

# Out of the Archives

a newsletter from the Washington State Archives

April 2017



## Escape Artists

by Emily Venemon, Olympia Branch Research Assistant

In 1916, two men were tried separately in Stevens County Superior Court and sentenced to the Washington State Reformatory. The first was Daniel Herron, convicted of second-degree burglary for horse theft. The second was Ralph Lee, convicted of grand larceny for check fraud. On September 23, 1916, the two were handcuffed together as they were being transported from Colville to Monroe by a travelling guard. Somehow, one of the men managed to throw a handful of tobacco snuff or pepper into the guard's eyes, and the two took off running. Despite firing three shots at the fleeing prisoners, the guard was unable to apprehend them. A nationwide manhunt ensued, and the records generated by this duo's exploits give a fascinating glimpse into their lives and very different fates.

Daniel Magnus Herron was born around 1899, on the Colville Indian Reservation in Orient, Washington. His mother committed suicide when he was 10 years old, and his relationship with his father was strained.

Like many Native American children of this era, he was sent away from his family to the Chemawa Indian School in Oregon when he was around 9 years old. It was likely school where he contracted scrofula, a form of tuberculosis that infects the lymph nodes. This disease left him with deep scars on his face and neck, as well as health problems that lingered into his adult life. After about four years, he ran away from Chemawa and never continued his education. He returned home to work as a "cowpuncher," breaking wild horses. It was a tough job with a high injury rate; in a letter to a friend he wrote "[cowpunching]



Mugshots of Ralph Lee, 1916, (top), and Daniel Herron, 1917.

is hell when you come right down to it. I [wish] I learned something else than Bronco twisting." In June 1916, the 17-year-old was sent to the Green Hill School for stealing a neighbor's horse that got mixed into a herd of wild horses he was breaking. He escaped Green Hill a month later, but was soon caught and sentenced to the state reformatory.

Ralph Emerson Lee was the more experienced criminal of the two. Born in 1894, in Beech Grove, Indiana, Lee was the oldest surviving child of nine siblings. The earliest record of his trouble with the law is in 1910, when the 16-year-old broke into an Indiana hardware store to steal guns and ammunition, and shot the town marshal as he fled the next day. He was sent to the Indiana Reform School for Boys, but escaped. He continued this pattern of theft, violence and escape throughout his teens, and in 1914 he fled Indiana as a fugitive. As he traveled westward, he assumed a multitude of aliases. In 1916, the 22-year-old was arrested under the name Ray Emerson for trying to pass a fraudulent check in Colville. Like Herron, he was sentenced to the state reformatory, but he would never arrive.



WSR  
2076

No. 2076 Name Dan Herron  
 Alias.....  
 Remarks ESCAPED FROM TRAY GUARD WHILE BEING BROUGHT HERE  
RETURNED-MAY-24-'17. Jfd. W.S.P 12-5-17  
 County Stevens Sentenced Sep-16-1916  
 Crime Burglary - 2<sup>o</sup> Received May-24-17  
 Term NOT LESS THAN 2 YRS Occupation Cowboy  
 Age 17 Hair D. Brown  
 Height 5'6 3/4" Eyes L. Brown  
 Marks: .....

No. 2077 Name Ray Emerson  
 Alias.....  
 Remarks ESCAPED FROM TRAY GUARD WHILE BEING BROUGHT HERE  
 County Stevens Sentenced Sep-9-1916  
 Crime Burglary 2<sup>o</sup> Received "  
 Term 2-15 yrs Occupation.....  
 Age..... Hair.....  
 Height..... Eyes.....  
 Marks: .....

C.D.

Inmate 2076 Daniel Herron and Inmate 2077 "Ray Emerson."

Herron and Lee likely planned their escape together while they awaited sentencing in the Stevens County Jail. It is unclear which man threw the snuff or pepper into the guard's eyes, but Herron seems to take credit for it in a letter to a friend, writing, "Gosh! but that snuff worked wonders.

## ESCAPES

Wanted By

WASHINGTON STATE REFORMATORY.

REWARD: \$50 will be paid for the capture of either of these men.

Dan Herron, nineteen years old, about 5ft. 7 1-2 in. tall, black coarse hair, quarter breed Indian, very dark complexion, thick lips, and shows Indian blood, has scar on neck, usually wears handkerchief or other cloth covering his neck from chin down, black hat with big rim no coat gray shirt and blue overalls, weight about 150 to 160 lbs. heavy build for age.

Ray Emerson, twenty-one years old, height about 5 ft 7 in. weight about 140 lbs. dark brown hair, dark brown eyes dark, complexioned, thin face, very quick and nervous in his movements, gray Fedora hat with white stripe on rim, blue serge coat and pants, no vest, stiff collar and blue tie, low tan shoes.

IF APPREHENDED WIRE.

*Wanted Notice, 1916.*

I hated like hell to do it but it was the only way of getting out of it." While law enforcement started their frantic search, Herron and Lee traveled throughout the southwest and into Mexico, taking on a variety of odd jobs to support themselves. Herron worked as a rodeo rider for a motion picture company in Los Angeles, and later as a horse breaker for the Army. Lee's movements are more difficult to discern from the records. In his letters, Herron mentions that he lost Lee at least twice and had to travel far and wide to track him down. Broke and homesick in Arizona, Herron wrote to a friend in December, 1916: "I would give every damn thing I own to be back [home] again...It's a long long ways to Colville but my heart is there." This homesickness was his downfall; when he returned to Colville in the spring of 1917, he was arrested and sent to the state reformatory.

The reformatory staff was not impressed with Herron. He was put into solitary confinement twice for throwing food at other inmates. His inmate records also reveal the general negative opinion of Native Americans during this era. The reformatory chaplain noted in a report that "[Herron] does not strike one as very interesting personality or of very high ideals. [He] has considerable Indian in his make up. Impresses one that but a light scratch would call up his Indian blood." In December 1917, he was accused of inciting a riot and transferred to the state penitentiary. He seems to have completed the rest of his sentence relatively quietly and was paroled in 1920. He returned home to temporarily work as a logging teamster, but after several months of unemployment he broke parole and disappeared. In 1924, he was arrested in San Francisco for stealing a car and sent to Folsom State Prison. He died there in 1928, at the young age of 29.



*Ralph Lee's Indiana State Reformatory Mugshot, 1923.*



*Daniel Herron's Folsom State Prison Mugshot, 1924.*

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Lee fared better in life than Herron, perhaps due to his charming, yet flighty nature, of which Herron himself was a victim. The state reformatory superintendent described Lee as "very smooth and on the alert at all times." In early 1917, he was arrested for highway robbery in Bisbee, Arizona, and sent to Arizona State Prison. He served five years there, and by some stroke of luck, he was able to convince the prison board not to return him to the Washington State Reformatory (much to the reformatory superintendent's dismay). Unfortunately, his reform didn't last. He continued to commit robberies and ended up murdering a shopkeeper in Indianapolis in 1924. He fled back to Washington, where he was arrested for robbing two drug stores in Seattle. He was extradited to Indiana, but soon escaped the county jail where he was held.



*Painting by R. Emerson Lee sold on Etsy.com, c. 1940.*

Lee's illustrious criminal career included many more escapes (most notably the largest jailbreak from the Tennessee State Penitentiary on record), a streetcar-jacking, and a remarkable prison-based counterfeiting ring. However, his passion for crime waned as his years in prison turned into decades. He converted to Christianity while serving in the U.S. Medical Center for Federal Prisoners in Missouri, and was paroled in 1946, for good behavior. He returned to Indiana, where he put the artistic skills he had demonstrated, in counterfeiting, to good use by becoming a renowned painter in his community. He was even commissioned by the American Legion to paint a mural at their national headquarters in Indianapolis. His criminal past caught up to him one last time, however. Due to the fact that he had escaped while awaiting his murder trial in 1924, he had never served any time for this offense. He was arrested in 1949, and sent back to the county jail he had escaped from so many times in his former life. This time, however, his community rallied around him during his trial, and he ended up only serving six weeks. Lee remained a model citizen for the rest of his life, and died in 1973, at the age of 79.

Was it circumstance, racial politics, personality, or just plain luck that led Herron and Lee to such different ends? Who were these men underneath it all? Their prison records paint them as dangerous miscreants, but there are also remnants that suggest something softer, like in Herron's letter where he recalls a happy memory of a sleigh ride one Colville winter, or in Lee's painting of a peaceful river. A frustrating part about historical research is that one may never find out the whole story of a person or an event, but this mystery is what draws us back to the records time and again.

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The Washington State Archives holds the Washington State Department of Corrections files for Daniel Herron and Ralph Lee (under the alias Ray Emerson). For more information about the fascinating life of Ralph Lee, check out Jeanine Wright Smith's article, "The Redemption of Ralph Emerson Lee," in the Fall 2016 issue of the Johnson County, Indiana Historical Society's newsletter, *Nostalgia News*.

*Image 1: Inmate 2076 Daniel Herron and Inmate 2077 "Ray Emerson," Corrections Department,*

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*Reformatory Admissions Registers, 1908-1923, Office of the Secretary of State, Washington State Archives, Digital Archives, <http://digitalarchives.wa.gov>, [January 26, 2017].*

*Image 2: Daniel Herron's Washington State Reformatory Mugshot, 1917, Inmate File 2076, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 3: "Ray Emerson's" Spokane Police Department Mugshot, 1916, Inmate File 2077, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 4: Wanted Notice, 1916, Inmate File 2076, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 5: Sample of "Ray Emerson's" Clothing, 1916, Inmate File 2076, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 6: Letter from Daniel Herron (under alias Lewis L. Arnold) to "Sleepy" Floyd Williams, 1916, Inmate File 2077, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 7: Letter from Daniel Herron to Ralph Lee, 1917, Inmate File 8422, Corrections Department, Penitentiary, Inmate Files, 1886-1920, Office of the Secretary of State, Washington State Archives.*

*Image 8: Ralph Lee's extradition notice, October 6, 1924, Governor's Office, Daily Record, 1870-2013, Office of the Secretary of State, Washington State Archives.*

*Image 9: Daniel Herron's Folsom State Prison Mugshot, 1924, Department of Corrections, Folsom State Prison Records, 1879-1949, California State Archives, Ancestry.com, California, Prison and Correctional Records, 1851-1950 [January 27, 2017].*

*Image 10: Ralph Lee's Indiana State Reformatory Mugshot, 1923, Inmate File 2077, Corrections Department, Reformatory, Inmate Files, 1905-1935, Office of the Secretary of State, Washington State Archives.*

*Image 11: Painting by R. Emerson Lee sold on Etsy.com, ca. 1940, [https://img0.etsystatic.com/008/0/7384569/il\\_570xN.403633162\\_kkxw.jpg](https://img0.etsystatic.com/008/0/7384569/il_570xN.403633162_kkxw.jpg) [January 27, 2017]*

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