

Edwin Devalson Brackenbury Jr. (Uncle Dee)

By

Dee Ann Durfee Spencer

Great Niece

The following information was derived from relatives, news articles, and death certificates as noted.

Olive Brackenbury Lancaster (granddaughter of Edwin Devalson Brackenbury Sr.).

Dee Brackenbury shot Warren (pap) Richardson by accident. They were trapping and went to Almo and got drunk. They went back to camp and Richardson was going to take the hides and sell them. Dee said he was taking the gun out of the scabbard and it went off and killed Richardson. Grandpa Brackenbury was sheriff at the time and had to go find him and arrest him. Dee was tried and sent to prison in Utah. He died in prison of hemorrhage in the head.

Howard Brackenbury Reminiscences (brother of Edwin Devalson Brackenbury Jr. (Dee))

In 1908, Dee was gathering hides with Pap Richardson, Fryer, a blacksmith, and Sim Richardson, Pap's son. Old Pap lagged behind in his wagon. Dee went back to get him, as he went to get off his horse, his shotgun caught the saddle horn and accidentally went off, killing the old man. Dee became frightened and ran away on foot, leaving his horse behind, he traveled from Strevell, Idaho to the flat where Henry and Lottie lived. Lucien Bronson found the old man's body and reported it. Henry came to Albion and told Father that Dee was staying with him. During the night Father and Henry took Dee to Brigham City to jail where he was to await trial. My father sold most of his horses and cattle to pay for a lawyer for Dee. Dee died in 1910 in the Brigham City Jail.

*Jul. 31, 2008 Dee Ann Spencer & Beatrice Durfee checked the archived newspapers at Minidoka Museum, Rupert Idaho and found the following news article.*

#### **RUPERT-PIONEER RECORD**

April 7, 1910

#### **CASSIA COUNTY TRAGEDY**

Warren Richardson shot and killed by Dee Brackenbury

Albion Nugget: Warren Richardson of Almo was killed last Monday evening about two miles east of the Clear Creek schoolhouse on the old emigrant road, in Utah, near the state line. The man accused of the crime is Dee Brackenbury of Almo, who has since not been seen or heard of, and is supposed to be hiding in the mountains.

The report, as we got it from Almo parties is as follows:

Sometime last week, Warren Richardson and his son Sim, and Dee Brackenbury and Ed Ogden of Almo went in two wagons to the Kelton flat to pull wool. They returned Monday and stopped at Jack Meacham's place. They were drinking some and Mr. Meacham wanted them to move on. They did so, Mr. Richardson going in one wagon and the other three in the other. When they got to the place where the Clear Creek and Round Mountain roads part, Mr. Richardson took the former and the others the latter. Brackenbury shouted to Richardson to join them but he motioned to them to join him. Dee unhooked one of the horses from the wagon, took the shotgun and vowed he would bring him back. That was the last seen of Dee. The son and Mr. Ogden camped at the place all night and the next morning followed the Creek road to see what had become of Brackenbury and the boy's father. About two miles down the road they found the old man dead and about a half-mile farther away they found Dee's gun.

## **OAKLEY HERALD April 12, 1910**

### **YOUNG BRACKENBURY SURRENDERS**

#### **DEE BRACKENBURY, SLAYER OF WARREN RICHARDSON, NOW IN JAIL FOR AWFUL DEED.**

E.D. Brackenbury, of Almo, Idaho, arrived in Ogden Wednesday, 13<sup>th</sup>, after delivering his son Dee into the custody of the officers of Box Elder County.

On March 29, 25 miles north of Kelton, Utah, Dee Brackenbury shot and killed Warren Richardson, and then disappeared, and though he was searched for diligently since then by officers from Brigham, he could not be traced.

On last Saturday the young man, who is 34 years old, reappeared at the home of his brother, Henry Brackenbury, and informed him that he was on his way to give himself up to his father at the ranch, 30 miles south, and next morning he kept his word. After a conference, the father decided to take his son to Kelton. When they arrived at the station on the old line north of the lake, the Box Elder authorities were informed by wire and an officer accompanied the party to Brigham, where the slayer was jailed Tuesday afternoon.

The tragedy is traced to whisky. On March 29, Dee Brackenbury, Warren Richardson and his son, with a blacksmith left Kelton with two gallons of whisky and a gallon of alcohol. They first drank the alcohol and then consumed the whisky. They all became extremely intoxicated and quarrelsome.

At a point 25 miles north of Kelton, at the fork of the roads, Warren Richardson, 60 years of age, left the younger men and proceeded in his wagon along a different route. After he had gone a short time, Brackenbury boastfully said to his companions he would unhitch a horse and bring back the old man or know the reason why. He started out on horseback

with a shotgun. This was at twilight. The others of the party made camp for the night and not until the following morning when they set out to learn the sequel of the boast did they discover that a tragedy had been enacted. Richardson was found in the road, his body riddled with shot. Dee Brackenbury had left no trace of his whereabouts. The crime was not reported to the officers until the boys reached Algo, some time after. With four days start young Brackenbury had ample time to escape. He made a detour to near Harkness, Idaho, and then, coming to his senses, resolved to make for the Canadian line, but, becoming remorse stricken, decided to return down the Snake river to Burley and on home to surrender to his father, who had twice served as sheriff of Cassia county, Idaho, and who was born near Riverdale, in Weber county.

The two grief-stricken families are neighbors and related by marriage,  
.....(*the rest of the article was torn*)

August 11, 2008

The following e-mail was received by Dee Ann Spencer. I had contacted the Research Center of Utah State Archives & Utah State History about the trial to see if they could locate any newspaper articles or trial records.

Re: Patron Question from Web

From: **HISTORYRESEARCH HISTORYRESEARCH** (historyresearch@utah.gov)

Sent: Mon 8/11/08 12:38 PM

To: dee\_annspencer@hotmail.com

Dee Ann,

I did not find any death certificate for either Warren Richardson or Edwin Blackenbury, but I did find information regarding this murder in the Box Elder News. This paper was a weekly that was published on a Thursday and this murder was front page news for the period of 31 Mar 1910 thru 20 Oct 1910. Edwin didn't died in Brigham City but was turned over to the State Pen and apparently died there. I copied the articles regarding this case for you and the total cost, including mailing, is \$23.00. This can be paid with a check or money order by mail (our mailing address is listed below), or, if you prefer, you can use a Visa or MasterCard by phone. Our phone number is 801.533.3535. We await your response.

Sincerely,

Dana Stimler  
Volunteer

Reference Staff  
Research Center of  
the Utah State Archives  
& Utah State History  
300 S. Rio Grande  
Salt Lake City, UT 84101  
Ph 801-533-3535  
<http://historyresearch.utah.gov>

historyresearch@utah.gov

Please note our new hours M-Th 7am-6 pm.

( I ) Dee Ann, received a packet of copied newspaper articles about the trial from the History Research in August 2008. The newspaper articles were found in the The Box Elder News and the Box Elder Journal located in Brigham City, Utah. Included was the death certificates for both Warren Richardson and Dee Brackenbury and the Prisoner's List for the Utah State Prison.

I will list the newspaper articles by date with a summary of each. The names of the various parties were sometimes misspelled and I left them as found in the articles.

### **THE BOX ELDER NEWS, Brigham City, Utah**

March 31, 1910

#### **ANOTHER MURDER**

Excerpt: A telegram was received by the County Atty., Nels Jenson "March 30, Warren Richardson of Almo, Idaho was killed between Clear Creek and John Meacham's store. Supposed to have been killed by D. Brackenberg." No other details given. The shooting occurred Monday and officials cannot understand why they were not notified until yesterday.

### **THE BOX ELDER JOURNAL**

April 7, 1910

#### **ALLEGED MURDERER**

MAN IS SHOT DOWN IN COLD BLOOD AT THE LITTLE TOWN OF CLEARCREEK

Sheriff Josephson returned Saturday night from ClearCreek, Utah after a two day's search for D. Brackenbury, who is charged with the murder of Warren Richardson at ClearCreek last week. The crime was committed on Monday, and the first news of the crime reached this city Wednesday morning, when the sheriff's office was notified. County Attorney Nels Jenson got out a warrant for the arrest of Brackenbury, and the sheriff began a search for him immediately. The posse began Thursday and continued until Saturday, when Sheriff Josephson returned to this city in order to spread the news to other states where officers may have a description of the man.

The alleged murderer is a young man with a wife and one child. He was a soldier in the Phillipine Islands. Mr. Richardsen was a man about thirty-five years of age. He was shot in the chest with a shotgun from apparently very close range. Death must have been instantaneous. There is only one motive known as a possible cause for the crime, and that is the men were overheard quarreling at Kelton before they left for their homes in Almo, Idaho, and it is thought that Brackenbury killed his victim at a lonely spot, then escaped.

## **THE BOX ELDER NEWS**

April 7, 1910

Excerpt:

The county officials learned however, that the men, Richardson and Brackenbury, had been drinking heavily, but were the best of friends. The killing was undoubtedly the result of a drunken brawl, because it is reported that some little disturbance was created at Mecham's store and Mr. Mecham ordered the men to drive off his premises. As they drove away, several shots were fired at the store buildings, but no damage was done. The report was also made that Brackenbury had got hold of Richardson's revolver at Conant's ranch so that when Richardson, who was driving behind, left the other party, soon after leaving Mecham's store, he was unarmed, and it is supposed that when Brackenbury, who unhitched one of his horses and taking a shot gun, went to bring him back, came up with Richardson, a quarrel ensued resulting in the killing of the latter.

## **THE BOX ELDER NEWS**

April 14, 1910

### **BRACKENBURY IN CUSTODY**

Monday evening a telegram was received by the sheriff's office from Kelton stating that D. Brackenbury, wanted for the recent murder of Warren Richardson out in Clear Creek, was in Kelton. Sheriff Josephson being away in the north, Deputy H.S. Jensen wired back asking if the message was true or just a joke. The answer came immediately that Brackenbury was in custody at Kelton, and the officers were asked to come out the day following and get him.

This was rather startling news in view of the fact that a diligent search has been kept up since the murder was committed, but not a trace of the man wanted could be found.

However, Deputy Sheriff H.S. Jensen and Marshal Abraham Evans took the "limited" for Kelton Tuesday morning, and upon their arrival were met between the depot and hotel by Brackenbury and his father, who had the young man in charge, and who would have brought the young man to Brigham Tuesday evening, whether the officers arrived or not.

He was formally turned over to the deputy sheriff and marshal, and after being searched, the time was spent until the train left for Brigham when the entire party came in. There was no show of resistance on the part of the prisoner, so no irons were used, but the party traveled in a little group as ordinary passengers would.

Upon arrival at the depot here, the party got off the train and walked uptown to the county jail, where Brackenbury is now located. The prisoner would not divulge his whereabouts since the murder was committed, and strenuously denied that anyone had seen him as has been alleged.

At the next term of the district court the case will likely come up for hearing and in the mean time nothing is known as to the nature of the plea the prisoner will make when arraigned in court. Brackenbury is 34 years of age, and has a wife and baby under a year old. Sympathy cannot help but arise for the aged father, who was bringing his son to justice, as well as for the entire family.

**NEWSPAPER ARTICLE- May 5, 1910** Not clear which newspaper

*The preliminary hearing was held April 29, 1910. Dee entered a plea of "not guilty" and represented by Judge H.H. Henderson of Ogden. His father, Ex-sheriff Brackenbury of Cassia County, Idaho was also present at the hearing. Dee was bound over to district court without bail.*

**THE BOX ELDER NEWS**

May 26, 1910

**PERFORM AUTOPSY**

Excerpt:

The start was made from this city at about 7 o'clock and the party reached Almo where they found everything in readiness for the autopsy. An examination was made first to locate if possible, the shot which had killed the man, the idea prevailing that the leaden missiles would be lodged somewhere in the regions of the back. Dr. Harding soon discovered that there would be no shot procured from that side, so the incision was made directly over the heart, and a number of shot, together with a piece of wire, one of the clasps of the jumper which he was wearing, were secured. The upper part of the heart had been entirely shot away.

**THE BOX ELDER NEWS**

July 7, 1910

**THE MURDER TRIAL**

Excerpt: The prisoner appeared in court looking well but somewhat serious. He was accompanied by his father, ex-sheriff O.D. (sp) Brackenbury of Almo, Idaho, and his attorneys, H.H. Henderson and R.H. Jones.

During the examination of the jury, the defendant took careful note of the proceedings while his father sat close to Judge Henderson, and interrupted him occasionally. A touch of pathos was added to the scene by the presence of Mrs. Dee Brackenbury, the young wife of the accused and her babe in arms, also by the presence of Mrs. O.D.(sp) Brackenbury, mother of the prisoner. Members of the dead mans family were in attendance, together with a number of witnesses for both sides.

## **BOX ELDER NEWS**

July 21, 1910

### **CROSS EXAMINATION**

This part of the testimony tells of the wandering of the defendant from the time the tragedy occurred until he gave himself up.

After we left Mechams store the first I can call to mind distinctly is of being near Malad somewhere. I have a faint recollection of seeing Mr. Richardson that evening and being on the horse and talking to Mr. Richardson. I got off from the horse while I was talking with him. I do not know what was said. The first I recall is of seeing a light flash up and seeing Mr. Richardson there and he spoke to me and I rode up to where he was and I remember of getting off my horse I remember of a gun being discharged and remember of getting from my horse and kneeling down by Mr. Richardson's head. I think I raised his head up and talked with him. I do not know what I did next but I think I got on my horse. I do not know where I went. The first I have any recollection of is coming to up on a hill at the head of Malad, I do not know how far it is from Mecham's store. It was Friday in the evening. I saw a sheep camp there and went down to the sheep camp. My pants were off above my knees. I went down to the sheep camp and they gave me a pair of pants. I had guns on me. I had the six shooter that Mr. Sim Richardson gave me. There was two cartridges in it.

I was over in Hawkins Basin Saturday morning. I got a piece of bread and butter from a lady and went on. I did not tell anybody that I was Dee Brackenbury. I was going home to my father. I went from there down into Marsh Valley. I rode about a mile with a couple of fellows. They asked me to ride. I had not had anything to eat. I met several people on the road but did not know them. I went along the foothills. I was right along the main traveled road. I came across a gentleman that was batching it and living alone and I rode with him and had something to eat. His name was Thompson. I stayed there all day Saturday and Sunday. He was going to Inkom and I rode with him. Inkom is a very small place, there is a store, stable, and railroad station. I went right along the wagon road about half a mile and met a sheep man that was going to his ranch and I rode with him. I believe Inkom is about ten miles from Pocatello. He took me about half way. I do not know his name. I stayed there and had supper with them. After supper two boys came along the road and I rode with them to Pocatello. I got there between Sundown and dusk. I went straight thru the town to the railroad station and was east of the railroad. This was the first time I was in Pocatello. I did not see the depot. I knew that it was at my left. I walked down a bout four or five miles below Pocatello and found a man who had a fire. He was a foreman who had worked on the Lucin Cut-Off. I stayed there all night. We walked down the road about three or four miles and struck a sheep camp the next morning and had some breakfast. We stayed here only a short time. We traveled all that day. We traveled on the Railroad. We walked to somewhere between Pocatello and American Falls. About halfway. Had nothing to eat. We stayed about halfway between Pocatello and American Falls Tuesday night. We camped all night. We got up after sunrise and started traveling again. At about ten o'clock we came to a camp of R.R. men and we got a little to eat from them. We did not stop very long, we rested a little and had a bit to eat. That evening we went thru American Falls. We got across American Falls on the wagon bridge a little before sunrise the next morning. We camped just across the

river. That was Wednesday. We walked all the next day. We walked down between – I do not know how far it is. We had something to eat that day. Below American Falls we struck a sheep camp and got something to eat. We stayed between American Falls and Burley that night.

We got to Burley Friday about ten o'clock. We got something to eat there. Stopped at the station and got something to eat. A young fellow who was going to the restaurant got me something to eat. I had been talking with him. It was not the fellow that I had been traveling with. I had the rheumatism and he left me. I stayed around Burley until about..... I had no relatives in the vicinity of Burley. My brother lived about 9 or 10 miles south of Burley. My father lived in Albion. My brother lived along the road that went to Albion. I got there about dark, found no one at home, went in and got some supper, helped myself and went to bed, got up between morning and noon. Sunday afternoon my brother and his wife came down. I went out and got some water that day. I got to my brother's house Saturday. I stayed Friday night at a town along the road, about three or four miles from the Burley bridge. It was about ten to thirteen miles from the Burley Bridge to my brothers house and I got there on Saturday evening, got supper and went to bed.

Sunday afternoon I was at my brother's house and he came to his home Sunday afternoon.

Q. How far is it from your brother's house to Albion?

A. About six miles.

Q. Who was with your brother?

A. His wife and sister and little brother. We had a talk.

Q. Do you know where they went to then?

A. They went, my wife, little sister, and brother went to father's and father came to see me. We had a talk. We got a buggy and started for Kelton. We went thru Albion and along the stage road to Kelton. We went thru Albion along about night I do not know the time. Traveled all that night. We were at Raft River at Andrew Olsen's that night and next morning we went to Kelton. We went by Mecham's store. We came in on the old stage road round Round Mountain road to Mecham's. We did not stop there only a second. Mr Mecham asked us to mail some letters and we went right on. We passed about ten o'clock. We had nothing to eat until we got into Kelton. We got there a little after noon. We went to a livery stable and put up our team. We went into the hotel and had dinner. I went to Kelton to give myself up. We stayed in Kelton the balance of that day. We stayed at the hotel. We left Kelton about 3 o'clock and got here Tuesday about 6 or 7 o'clock. I have been in the County jail ever since. I arrived here on the 12<sup>th</sup> day of April. It is about 66 miles from my brother's place to Kelton. During my lifetime as long as I had known Richardson we never had any trouble and the time we went to Kelton we had no trouble that I know of.

#### TESTIMONY OF SIM RICHARDSON

At the Coroner's Inquest, introduced at the hearing as one of the exhibits:

My name is Sim Richardson. I am 16 years old, live at Almo, Idaho, and am the son of the deceased, Warren Richardson. Ed Ogren, Dee Brackenbury, Warren Richardson and myself were pelting and were at Kelton on Sunday the 27<sup>th</sup> of march 1910. They were all drunk except myself. Ogren was in bed and would not get up to let Dee have his quilts and dee pulled him out of bed and Ed started to choke Dee, but let him go and went back to bed again. Dee got into the wagon and got a large rifle, then Ed got up. Dee told me, "It was a wonder I did not kill him."

Then we loaded our stuff in the wagon and started home. Dee, Ed, and myself were in Dee's wagon. On the trip out, they talked the same as usual, joking etc. We camped Sunday night above Conant's field, my father was driving the light wagon and all left Kelton the same time. My father and myself went back to Kelton that evening and he bought a gallon of whiskey and some alcohol, and then returned to the camp. The blacksmith or Ed, paid for the liquor.

The next morning we pulled down below Conant's hunting pelts and got dinner. After dinner we came up to where the road from Ten Mile comes into the main road just about a mile south of Emigrant Springs. Ed's hat blew off and when he got out of Dee's wagon to get same, the team started to trot off. Dee was asleep. My father and myself caught up with Dee and hollered at him; he got up and stopped the team and they all got out and took a drink and Ed was quarreling with my father for driving the horses too hard. Ed then knocked him down and Dee stopped the trouble. Then we all went on to Mecham's store. Dee and myself went in and Mecham asked Dee what he wanted, and to hurry up about it, and Dee told him to go to hell. Then we went out and started to drive to the Dives, where we intended to camp. As we went over the hill north of Mecham's store, Dee took a 22 rifle and shot at the house several times, when a cartridge to stuck in the gun and he stopped shooting. Dee said he would shoot at the damn beggar as long as he could see him.

Dee and myself were in Dee's wagon and Dee was driving, and when he started to shoot, he threw the reins on the ground – the horses were on a trot. Then I jumped out and got the reins and gave them to Dee. Dee was pretty full at this time. Ed was riding with my father a short distance behind us. We stopped at the second left hand road and Ed got into our wagon and we drove on about 100 yards on the main road and my father turned off on the old unused road.

When father was about 150 yards from the forks of the road, Dee hollered for him to come back into the main road. My father just hollered and swung his hat in the air – his horses were on the lope. Then dee said to us, "By God I'll fetch him back." Dee was out of the wagon at the time and ran about 200 yds to catch father and could not, so came back. He then unhooked one of the work horses and got the shot gun out of the wagon and some shells and loaded the gun, jumped on the iron grey mare with harness on and started out on the trot, and late on loped. This was about dusk. Dee did not return. Ed said that Dee would kill him.

We had a bed in the wagon and went to bed. We got up later to give the horses some hay and made our bed on the ground. Our dog barked thru the night. We got up at sunrise, filled the coffee pot full of snow, found a short distance from the wagon, and built a fire and melted the snow and took a drink of the same. We did not eat supper or breakfast as all the provisions were in the other wagon.

We returned to the wagon and pelted a sheep, and Ed said that I had better get on a horse and hunt the other men up. I took the brown mare with harness on, and started up the road my father was on, and found him in a ravine about 2 miles from where we camped, and at the same time a shepherd came down off from a hill.

I started to talk with the herder and could not understand him. I stopped my horse in the road and saw my father lying dead near the road, with a gunshot wound in his breast. There was blood on the ground to the right and on the body. After I left my father's body, I rode up to the buggy about 75 yards west, and found the two horses still hooked up. I got off and unhooked the buckskin horse and rode him and turned the brown mare loose, and started for home. I stopped at Brown's ranch and notified them of the death of my father.

My father had a 32 cal. Revolver about a four inch barrel. He carried it until noon when we camped below Conant's on Monday, the 28<sup>th</sup> when Dee took the revolver and put it in his own pocket and carried it ever since.

We had the following guns in our possession:

- 1- 25-35 rifle, owned by Dee
- 1- 22 rifle owned by Ed
- 1- 32 revolver belonging to my father
- 1- 12 gauge shot gun owned by Ed

The shot gun was double barreled and lost one hammer between Conant's and Mecham's.

Signed

SIM RICHARDSON

## **THE BOX ELDER NEWS**

July 14, 1910

### BRACKENBURY TRIAL

Excerpt:

Tuesday Sim Richardson, the son of the dead man and who was one of the party on that fateful day when his father was killed, was sworn and testified to the circumstances leading up to the shooting telling how the party had driven from Kelton to Mecham's store, describing the shooting which took place. He then narrated the incident which happened between Mecham's store and the place where the road divided, Richardson taking a different road from Brackenburg and the others, and how Brackenburg told Richardson to stop, and the latter continued on his way. Brackenburg made a threat with an oath, unhitched his horse, and with a shotgun in his hands, mounted the horse and rode after Richardson. Sim Richardson also rehearsed while he and his companion camped for the night, the other two men never returned and how next morning they started to hunt them up only to find Richardson's dead body with a shot through the heart, a distance of a little over 3 miles from where they had camped for the night. Rigid cross examination failed to shake the boy's testimony. He has told the story three times now, and it is practically the same. Roy Badger, one of the first to the body after the killing had been made known, was also on the ? and told of the conditions surrounding it. The prosecution is still examining witnesses and the attendance at the trial is rather small, due no doubt to the warm weather which makes sitting indoors rather uncomfortable.

## THE BOX ELDER NEWS

July 21, 1910

### MURDER CASE GOES TO JURY TODAY

The past week has been an eventful one for Dee Brackenbury. His life has been probed into and every ? that tended to show any deficiency in his mental make-up, has been ? out, in the hope that a reasonable doubt might be created in the minds of the twelve men who are to determine his fate, as to his sound mental condition when the tragedy occurred. The defense has made its fight along the lines of irresponsibility caused by the influence of liquor, and accidental shooting.

Mrs. Brackenbury, mother of the defendant, was examined by the defense and she told of the peculiarities of her boy. The picture of the ? mother sitting on the witness stand pleading for the life of her boy was indeed pathetic, and when her story was thru, the attorneys for the state declined to cross examine. Mr. Brackenbury himself, occupied the stand for the greater part of two days during which time he was subjected to a grueling cross examination by Att. J.D. Call. Part of his testimony is given below in ?, as well as the cross examination which tells of his wanderings from the time of the tragedy until he was brought to this city.

*Some of the testimony of Dee is illegible. I will summarize what he said.*

*The group had left Kelton and stopped to eat at Conant's Ranch. Dee unhitched the horses and started to tie them up to the back of the wagon. Sim Richardson was in the road behind his father's wagon and his father was shooting around on the ground. Sim said Dee hadn't better fool around with his old Dad. After Warren Richardson had shot at the boy's feet, Sim got the gun from his father and gave it to Dee who put it in his pocket. Mr. Ogren was by Richardson's wagon talking to him. Dee took the horses to the creek and watered them and returned and tied them to the wagon. Then he took Warren Richardson for a walk to get him sobered up. Richardson was mad at the boy and shooting around. When they returned from the walk Mr. Ogren and Sim Richardson had dinner ready. The group had alcohol and Brackenbury had put it in the coffee. The group started drinking when they stopped for lunch. Right after lunch, Dee got sick for about a half hour. He was awful sick and thought he was going to die. He told Ogren to take care of his wife and baby. They left Conant's Ranch about 3 p.m. and started towards Mecham's place. Ogren and Brackenbury left in his lumber wagon and the Richardson's in their rig. Most of the time, Dee was lying down in the back of the wagon. The group met at the forks south of Emigrant Springs, where Mr. Richardson and Mr. Ogren had trouble, they were fighting or going to fight. The jug was passed around and Dee drank some. (End of Dee's testimony printed in the paper.)*

## **THE BOX ELDER NEWS**

July 28, 1910

### **MURDER IN SECOND DEGREE**

Excerpt: After being out four hours and forty-five minutes, the jury in the Brackenbury murder case returned a verdict of murder in the second degree.

A representative of the News was asked to interview Brackenbury in the corridor of the jail Tuesday. When asked if he had anything for publication, the prisoner said he was not looking for public sympathy, but when asked how he felt about the verdict, he stated that he had no complaints to make against the court, jury, or Sheriff, feeling that they only did what they ? their duty. He said, however, that there was certain evidence against him which was untrue and were misstated. When asked if he would appeal, he replied "I don't know anything about what they intend to do," meaning his father, and attorneys. He stated that he was feeling well physically, and had nothing but good to say of the sheriff's treatment during the time he had been incarcerated in the county.

## **THE BOX ELDER NEWS**

August 18, 1910

### **BRACKENBURY NOT SENTENCED TODAY**

Today was the date fixed for the passing of sentence on Dee Brackenbury, who was convicted of murder in the second degree at the last session of the District Court. Before Court adjourned, several weeks ago, attorneys for Brackenbury filed notice of intention to move for a new trial which was later done before the time limit expired, granted by law.

It was expected that the motion for a new trial would be argued today previous to passing sentence, but attorneys for the defense asked for a continuation until October 15<sup>th</sup>, because they did not have their transcript of the evidence ready. The Court granted the petition, and Brackenbury will remain in the County jail for another two months before learning his fate.

## **THE BOX ELDER JOURNAL**

October 20, 1910

### **LIFE IMPRISONMENT FOR BRACKENBURY**

Last Saturday, Dee Brackenbury, convicted of second degree murder for the killing of Warren Richardsen last March, was taken before Judge Maugh on last Saturday to receive his sentence. He was accompanied by his attorneys, his wife, sister and parents.

The judge read what the penalty for second degree murder should be, ten years being the minimum and life imprisonment the maximum, then looking at the defendant he said, "If I had any assurance that when you gained your liberty after a term in the penitentiary, you would be a good citizen, I would give you a term sentence, but since I have no assurance of that, I will leave the matter to the state board of pardons." He then sentenced him to serve life imprisonment for his crime and remanded him to the sheriff for safe keeping until he was given over to the custody of the warden at the state penitentiary. The prisoner's wife, mother, and sister burst into tears and there was none in the courtroom that were not affected. The deputy sheriff immediately took the doomed man back to his cell in the county jail. Judge Henderson, attorney for defendant, asked for time to prepare an appeal and was given ninety days in which to prepare the same.

## **THE BOX ELDER NEWS**

November 10, 1910

### **LIFE SENTENCE ENDS QUICKLY**

After having served just three weeks of the sentence which sent him to the state prison for life, Dee Brackenbury was released by the angel of death and the mandates of the law were fully satisfied. He died early Monday morning from hemorrhage of the brain caused by worry over his condition. In fact since his incarceration Oct. 18<sup>th</sup>, he has been ill, and a greater part of the time refused to partake of food. The strain was too great for his mind and a day or so before he died, he lost his mental equilibrium and became almost a raving maniac, endeavoring to escape from the clutches of the man whom he killed, whom he supposed was after him. Thus ends the chapter of a life which began as a suckling babe, innocent and guiltless as an angel in heaven, but which became perverted as it advanced in years through participating in things unlawful and sinful until another human life was sacrificed and the penalty of the law was meted out as imprisonment for the remaining period of time on this earth. There is nothing but sadness in the reflections on such a career, and instinctively the heart's kind sympathy goes out to the mother who nursed the baby, little dreaming that it would lead the life it did and would meet the end which came to it. There is a wife and baby also, who are left, but it seems that the angel of death has certainly performed a kind act in their behalf, in ending the tragedy which must have become more and more painful as time went on. The body of Dee Brackenbury was turned over to an undertaker in Salt Lake City and prepared for shipment to Almo, Idaho, where the parents and family of the unfortunate man reside.

His death certificate states :

I hereby certify that I attended deceased from Oct 18 1910 to Nov 7 1910. That I last saw him alive on Nov 6, 1910 and that the death occurred on the date stated above, at 4:45 AM.

The cause of death was as follows:

Chief cause: cerebral hemorrhage

Where Contracted: Salt Lake City Duration: 1 day

Contributory(if any)Alcoholism

Where Contracted:Idaho Duration Years H.Z. Lund M.D.

**SALT LAKE HERALD  
LIFE SENTENCE IS ENDED SUDDENLY**

**Nov. 8 1910 (This was date on news article on the internet but he died on Nov. 10)**

**GRIEF OVER CONVICTION ON MURDER CHARGE LEADS TO DEATH OF DEE BRACKENBURY**

Worry and a broken heart are given as the contributing causes of the death of a life prisoner at the state penitentiary yesterday morning.

Grief over conviction on a murder charge in Box Elder county, caused the prisoner, Dee Brackenbury, to collapse with nervous prostration, and, in this condition he lay for weeks in the prison hospital ward until cerebral hemorrhage ended his life about 4 o'clock yesterday morning.

After Brackenbury's incarceration, his grief and worry became so acute and intense that the prison authorities feared for a time that he would become insane. The prisoner refused to touch food, and was forced to partake of nourishment only a few times after his incarceration about three or four weeks ago.

His mental anguish, coupled with his weakened physical condition proved too much for his brain to stand; a blood vessel burst and his life sentence was but a few days in length.

**Convicted of Murder**

Brackenbury was serving a life sentence for the murder of Warren Richardson, 60 years old, at Clear Creek, Box Elder county, on March 28, 1910. The murder case was started in the district court here on July 12, and on July 22 the jury returned a verdict of guilty in the first degree. On October 16, Brackenbury was sentenced to life imprisonment by Judge W.W. Maughan of the First District court of the state, and on October 18 was brought to the state penitentiary by Sheriff Josephson of Box Elder county.

Brackenbury was the son of ex-Sheriff E.D. Brackenbury of Cassia county, Idaho, whose home is in Albion. The parents are of good reputation, and spent much money in the hope of freeing the young man from the charge. The murder was one of the most atrocious in the history of the county, and was committed without cause while Brackenbury was in a fit of anger caused by drink.

The body of Brackenbury was taken from the prison to the undertaking establishment of Joseph William Taylor, where it is being prepared for burial. The body will be sent to the parents in Idaho for interment.

There remains a question why the family felt it was an accident. Dee refers to certain evidence as untrue and misstatements in the witnesses testimonies. A sad story in any case.

This concludes the information I have on this. Transcripts of the trial might be available through Box Elder County.

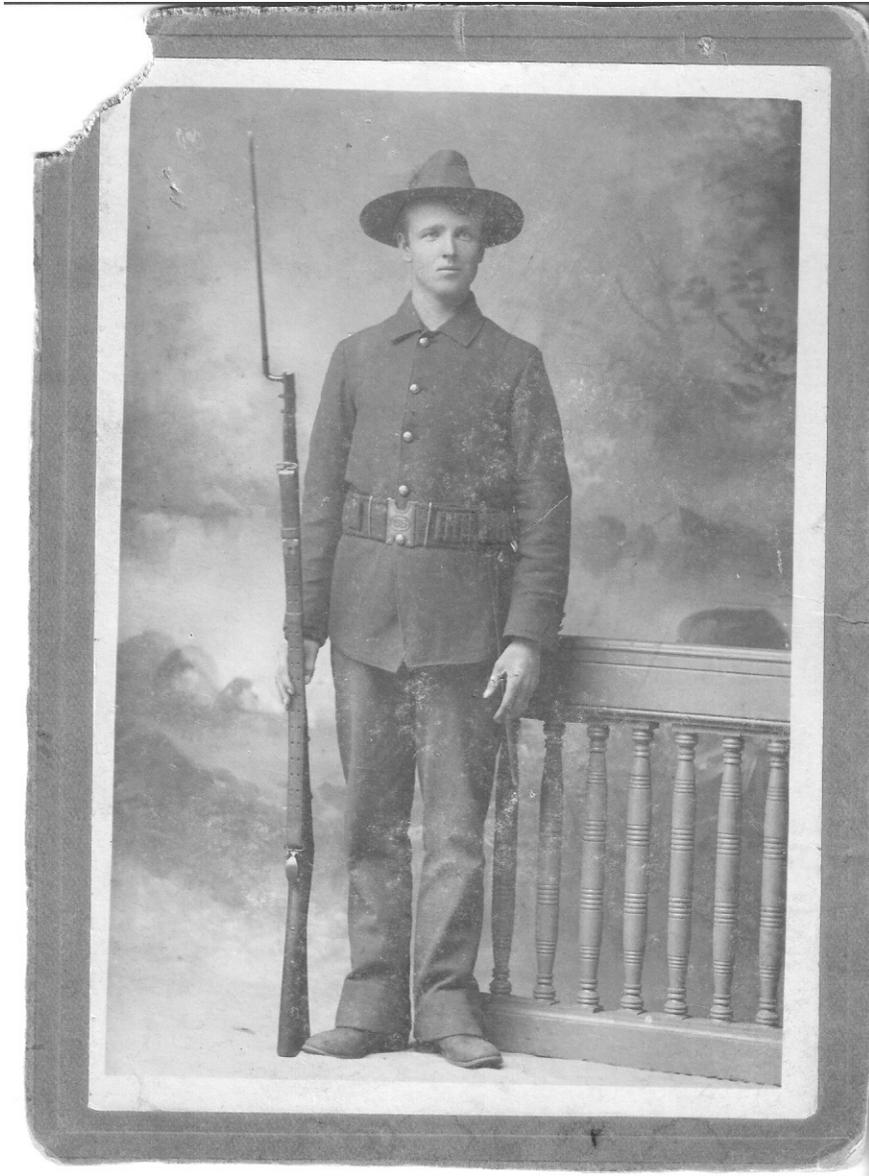
## **Military Service**

Dee served in the Spanish American War. The following is a letter he wrote his parents.

Manila  
Jan. 21, 1894

Dear Father and Mother,

It is with pleasure that I now embrace this present opportunity of answering your most kind and welcome letter of which I received the other day and was glad to hear from you and to hear that you was as these few lines leaves me the same at present. Well there is not much news only that the ensergants are gitting dosile. We have not had to go on out past for days. There is a rumer around that the Idaho north and south ??? are to be sent home. I do not know how true it is. We can only that it is true far I am gittin aful dam tired of army life. It is to much of a dog life for me. You haf to salute the officers even if you hate them. Like the other day I was on gard and the officer of the day came around and I saluted him and called out the gard and then he came up to me and said, sentry I want to speak to you. So I told him to ??? and he said when you saluted me you acted just like you did not care wheather you saluted me or not and I told him that it was a case of compulcans (compulsion) with me and not because I wanted to and tha it was not him that I saluted but his straps (stripes?) so he went off without another word. I could have told him a lot more if he would have give me a chance to do so for he is a little banty legged cur at the best that can be made of him. Well mother you wanted to know if I got the pictures. Yes I did and I was very pleased with them but I wrote the same day I received them and expressed my thanks to you all for sending them. I think they are very nice and as natural as they can be every time I look at them it makes me think of home and wish that I was there with you once more but I guess that it will be some time before I git back again but when I do I will stay for awhile you can bet on that. Tell Dot that I would give anything to here from her once more it would help to drive away the blues and that would be a comfort for I have had them for a month or more and can not git rid of them. Well mother it seams like it has been an age since I have herd from any of you only the letter that I got the other day. That is the only letter that I have got for a long time. I have only received one letter from father since I left home. I think he mint (might) spare to drop me a few lines once in awhile only it would make me think that he had not forgotten me anyway. Well mother I will close for this time hoping to here from you and of all of the folks. I remain your loving son. Please write soon and often. Your loving son. E. D. Brackenbury



*Edwin Devalson Brackenbury Jr. (Dee) married Elizabeth Camp (Liz) 22 Nov 1907. They had one child, Matilda Ann b. July 16, 1909 in Almo, Idaho. Matilda married Lowell Butler. Elizabeth remarried Lee Dewey and had Irvin and Frances. Dee died in prison 7 Nov. 1910 (Utah State Penitentiary not Brigham Prison) Buried in Almo, Idaho \*Almo Cemetery Records*

*Cassia County records show that Edwin Devalson Brackenbury Sr. served for two years as sheriff in Albion, Idaho. 1906-1908*

*The Almo Cemetery records show that Richardson died Mar. 28, 1910.*

*Henry and Dee Brackenbury are brothers who married sisters, Lottie and Elizabeth (Camp*

*Note: Edna Cahoon, wife of Arley Cahoon, recalled that Henry R. Cahoon exhumed the Richardson body for an autopsy.*

*Note: Jesse Richardson, daughter of Warren C. Richardson, was married to William Dennison Cahoon, son of Henry R. Cahoon*

*Note: The Edwin D. Brackenbury Sr. property of 160 acres patented in 3/23/1901 bordered Warren Richardson property of 160 acres patented 8/16/1897. They were neighbors.*