

The Witwer Files

Based on a true story of
family, murder, and justice



Charlie and Ernest



Hillview 1914



Witwer family Model T

By D. L. Dennis

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The Witwer Files

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CHAPTER 1

Leaving Missouri

The year was 1913 in Mexico, a small Missouri town. The warm days of fall had been quick to slide into days that displayed the first hint of what promised to be a long, cold winter. It was a crisp November morning with thick frost that glistened on the rooftops and on the patches of grass in the yard. The frost was so thick the low-lying areas looked like they were covered with crystals and jewels when the sun broke through the scattered clouds and started rising over the horizon. Today the sun would send its warmth to the earth and melt the frost quickly, but everyone felt it was going to be a cold winter.

The four Witwer brothers, Charlie, Jim, Ernest, and Dick, were loading their Model T Ford Touring car early that morning. Jim was the self-appointed “mechanic,” so the Model T had been filled with gas and oil the day before. He had checked the car over thoroughly and declared it ready for the trip the brothers were getting ready to embark upon. In the early morning twilight, the only sound to be heard was the dry, brown leaves crunching under their feet as each of the brothers walked briskly from the porch to the car and back to the porch again. With each trip, they grabbed another box or two that had been stacked on the porch waiting to be packed in the car. The car had to be packed carefully to leave room for each of them to have a seat. It was a good thing that none of them was big men so they could squeeze between the boxes.

The Model T was beginning to look rather comical as they piled the boxes high, trying to tie them together to keep them from bouncing around. Their personal belongings were rather meager, but they were stuffing in as many household supplies as they could carry. Of course, each had made sure he had loaded his hunting gear first because hunting season in Illinois, as in Missouri, was about to begin. At least one of the brothers hunted every day during hunting season with the goal of providing meat for the evening meal.

As they made their treks back and forth, one and then another of the brothers stopped for a moment to look around at their neighbors’ houses one last time. There was little conversation, as they each were lost in their own thoughts about what life had been like in Mexico. They had lived in Mexico for the past several years, and the days, months, and years had fallen into a familiar pattern. Even though they were excited about the move and their new jobs, leaving behind a life they were familiar with was causing a few pangs of anxiety, although they would never want anyone to suspect it. Each of them was leaving behind loved ones and good friends. They knew they had to put those thoughts behind them. Even though there may have been a twinge or two of uncertainty surfacing in their thoughts that early morning, each of them had made his decision, and they were ready to get that car loaded and be on their way.

Charlie, the oldest of the Witwer brothers, watched his three brothers and knew their thoughts. He had watched his brothers grow into adulthood and knew them well. Once the decision to leave Mexico had been made, Charlie was not one to look back on his decision. He had not coerced his brothers into going with him, but he was glad they were. He had wanted each of them to make his own decision to leave and did not want to

influence them. They were leaving their hometown of Mexico and were heading to Hillview, Illinois, because Charlie had been appointed to the position of village marshal. His brothers were going to be his deputies. It was not going to be easy for any of them to leave, but the decisions had been made.

Hillview, whose population was about 630, was situated on the Illinois River and was one of the fastest growing communities in Illinois. It was a farming community with rich, fertile ground in the fields. Even though it was a small community, it had been experiencing an unusually large number of troublesome problems, most of which were created by gangs of young men roaming the streets and drinking too much. These troublemakers were often referred to as “river rats.” Most of them were well known in the community, with one or two of them being from prominent families. The village was desperate for a marshal who would restore peace and order. An offer had been made to Charlie to fill that position. Without a village marshal, the troublemakers were taking advantage of the situation.

This offer to Charlie had come about through some very unusual circumstances. One of the conditions of accepting the position that Charlie had insisted on was that he could appoint his own deputies. The Mayor of Hillview had assured Charlie that he could appoint whomever he wanted as his deputies. Having this authority was an important factor that Charlie’s decision to take the position hinged on. He knew he had no desire to take on the challenge of being the village marshal unless his brothers would be his deputies. Once Charlie told his brothers about the offer and asked them if they wanted to be his deputies, it had not taken long for the three brothers to agree to be deputies, even though it meant moving from Mexico.

These four brothers had spent a lot of time together throughout the years. Their lives were so entwined that it was hard for any of them to imagine not being together. There were two other sons born into the Witwer family. Frank was born in May of 1890 and no longer lived in Mexico. He had moved to Springfield, Illinois, to marry a young woman by the name of Ethel Kennett. Harry was a young boy of sixteen when his older brothers decided to make the move to Hillview. Harry was a studious lad and did not spend much time with his older brothers.

Charlie’s decision to consider taking the position as village marshal was understandable since he had some experience in law enforcement, but the decisions of his brothers had nothing to do with experience or qualifications. Being a deputy would certainly be a new adventure, but the excitement of a new adventure was only part of the answer. Each one of them had his own personal reason for uprooting and leaving his hometown of Mexico.

Jim and Ernest each had wives, and they were more than happy to have an excuse to leave Mexico. Ernest was also leaving a child behind, but that fact did not slow him down in making his decision. This was not something Jim or Ernest talked about openly, but anyone who knew them could figure it out. Dick had the least realistic idea of what it was all about, but he was the most excited about being a deputy with his big brother, Charlie. To Dick, the move and being a deputy was just another adventure in life. He had always been a tag-along no matter what Charlie did, so it was no different this time. Whatever Charlie did, Dick tagged along.

Charlie was the oldest, and the three brothers had always looked up to him. As they grew up, they had been close as brothers and liked being together, so it was not a difficult decision for any of them to make, regardless of what they were leaving behind.

CHAPTER 2

Firstborn Brother of the Witwer Clan—Charlie

Charles R. Witwer was born on February 18, 1882, on Island 55 in the middle of the Mississippi River. Even though he was born on this island, his birth certificate showed Callaway County, Missouri. There was no middle name given, just the initial, something Charlie would ponder on from time to time. A short time after Charlie's birth, his parents moved to a small farming community, where his father took whatever job was available so he could provide for his family. There was not a lot of money but there was always food on the table. As the oldest male in the family, Charlie accepted whatever responsibilities his parents expected him to shoulder. As with many families during those years, schooling was not a priority. After attending the local one-room schoolhouse for a couple of years, Charlie spent little time in school and a lot of time with his dad. He learned early in his life how to be independent and how to help take care of his little brothers as they came into the family.

Charlie enjoyed several years of single life before marrying Lucille Claywell, affectionately known to everyone as Lucy. He was thirty-one when he and Lucy tied the knot. Charlie's Cherokee Indian blood, inherited from his mother's side of the family, was reflected in his appearance—jet-black hair, dark eyes, and a prominent nose. He was considered to be quite a handsome man by the ladies. Charlie was not a man of many words, nor did his emotions surface often, so with those who did not know him well, he developed a reputation for being somewhat aloof. Those who knew him, though, saw the warmth of his personality and knew he was someone to be depended on as a reliable friend.

As he grew into adolescence, Charlie spent much of his free time in the woods hunting, trapping, and logging. While spending time with his father, he learned some of the skills his father used to support the family. He learned how to work with horses, which helped him get work as a young man. He spent his days working for some of the local farmers and helping with the family garden, but the woods was his favorite place to be.

Charlie never shied away from the girls in his teen years, but as he grew into early adulthood, he began to fancy himself as quite a ladies' man. When Saturday afternoon came, it was time to put the hunting gear away, get rid of the horse smell, and get ready for a Saturday night dance. The first thing in order was to take his bath in the old, battered galvanized tub filled with water from the cistern that had been heated on the wood stove. Whatever house the family lived in always had an enclosed back porch with curtains strung across a wire on the glass windows. That is where the old tub was set. When the door to this back porch was closed, everyone else in the family knew that someone was taking a bath and to stay out. The weekly bath was something everyone in the family enjoyed, and no one wanted to be disturbed, but Charlie was a real stickler. He did not want anybody bothering him, and you just might be yelled at if you did. After getting cleaned up, Charlie would then head to the local barbershop for a shave and maybe a

haircut. Charlie was very vain about his appearance and tried to make sure that none of the other men, young or old, around town looked any neater or was better dressed than he was, particularly on Saturday night.

After the trip to the barbershop, Charlie would head back to the house. You would not find many “Sunday meetin’” clothes in his closet, but he always had a good suit or two for Saturday nights. Once he was back home, he would pull his best suit out of the closet, brush it off, and polish his boots to a high sheen. He took great care as he donned that suit and those boots, but he was only fully dressed once he got his hat on. Then he was ready for a night out on the town. The neighbors would see him strutting down the street, and they knew he was headed to a dance. Charlie was a good dancer and had no trouble in finding a dance partner—all of the girls wanted to dance with him. He had no trouble in attracting the ladies—young or old. He would flirt with them, court them, but never gave any of them a reason to think he was looking for a serious relationship. He played the field throughout his twenties, which gave the local women a lot to talk about. Who was going to be the one that would finally catch Charlie?

Charlie’s younger brother Dick usually tagged along with him to the dances. They would head to a square dance in their hometown or go to one of the neighboring towns, if they thought that was where the most girls would be. Much to Charlie’s chagrin, he spent much of his time trying to keep Dick out of trouble instead of dancing. Charlie was not much of a drinker, but Dick did his fair share, even though he was barely out of his teens. Quite often, Charlie would have to drag Dick away from the dance hall just to keep him from getting into a fight. When this happened, you could bet that Dick got an earful the next day, but that did not stop him from tagging along the next weekend.

It was at one of those Saturday night dances in Mexico that Charlie and Dick met two very attractive sisters, Lucy and Liz Claywell. Lucy was not quite seventeen years old, and Liz was just fifteen but tagged along with her older sister every chance she got. Charlie was smitten with Lucy as soon as he met her, and Dick took a fancy to Liz. Charlie remembered seeing Lucy walk into the dance in a lace-trimmed, yellow-flowered dress. He watched her as she and Liz walked over to a group of young ladies, and his heart skipped a beat. Charlie thought Lucy was the prettiest one in the bunch! It did not take very long before he started courting Lucy every weekend. He had been a bachelor for many years but Charlie fell fast and hard for Lucy.

Lucy’s parents strenuously objected to her being courted by Charlie, and they certainly did not want Dick hanging around Liz. First, they knew Charlie was thirteen years older than Lucy and that he ran around with an older crowd. They did not want Lucy involved with a crowd that was so much older than she was. In addition, the Witwer brothers certainly did not have sterling reputations, particularly Dick. This courtship caused a lot of tension in the Claywell household. As each weekend approached, the arguments would start about whether Lucy and Liz could go to the dance if Charlie and Dick came around. It was bad enough to have one Witwer brother coming around to court one of their daughters, but they had two of them. Lucy thought Charlie was quite a catch, so when she turned eighteen, she told her parents in no uncertain terms that she intended to marry Charlie Witwer—and she did just that.

Charlie had always enjoyed being single, flirting with all of the girls at the dances,

and doing what he wanted to do in his spare time. By this time in his life, he had a good job, and he had avoided thinking much about matrimony, until he met Lucy. Meeting Lucy was the beginning of the end of Charlie's single life! Much to the surprise of everyone, once he started courting Lucy in spite of her parent's objections, Charlie did not have time for other girls. Lucy was determined to marry Charlie, so she did everything she could to make sure he spent his free time with her.

During their courtship days, Charlie worked as a railroad detective on the Kansas City–Chicago Railroad. The railroad allowed him free passage to any destination within their system. Lucy had hardly ever been outside of the county and dreamed about seeing the “big city,” Chicago. She told Charlie she would marry him if he would take her to the big city, but Charlie did not have any desire to go to Chicago. As the courtship evolved, though, his desire to marry Lucy overtook his desire for the single life. Once Lucy made that declaration, it did not take Charlie long to take the leap into marriage even if it meant he would have to take her to Chicago. He and Lucy spent their honeymoon in Chicago after being married by a justice of peace in Chicago on June 29, 1913.

Much to Lucy's dismay, it was a very short honeymoon. It was not the exciting trip to see the sites in the big city that she was expecting. Charlie thought that spending a few days in Chicago would be a small price to pay to get Lucy to marry him but after he was there for a couple of days, he was ready to leave and get back to Mexico. His description of Chicago was “streets full o' horse shit and ya couldn't walk anywhere without gittin' in it.” So back to Mexico they went to begin their married life. Lucy moved from her parents' home into the Witwer household, which included Charlie's parents and brothers Harry and Dick.

Charlie knew that life as a married man would bring about some major changes in his life, but little did he know that life was soon going to change even more than he had anticipated. Within a few weeks after returning to Mexico from the honeymoon, Lucy decided it was time to tell Charlie the news. By that time, she was sure she was pregnant. She needed to tell Charlie that he was going to be a father! Charlie was far from being ecstatic about this news but accepted the situation. He had never been a person to shirk his responsibilities, and this sure was not the time to start. He had wanted to marry Lucy, and now he was going to be a father also. Of course, once Lucy told Charlie and her family, the news spread very rapidly and was the “talk of the town” for several weeks.

Lucy did not like Charlie working as a railroad detective because he worked long hours. Even though she was not alone in the house and her family was close by, she missed Charlie. She wanted him to be home more. She quite often told Charlie about her feelings, and told him she wanted him to quit working for the railroad and find other work. Charlie disagreed with her, which caused some very heated discussions between the two of them. The rest of the family would scatter when these discussions were taking place. Both of them were good at standing their ground and their stubbornness would surface. Charlie tried to make Lucy understand that he was making good money, and now that there was a baby coming, he needed a good paying job. He did not have much luck in convincing Lucy, though, and this was a dark cloud hanging over the two newlyweds.

Charlie knew he had only two years of formal education and felt he was lucky to have the job with the railroad. A few months later, when he was offered the job as the

village marshal in Hillview, being a detective with the railroad played a part in him being offered that position. The experience he had gained on the railroad also gave him the confidence to accept the challenge.



Lucy at age 18



Jim, the woodsman

CHAPTER 3

Jim, the Woodsman

The next Witwer brother born was James “Jim” Wiley Witwer on May 20, 1884. Jim did not look like his brother Charlie but resembled his father, Jacob, whose ancestors were German and Swiss. Even though Jim was a stocky man, his ability to move quickly amazed his friends—and many times his foes. If backed into a corner, he oftentimes would be the first one to throw a punch, and many times that was the only punch thrown. He did not often start a fight, but he did not back down from one either.

Jim was generally thought to be rather withdrawn and quiet, to the point that many of the townsfolk thought he was a shy fellow. Some said he talked more to his hunting dogs than he did to people. Jim loved his hunting dogs and was content spending time hunting wolves or whatever was in season to be hunted. He also spent time trapping fur-bearing animals so he could sell the hides to earn money. These activities were common among the men, both young and old, that lived in small rural towns. Jim did not view his dogs as just animals with which to hunt. He truly loved those dogs! If Jim could buy, sell, or trade a hunting dog, it would be the highpoint of his day. Oftentimes he would be so attached to one or two of his dogs that he hated to replace them when they lost their usefulness in the timber.

Like Charlie, Jim had little formal education. Until he married, Jim lived with his parents and Charlie doing various jobs he could pick up to help with the household expenses. Life was never very exciting in their small town, so he quite often would frequent the dances with Charlie.

When Jim was twenty-three, he married Hattie Spencer, which turned out to be an unfortunate match from the beginning of the “I dos.” Jim and Hattie set up their own household rather than living with either of their parents. To say that their life together was less than ideal was not a good description. It was a very unhappy union almost from the very beginning. Jim did not shy away from work, but he tried not to let it get in the way of his hunting and trapping, so between hunting, trapping, and working, he was gone much of the time. This was not Hattie’s definition of a marriage.

Since Charlie was still single in those early years of Jim’s marriage, Charlie could spend his free time as he wished. Once the newness of marriage had worn off, which was not more than a few weeks, Jim wanted to run around once again with Charlie. Charlie and tag-along little brother Dick were going to the dances on Saturday nights and chasing the girls. So, within a short time, not only did Jim spend his free time hunting and trapping, but he also left on Saturday nights with Charlie and Dick to go to the dances, and he did not take Hattie.

Jim followed his big brother’s footsteps and liked to get dressed up on Saturday nights. He was known for always sporting a vest under his suit coat and wearing black high top, lace-up shoes. When Jim started getting cleaned up on Saturday afternoon and headed to the local barbershop, Hattie knew what his plans were. That is when the bickering would start. It was not uncommon to get the old washtub out for a Saturday

bath, but when Jim headed out the door to the barbershop, Hattie knew that it meant another Saturday night alone. The minute Jim got home she would be standing at the door with a scowl on her face, ready to pick a fight. When the windows were open on warmer days, the neighbors could hear the rise and fall of the words being thrown back and forth.

Little brother Dick was hardly old enough to be chasing girls, but Hattie knew that he tagged along after Charlie, and the two of them did not go to the dances just to dance. Hattie had been to plenty of dances, and she knew they were flirting and chasing as many young ladies as they could. She did not want Jim to be with them but wanted him to be with her. Rarely did Hattie convince Jim to stay home, nor did she convince him to take her to the dance.



Ernest and Bertha (second wife), shortly after their wedding

CHAPTER 4

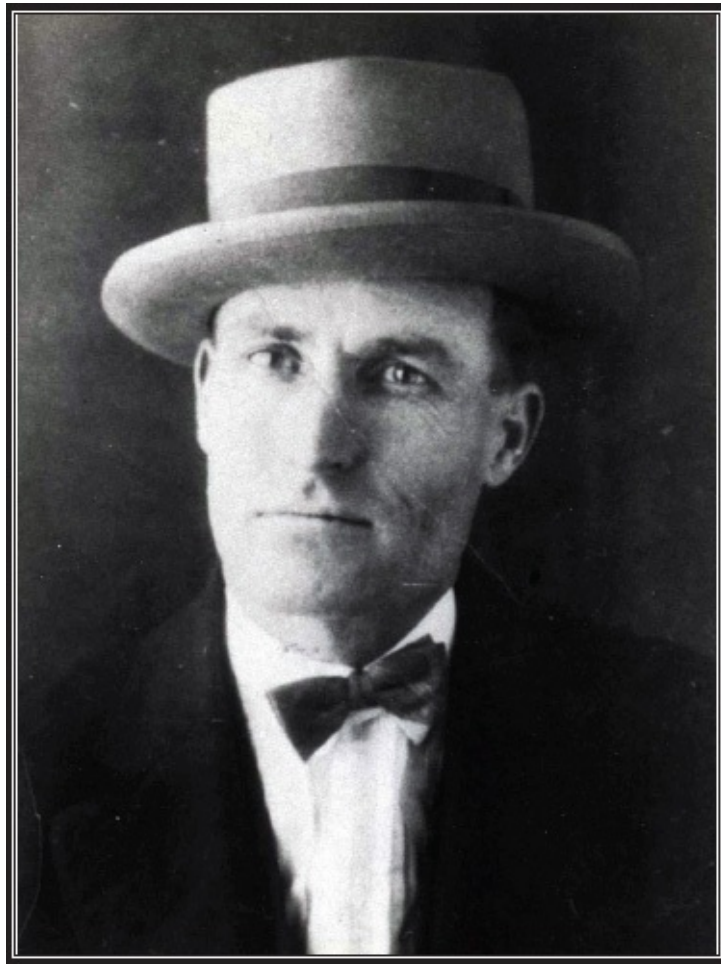
Ernest, the Quiet One

Ernest Witwer, the third of the brothers born into the Witwer family, was born on March 20 of 1886. Like Charlie, Ernest had the Cherokee Indian blood characteristics—coal black, straight hair with dark brown eyes, and the prominent nose. There were now three boys in the Witwer household, each about two years apart. Life was the same for Ernest as it was for Charlie and Jim as the years passed. Going to school was not a priority, and he went to work with his dad as often as he could, particularly when his dad was working on someone's farm. His perfect day was to be able to spend it on a farm roaming through the cornfields and checking out the horses and cows. His brothers would tease him when he came home, telling him he smelled like the cows, or something worse! That did not bother Ernest one bit. Charlie and Jim had their hunting, and he had his farms.

As Ernest grew to be a young man, he began dreaming of owning his own farm. He had grown to love farm life and wanted to raise cattle and grow corn and wheat, but too many circumstances in life got in the way of his dreams. One of the detours was his marriage to Sadie Spicer. This marriage was clouded by some very unusual circumstances.

Ernest and Sadie began keeping company when he was about twenty years old. Sadie gave birth to a baby boy, Glenn, in July of 1906. She named Ernest as the father on the birth certificate even though they were not married at the time of the birth. This certainly gave the gossipers something to pass around when they picked up their mail or ate at the local restaurant. Neither during the pregnancy nor at the time of the baby's birth did Ernest intend to marry Sadie. As the months passed, Sadie and her family tried to coerce Ernest into marrying Sadie. Ernest eventually folded under the pressure and gave up his freedom. All of the Witwer brothers valued their freedom and did not give it up easily. Ernest and Sadie were united in marriage in April of 1907 when Glenn was nine months old.

To add even more confusion to the situation and cause more gossip, on the birth certificate, Glenn's name was listed as Glenn Whitworth, not Glenn Witwer. It was common for young ladies to be illiterate, but compounding the situation, Sadie had a speech impediment and did not speak very clearly. When the doctor asked for the father's name, he understood Sadie to say "Whitworth" rather than "Witwer," so Glenn was forever to be known as Glenn Whitworth. Ernest always regretted succumbing to the pressure to marry Sadie. When the opportunity presented itself to leave Mexico and go with Charlie, Ernest was more than happy to have an excuse to leave—and he had no intention of taking Sadie and the child with him.



Dick, the renegade

CHAPTER 5

Dick, the Renegade

Cecil Witwer, who during his youth became known as Dick, was born on May 27, 1892, six years after Ernest. Dick was a scrawny kid who was often in trouble. He was always trying to keep up with his older brothers. Dick attended school off and on, more off than on. He tagged along after Charlie as much as Charlie would tolerate him.

On Dick's fifteenth birthday, Charlie gave him a single-shot 4/10 shotgun with a pistol grip. It was called a boot gun because it had a short 12-inch barrel. Many times the owner would hide the gun in one of his boots. When the gun was shot, it had a kickback like a mule but it was not very accurate.

Dick was very proud of his new shotgun and, like any fifteen-year-old would do, was showing it off to some of the older boys in town one afternoon. One of them laughed at him and said, "You couldn't hit me in the ass with that thing if you tried."

Throwing a challenge like that out to a Witwer was just not the thing to do, especially not to fifteen-year-old Dick who was always out to prove himself. Dick quickly responded, "If ya put yer ass up, we'll see if I can hit it."

The fellow turned around, bent over, and Dick proceeded to shoot him in the rear. Fortunately, the fellow had on heavy overalls, and the 4/10 shotgun had number eight birdshot in the load. The fellow did require some minor medical attention, but at least he was still alive. It did not turn out to be a serious injury, but Dick had to suffer the consequences for taking on that challenge.

As the events of the day unfolded, someone called the local police, and Dick was arrested. He was turned over to the juvenile authorities and was brought before a circuit judge in Mexico. He pleaded his case before the judge, telling him, "I was just tryin' ta scare the guy. I didn't think the gun was loaded."

Dick's reputation as a troublemaker and as a young lad who skipped more days of school than what he attended was well known in the community. If he had not been in so many skirmishes before, the judge may have been more lenient on him. That was not the case. The judge sentenced Dick to two years in the Booneville Boys Reformatory in Booneville, Missouri.

Dick's behavior did not change in the reformatory, and his performance was less than stellar. He spent more than his share of time in detention. After the story was circulated among the other boys in the reformatory of why Dick was there, he got the nickname of Buckshot. All it took was one of the other boys to call him Buckshot, and Dick would start swinging. The fists would fly, which would result in another detention. Twice, he and one of the other boys tried to run away. Of course, he was caught and each time his sentence was extended. Dick was not one to learn very quickly from his mistakes.

While Dick was in the reformatory, he did acquire some basic math skills and rudimentary reading skills, but the most impressive skill he learned was how to operate a sewing machine and also how to repair one. This turned out to be a most valuable skill in

his adult life.

With detention after detention being added to the two-year sentence, Dick was finally able to walk through the gates to freedom after about three years in the Booneville Boys Reformatory. Dick was released into the custody of his oldest brother, Charlie, and forever left behind the nickname of Buckshot. At least, no one ever called him Buckshot to his face! Charlie always had misgivings about giving Dick that shotgun but hoped that maybe these three years in the reformatory would have taken some of the wildness out of Dick. Charlie took Dick back to Mexico to live with him and their parents, but it did not take Charlie long to realize that those years did little to take the spitfire out of Dick.

Charlie knew that the best thing for Dick was to make him get a job so he would not have much spare time. Charlie hoped that would keep him out of trouble. Dick spent the next couple of years working at A. P. Green Brickyard and making a dollar wherever he could. Dick was like his brothers in that he did not shy away from working, but he did not like the brickyard. Much to Charlie's chagrin, once again Dick followed Charlie to the dances on Saturday nights. He was older now, but he was still the irritating little brother to Charlie. Dick continued to be a renegade but managed to stay on the right side of the law.

Dick met Lucy's sister, Liz, at one of the dances and took a liking to her. Liz was only fifteen, though, and her parents forbid her to see Dick. Dick was not the kind of fellow they wanted courting their daughter. To Liz, Dick's past just added to the excitement of having an older boy interested in her. Liz would slip away on Saturday nights and go to the dances with her sister, Lucy. Dick was not ready to be tied down with a wife, so in those early months he was content with their courtship being limited to when he saw Liz at the dances. A little spark flared up every time he saw her, though, and Liz could see it in his eyes. She hoped that it would just be a matter of time until he took a serious look at her, and she eventually got her wish

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