hundred pounds. He began courting her and after a whirlwind courtship of three weeks they were married on March 29, 1921. Meda's brother, Lee, gave Romie the money with which to buy the marriage license.

Before she met Romie, Meda had gone out a few times with Carl Sailors, who had an excelsior bolt job three miles away and who employed Wilmer Dudgeon to work for him. Occasionally Sailors would go to the Dudgeon place after Meda's marriage. Hodell was insanely jealous of Sailors but the Dudgeons were not aware of it at the time.

Romie had a stump machine and contracted to pull stumps for others. He contracted to buy a farm of forty acres from Fred Anderson, who lived three miles from the Dudgeon place and was to pay for it by pulling stumps for Anderson.

Romie and Meda were living on this place during the winter of 1921-22. That winter Romie's mother had gone to Detroit to stay with

a daughter and had left Romie's father, David Hodell, alone at their home at Grant, Mich., about twenty miles from Romie's place.

Romie's mother wrote from Detroit that his father would be up to spend a few days with Romie and Meda. Meda began to get things ready to take care of him. They received the letter Jan. 20, 1922. The next day, Romie went to his sister's, a few miles away, on an errand and found his father there.

His father went back with Romie. He was an aged and feeble man. He busied himself carrying in wood and water and doing other chores around the house.

On Feb. 1 Romie and Meda went about a mile away to see a sick neighbor and when they returned they found Romie's father lying on the floor in a stupor. They aroused him at last and the next day he seemed to be all right again.

On Feb. 4 Romie went to Woodville with a load of excelsior bolts to sell to get money to buy groceries. The old man did not feel very well and lay down on a cot until noon, when he arose and ate his dinner.

After dinner, Meda started out to get some water but Romie's father grabbed the pail and went out for it. He then carried in an armful of wood and went back to the woodpile and split some more wood. He started to carry what he had split into the woodhouse.

He carried in a armful or two and then, then when he reached the woodhouse door with the last armful, it fell from his hands. He started for the kitchen door about six feet away and neared it just as Meda opened it with some water in a tub she was going to throw out.

Just as the old man was within a step of the door, he fell. Meda helped him up and asked him if he could get into the house. He

said no, that he was blind. Meda put her arms under his and tried to help him into the house but he fell backward. Meda could not lift him. She ran across the road to the Anderson house. Mrs. Anderson came back with her. The two could not lift him and they managed to half slide him into the house. He lay on the floor and Meda covered him up and put hot flatirons at his feet.

Meda had Mrs. Anderson go back home and telephone for a doctor and for Romie. Dr. P. T. Waters, of White Cloud, arrived shortly. He said the old man was dead and that he had died from cerebral hemorrhage. Romie arrived soon after.

Romie sent word to his mother at Detroit and to other members of the family at Grand Rapids. The body was taken to Grant for burial on Feb. 8. Lee Dudgeon gave the coat from his suit and Romie gave his blue serge trousers, while Alex McKinley, undertaker, bought a shirt in which to bury the old man.

Romie and Meda had planned to move into the house on the Terwillegar place, the same place that Terwillegar had got from Priest, on Feb. 5, but on account of the death of his father they did not move there until Feb. 10.

Soon after, Romie took a job stumping for Dudley Smith, who lived several miles from the Terwillegar place. He and Meda moved some of their household goods to a building on the Smith place, where they boarded the men who worked on the stump machine.

They pulled about 500 stumps here and then moved the machine to the George James place. Here there were no facilities for Meda to live and she stayed with her mother as she was afraid to stay alone at the Terwillegar place. The job lasted about two weeks.

Romie finished his stumping job on Wednesday, May 3, 1922. Expecting her husband and the two hired men, Robert Bennett and Elza Priest, Meda took some groceries from her mother's home to her own home to prepare supper for them. The house was in a very lonesome place and she took her little nephew, Cecil Robinson, a boy of ten, along with her.

Romie had taken another job near Wooster, seventeen miles from his home, to which he wished to move the next day. It was after dark when he and his hired men drove the two teams with the stump machine into the Hodell yard.

The next morning Romie and Meda arose and got breakfast. They then began packing some of their household goods. They were to move to Wooster in the truck of Meda's brother, Lee Dudgeon.

Bennett and Priest hitched the teams and started with the stump machine for Wooster. In a short time Lee Dudgeon came with the truck for Romie's goods. With him were his brother, Wilmer, and Carl Sailors. Sailors and Wilmer had come to the Dudgeon home to get Lee to move an employe of Sailors' out of the woods. Lee told them that he had promised Romie, or "Doc," to move his goods to Wooster and as soon as he got back he would move the other man.

Lee and Romie loaded the goods on the truck and tied some blankets over them as it was raining. When this had been done, Romie told Lee he wanted him to go inside--that he wanted to talk with him. Lee asked him what he wanted to talk about and Romie said, "You know well enough." Lee said he did not know and Romie said, "You know I forbid Carl Sailors ever coming on my place." Lee told him that he didn't know this. Romie then said, "My goods aint goin' on the truck with Carl Sailors."

Romie started to untie the goods. Lee told him if he didn't want the goods to go on the truck, he would go and get one of his teams and take them down. Romie refused this offer and said he and Meda would go on and he would get one of his own teams to come back for the goods. He unloaded the goods and placed them on the ground in the rain.

Lee, Wilmer and Sailors took the truck and went back to the Dudgeon place. While they were on the road, Romie closed the door of the house and, pushing Meda ahead of him, made her go with him out to the road running west and then along this road. He told her they were going to walk to Wooster.

As the Dudgeon boys turned into the yard at their home, they discovered Romie and Meda. It was raining quite hard and everything was wet. Meda had not been well. Lee told his mother and she said, "We better go get them." Mrs. Dudgeon got in the truck with the others and they started down the road. As they overtook Romie and Meda, the truck slowed up and Lee jumped off the running board. As he did so, Romie turned around and struck at Lee. He missed him but he grabbed Lee around the neck and held on to him. Both fell to the ground with Lee on top. Romie would not let go and Lee hit him and gave him a black eye.

At Meda's entreaties, Romie finally let go of Lee and they both arose. Romie offered his hand, saying he had been too hasty. Meanwhile the truck had gone on through the swamp to find a place convenient to turn around. They came back and Meda and Lee got on the truck but Romie refused.

When they reached the Hodell house, Meda asked her brothers to stop and put the goods in the house out of the rain. Sailors

got off the truck and went up the road a short distance where Herman Dudgeon, another brother of Meda, was filling holes in the road.

Just as Lee and Wilmer finished putting the goods in the house, Romie came. He told Meda he wanted to see her. She went into the kitchen with him. He told her he wanted her to go to White Cloud and see attorney Harold Cogger about getting a divorce.

"Why, Doc," said Meda, "I don't want a divorce."

"Well, I do," answered Romie.

"Why do you want a divorce?" asked Meda.

"Well, you know how it has been," answered Romie. "Ever since we have been married, your mother has had to keep us. I can't have her doing this any longer and I am hopelessly in debt with no way to pay."

Meda tried to dissuade him but he would not listen, and finally, to placate him, she finally told him she would see the attorney.

Meda came out and got in the truck. They again asked Romie to get in the truck but he again refused. They started for the Dudgeon home. Romie came out of the house with his rifle and started north across the fields of the Dudgeon ranch.

That afternoon Meda went to White Cloud and saw attorney Cogger. She told him that Romie wanted her to get a divorce but that she did not want one. The attorney told her to wait a while and see what happened.

Romie got another neighbor to move the goods. About eight o'clock the next evening, Romie and Bennett came back to Romie's

place for a load of hay and to take Meda back with them. Bennett went to the home of a man named Ward, where he made his home. Romie walked to the Dudgeon place. He talked with Meda and Lee for a time on the porch and then went upstairs to bed with Lee while Meda slept with her mother downstairs on a sanitary cot.

Bennett went to Romie's place the next morning but it was raining and Romie said: "Bob, we won't start yet. We will see what the weather is like." Bennett went back to Ward's but returned a short time later. Finding the team gone, he went to the Dudgeon place and remained out in the barn with Wilmer and Cecil Robinson, a ten-year old nephew of the Dudgeon boys.

Romie, in the meantime, had come to the Dudgeons. He went in and lay down with Meda, who was not feeling well and who had not arisen. They talked about the stumping job at Wooster. "Is it as lonesome as it was at Dudley Smith's?" asked Meda.

"No," said Romie, "the house is better and the neighbors closer. We have the stump machine all set up except putting the shoes under the legs."

They talked a little while longer and then Romie said, "We won't go to Wooster."

"Why not?" asked Meda.

"Somebody else has come in and taken all the stumping jobs except the one where the machine is set."

Romie seemed very despondent. After a little time, he said, "I have so many debts that I don't know what to do."

Romie left in a little while and went and got the team and brought it over to the Dudgeon place to change the wagon box to a hay rack. It was still raining and he went and lay down with Meda

again. After some more talking, Romie said, "I want you to die with me."

Just then Meda's mother came into the room to get a sheet to iron on and Romie asked her if Meda could go with him for a little while.

Meda's mother replied, "She is at liberty to go whenever she wants to."

Meda said, "Mother, Do you want to bury two?" Mrs. Dudgeon said "No" and left the room.

Romie got up, kissed Meda good-bye and said he would be back in a little while. He then left the room, patting Lee on the back as he went out. This was about ten o'clock in the forenoon.

About twelve o'clock Mrs. Dudgeon called to the boys in the barn that dinner was ready and they went in. A place had been set for Romie but he did not appear. Meda arose and sat down at the table but was too sick to eat anything. Just as the family were sitting down, Wilmer came home and sat down with the rest. There were present Mrs. Dudgeon, Meda, Lee, Herman, Wilmer, Bennett and the boy, Cecil.

As they were finishing the meal, Bennett said: "I'll take the team back and feed them."

"We have plenty of corn and oats straw," said Lee. "You could feed them here."

"No," said Bennett, "I wouldn't think of driving them back to Wooster without a good feed of hay. It's a hard road and with a heavy load they should have a good feed."

"Going to the barn, Bennett hitched the team to the wagon.

