

Report on the Death of Fred Brammeier, June 9, 1902

On the 9th of June, 1902, Fred Brammeier was shot and killed by his neighbor John Dunn near what is today the South Mesa trailhead. While shootings are not unfamiliar to people in the 21st century, the circumstances of Brammeier's death are an aspect of Boulder's frontier roots that can seem distant and foreign to contemporary residents. Cast in this light, recounting Fred Brammeier's death is an important task that both underscores a critical component of our heritage and exposes Boulder's origins as a small town on the leading edge of America's western expansion. What follows is an account of how the Dunns and the Brammeiers came to live in the Boulder area, and the events that brought the two families together on that fateful spring day in 1902.

Fred Brammeier's father, John William Brammeier, first came to Boulder in the mid-1890s, bringing with him his wife Maud, seven children, two horses and a cow. John and his family settled by a creek on a 160-acre piece of land close to Eldorado Springs where they built a small cabin and several outbuildings to house livestock. The area, now inhabited mostly by ponderosa pine trees, would have been nearly ideal at the time for grazing cows and sheep. Yet conditions at the Brammeier homestead during their first winter were difficult. Blankets hung from the rafters were the only dividers in the family's single room cabin, and a small shed attached to the house was sheltered the livestock. All of the children were sick, and to make matters worse, both of the horses the family brought with them starved to death before spring. Despite these hardships, all nine Brammeiers (plus their cow) survived their first year in Boulder, and by 1902, the family had patented the land.¹

Like the Brammeiers, the Dunns were European immigrants drawn west by rumors of gold and the promise of cheap land. Coming from Ireland to the Boulder area in 1866, the Dunns joined a small community of Irish immigrants living in the nearby town of Marshal. It was there in 1879 that John Dunn was born. John attended school in

¹ Peter J. Gleichman, David B. Tucker and Janet L. Griffiths, *Cultural Resources of City of Boulder Open Space: Bear Creek to South Boulder Creek*, Open Space and Mountain Parks, City of Boulder (Boulder: Native Cultural Services, 1993). p. 81.

the Eldorado Springs district, and when he was twenty years old, he left Colorado to work for two years as a cowboy in Wyoming.²

Upon his return to Boulder in 1901, John Dunn married Emma DeBacker, whose father kindly sold the young couple his homestead for one dollar. The Dunn homestead stood on a sizable parcel of land that abutted the south side of the Brammeiers' 160 acres, and encompassed much of the South Mesa and Doudy Draw trail areas. Standing in contrast to the Brammeiers one room cabin, the Dunns' house consisted of a large wooden house with an attached two level stone structure. John Dunn and his family also enjoyed access to year-round running water in nearby South Boulder Creek, an apple orchard and grazing lands so rich that the cattle required almost no additional feed. John Dunn had a reputation for honesty, and according to the *Boulder Daily Camera*, belonged to "a good family."³

The conflict that brought these two families together and resulted in Fred Brammeier's untimely demise started over the division fence between the two families' homesteads. Sources differ on the exact reason for the animosity between the two ranchers, but according to testimony from Raymond Brammeier (Fred's brother), the Brammeiers' cattle had been straying onto land belonging to Dunn. A few weeks before the murder, the Brammeiers and the Dunns shared in the building of a fence intended to keep cattle off of Dunn's property. During the construction, Dunn went to the Brammeiers to tell them not to trespass on his land, and that lawyers "advised him that he could close up the road" leading to town. Tensions came to a head the next day when Dunn encountered the Brammeiers in Boulder.irate that they had obviously come onto his land while traveling to town, Dunn allegedly threatened legal action and remarked that he "had never lived in a country yet where he could not take care of himself, by fair means or foul." While it's not entirely clear from the article what he meant by this statement, this altercation set the stage for what happened on June 9th.⁴

² See Gleichman et al. *Cultural Resources of City of Boulder Open Space*, and Eldorado Springs Historical Society, p. 82 and "John Dunn 1879 - 1953," *Interview with Thomas Dunn and Ruth Helart* (Eldorado Springs, CO: Eldorado Springs Historical Society).

³ See Gleichman et al. *Cultural Resources of City of Boulder Open Space*, and Eldorado Springs Historical Society, p. 72 For quote see "Did Dunn Kill Young Fred Brammeier in Cold Blood?," *Boulder Daily Camera*, October 16th, 1902, p. 1.

⁴ "People Rest and Defense Begins in Dunn Case." *Boulder Daily Camera*, October 17th, 1902, p. 3.

It seems that the day of Fred Brammeier's death started out much like any other. According to William Blake, he and Dunn had begun the day looking for cattle belonging to a man named Tom Hutchenson. After searching for some time, Dunn and Blake came upon Fred Brammeier driving cattle through his family's alfalfa field. Blake called to Fred to ask if he had seen the cattle belonging to Hutchenson and Brammeier responded that he had not. Blake turned to leave when Dunn said "Hold on; I want to talk to him." At this point, Dunn and Blake's accounts of the event diverge, with Dunn denying that any harsh words passed between himself and Brammeier. Blake, however, alleged that Dunn said to Fred, "I understand you've made a gate" to which he answered, "Yes we have." Next Dunn told Brammeier to keep off his land or he would kill him, following up his threat with a "very vile and unprintable name," to which Fred answered, "'You're another.'" John Dunn then dismounted his horse, unbuckled a 45-90 caliber Winchester rifle from his saddle, and went through the fence "deliberate in his determination to have blood or prove himself a bad man." No further account is given of what words passed between Dunn and his neighbor's son, but both Dunn and Blake saw Brammeier make a motion as if to reach for a pistol on his belt. It was in that instant that Dunn fired, the bullet hitting Fred Brammeier just below the left nipple and exiting below his right shoulder blade. The shot was fired from such a short distance that Fred's clothing was still on fire when his father found his body a short while later.⁵

While Dunn and Blake's testimonies are contradictory, there is reason to believe that the truth of the matter lies somewhere in between the two accounts. According to testimony from Ed Shanahan, who saw the altercation from about a quarter mile away, some angry words did indeed pass between John Dunn and Fred Brammeier. Shanahan also testified to the fact that Brammeier had made a motion towards Dunn before the shot was fired. Thus Dunn might have lied about his conversation to cast himself in a better light, but Fred might not have been as passive as Blake alleged.⁶

Regardless of contradictory testimony, the historical record confirms that John Dunn's next move was to ride into Boulder and surrender himself to the sheriff. On the

⁵ "John Dunn's (Slayer of Fred Brammeier) Examination." *Boulder Daily Camera*, June 13th, 1902, p. 1, "People Rest and Defense Begins in Dunn Case." *Boulder Daily Camera*, October 17th, 1902, p. 3.

⁶ "Arguments in Dunn Case Will Probably Begin Tonight." *Boulder Daily Camera*, October 16th, 1902. p. 1.

way, he passed undertaker Buchheit who had been informed of the killing by William Blake. Dunn was promptly arrested, and because of the threats he had made against the Brammeiers, he was held without bail “until the next term of the district court,” which began in October 1902. During the trial, witnesses generally agreed that Dunn had threatened the Brammeier family, but that Dunn had not left his home that day intending to kill any of the Brammeiers. In a significant contradiction to William Blake’s testimony, Dunn claimed that he already had the Winchester rifle in his hands when he dismounted, having used it to shoot at a coyote a little while earlier. Dunn went on to testify that, in the instant before the shot was fired, Fred Brammeier had sprung towards him, stretching out for the rifle with his left hand while reaching with his right for what Dunn thought was a pistol. He then tried to poke Fred in the ribs with the rifle, and it was this defensive action that caused the gun to fire. Dunn’s trial lasted all of three days, and after only a few hours’ deliberation, the jury ruled Fred Brammeier’s killing to be involuntary manslaughter. John Dunn was sentenced to a year in jail and served his term in full.⁷

Despite the great amount of public attention the trial garnered, it appears that the ultimate conclusion of the events surrounding Fred Brammeier’s death was fairly unremarkable. A few months after Fred died, John Brammeier and his family moved into Boulder and began running into financial difficulties. The Brammeiers appealed to Maud’s father who agreed to help the family on the condition that the Brammeier property be deeded to his daughter. It is important to note, however, that according to Ed Shanahan’s granddaughter Barbra Jean Robbins Shanahan, Marshal postmaster Thomas Eagan and others who testified during Dunn’s trial were cited for false testimony. Allegedly, Eagan lied about Blake not wanting to accept mail for John Dunn in the Marshal post office. Unfortunately, very little information about who else might have been cited exists, so it is difficult to know how these revelations might have shaped the outcome of the case. Even so, one must assume that neither Dunn nor Blake were

⁷ “Boulder Tragedy. Fred Brammeier Killed Near South Boulder.” *Boulder Tribune*, June 13th, 1902, p. 1, “People Rest and Defense Begins in Dunn Case.” *Boulder Daily Camera*, October 17th, 1902, p. 3. “Dunn Gets Off Easy” *Boulder Daily Camera*, October 18th, 1902. p. 1.

accused of lying under oath, for an indictment against the only witnesses to the shooting would most certainly have been included in newspaper reports of the trial.⁸

With all of the threats and animosity that passed between the Dunns and the Brammeiers, it would be easy to feel that John Dunn might have gotten away with murder. This feeling is compounded by the lack of witnesses at the scene and the contradictory testimony given by Dunn and Blake. Yet it is important to note that the record of his trial and the verdict of the jury bear out John Dunn's assertion that Fred Brammeier's death was unintentional. The feeling that the Brammeiers were denied justice, then, must serve as a reminder of the problems and challenges that came with frontier life in the early 20th century, and how much Boulder has changed since that time. By thinking of the shooting in this way, we can create a stronger link to our heritage and pay tribute to the memory of Fred Brammeier.

⁸ "Arguments in Dunn Case Will Probably Begin Tonight." *Boulder Daily Camera*, October 16th, 1902. p. 1, Shanahan, Barbra Jean Robbins, interview by Wilda Swift, 1997, Oral History 0973, Maria Rogers Oral History Program Collection, Carnegie Branch Library for Local History, Boulder, CO.

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