

The Hunting of Harry Tracy

The Most Thrilling Man Hunt of Recent Western History

by William MacLeod Raine, 1871-1954

Published:



NO HALO of romance hangs over the head of Harry Tracy. He does not belong to the old West. He had no Bret Harte complex. There is no chance that blended fact and fiction will make of his life a legend. He was a criminal at heart, a cold-blooded killing machine. But it must be admitted that in his own line he was pre-eminent.

The most thrilling man hunt America has ever known began on the morning of June 9, 1902, at the gates of the Oregon Penitentiary, and continued with unabated vigour until August 5th. Early on June 9th Harry Tracy, murderer and convicted burglar, assisted by his partner, David Merrill, escaped from prison after killing three guards, wounding a fourth, and shattering the leg of another prisoner who attempted to wrest from him the rifle with which he was armed.

For nearly two months this keen-eyed, resourceful, and desperate outlaw wrote in blood the most thrilling melodrama ever enacted in real life. No „penny dreadful“ ever bristled with such fascinating impossibilities; no character in fiction ever combined with such wonderful nerve and daring so much shrewdness, dogged determination, deadly skill with weapons, and knowledge of human nature as was displayed by the outlaw Tracy. To say that not once, during the months in which he was hunted by hundreds of armed men and by bloodhounds, did he show the white feather, or even the slightest excitement, is to tell but a small part of the truth. Many men on the Western frontier might have emulated his coolness and nerve, but not one of them could have paralleled his smiling audacity, his contempt for fearful odds, the skill with which he eluded his pursuers, and the unfailing accuracy with which he executed his carefully planned manœuvres. Whenever the arm of the law was stretched forth to gather him in, Tracy like a tiger at bay, showed his teeth and bit so suddenly and so fearfully that brave men stood aghast. His fight for liberty was the most desperate in the criminal annals of America. The exploits of the famous Jesse James gang are not to be compared with the lurid escape and subsequent pursuit of Harry Tracy across hundreds of miles of unfriendly country. For daring, fertility of resource, and cold-blooded nerve his fight for liberty against almost impossible numbers is without a parallel. Hunted by thousands of armed men, with a reward of \$8,000 on his head, dead or alive, Tracy for months defied capture, leaving dead and wounded men behind him whenever he was hard pressed.

On June 9, 1902, the foundry gang of prisoners at the Salem (Oregon) Penitentiary was marched to its work as usual by Guards Girard and Ferrell. The convicts were counted in and announced as all present by Girard. While the words were still on his lips a rifle shot echoed through the yard, and Ferrell fell forward with a cry of agony. He had been killed by Harry Tracy, a convict, who had already murdered two men in Colorado and was serving a twenty-years' sentence for burglary along with an accomplice named David Merrill. Tracy, seconded by his partner in crime, now turned upon the other guards and began shooting. A life prisoner, Ingram by name, leaped upon Tracy with the intention of disarming him, but was immediately shot down by Merrill. In the confusion the two desperate men scaled the prison walls by means of a ladder which they found near at hand. Once over they turned their attention to the fence guards. S. R. Jones, patrolling the northwest corner of the stockade, fell, pierced by two bullets. Another guard, Duncan Ross, was wounded. Guard Tiffany emptied his rifle at the men but failed to hit his mark. He was himself wounded and fell from the wall to the ground, where he was picked up by the two escaping prisoners, who calmly used him as a shield while they retreated to the woods. At the edge of the forest they shot him, took his rifle, and disappeared into the underbrush.

Tracy and Merrill were well armed with short Winchesters, which it is thought must have been secretly supplied to them by sympathizers who visited the prison in the guise of excursionists. They had already killed three men in order to escape, and while at liberty were a menace to the community. So an urgent call was sent for assistance. Sheriff Durbin, with a heavily armed posse, immediately answered the telephone message sent him, and appeared at the prison to assist Superintendent Lee, of the penitentiary, in recapturing the escaped convicts.

The two criminals, however, managed to elude pursuit during the whole day, and under cover of night passed through Salem. Here they held up a man named J. W. Stewart, made him disrobe, and took his clothing. Later an expressman named Welch discarded, at their orders, an overcoat and a pair of overalls; and the stable of one Felix Labaucher furnished them with two fast horses. One notable fact in the escape of the desperado Tracy is the fear which he somehow managed to instil into the minds of the hardy frontiersmen among whom he lived for the next two months, and which stood him in good stead on many occasions when he was hard pressed.

Heavily armed, in citizens' clothing, and mounted on good horses, the convicts were now prepared to make a stubborn fight for liberty. No more dangerous criminal than Tracy, in fact, was ever turned loose upon a community. He was a dead shot and did not know what fear meant.

Bloodhounds sent down from the Washington State Penitentiary followed the scent of the fugitives for some time, but finally lost it. The pair were seen next morning at Brooks, a station on the Southern Pacific Railway eight miles north of Salem. During the night they had found it necessary to get rid of their horses. On June 11th the two men were surrounded by a posse of fifty men near Gervais. They were still on the line of the Southern Pacific and were headed north for the State of Washington via Portland. The couple were known to be exceedingly well armed, for during the night they had had the audacity to hold up two of the pursuing posse and relieve them of their weapons! Before noon a hundred men surrounded the woods in which the men lurked. Every man within a radius of ten miles who possessed a gun was summoned to join the posse, and Company F of the Oregon State National Guards also arrived upon the scene. A complete cordon surrounded the apparently doomed men, but during the night the two desperadoes slipped silently through the lines and escaped.

They were next seen at the house of Mrs. Akers, where they forced the farmer's wife to prepare them a good breakfast. After they had gone the farmer telephoned to Sheriff Durbin, who came on at once with his posse and the bloodhounds.

The escaped prisoners pressed forward to Clackamas County, where Sheriff Cook with a posse and three companies of militia took up the chase. As they continued north the desperadoes lived on the country, holding up farms for food and horses as they travelled. They always boldly announced who they were. A dozen times they were shot at, several times they were surrounded, and once Tracy fired and winged one of his pursuers. The reward for the capture of the convicts was doubled, and doubled again, and public excitement grew intense. For five days the sheriff and his posse continued the chase, and then gave up, weary and discouraged.

Meanwhile, Tracy had forced a farmer at the muzzle of his revolver to row him and his companion across the Columbia River into Washington. They dined at the house of a farmer named Peedy, whom they tied and gagged before leaving. Sheriff Marsh, of Clarke County, with a very large force, took up the chase with energy. A four-cornered duel took place between the fugitives and two of the posse who came in touch with them, but the convicts again escaped unhurt. For some days after this episode their trail was completely lost.

It was on July 2nd that Tracy reappeared to enact the most stirring scenes of his melodramatic career. He had been heading for the Puget Sound country,

and after holding up a farmer or two for practice he modestly decided to honour the city of Seattle with a visit. It was early morning, and the sun was just breaking through the mist and fog that hung over South Bay, near Olympia, the state capital, when a man entered the tent of an oyster fishery company and ordered Mr. Horatio Alling, the manager, and his two men to furnish him a meal.

„I'm Tracy, the convict,“ said the stranger. „I want something to eat right away. Be quiet, raise no fuss, and I won't harm you.“

A launch lay at anchor near the tent, and Tracy ordered one of the men to call her captain to breakfast. The convict waited coolly till Captain Clark and his son had finished breakfast and then ordered Clark to get up steam at once, as he desired to go to Seattle. Before leaving he tied Mr. Alling and the cook hand and foot and helped himself to any clothes that took his fancy.

From 1894 till 1898 I had lived near Seattle and at this time I was back there visiting my parents. Alling had been a very close friend of mine, and his adventure with Tracy stimulated my already keen interest in the chase. Later, in the capacity of a newspaper correspondent, I saw a good deal of the men who had charge of the capture of the outlaw and was at one time with the posse (entirely as a pacifist) which operated near Bothell.

During the launch ride to Seattle Tracy remained at one end of the little cabin, his gun resting in his lap ready for use in case any of the actions of his crew appeared to him suspicious. For twelve hours the bandit was complete master of the situation. He was easy, unconcerned, and debonair, ready to joke and to laugh with his unwilling servants, but his steely eyes never relaxed their vigilance for a moment. Someone asked him where his partner Merrill was.

Tracy's face set hard.

„I killed him,“ he answered quietly.

„Killed him?“ reiterated his questioner, in surprise.

„Yes, I killed him. He had no nerve and he was a traitor. I read in the Portland papers after our escape that it was due to information from Merrill that I was caught in the first place—that time I stole the engine and was knocked senseless by a glancing shot. Merrill had told them where they could find me. Then, too, he was a coward, always ready to bolt. He was no good. The man was frightened to death all the time. It made me angry when the papers gave him half the credit for our escape. I told him he was a coward, and he got huffy. Then we decided to fight a duel when we were near Chehalis. We were to start, back to back, and walk ten paces each, then wheel round and begin firing. He haggled so in arranging the terms that I knew he meant to play false. I couldn't trust him, so when I had taken eight steps I fired over my shoulder. I hit him in the back. The first shot did not finish him, so I shot again. He only got what he deserved. The fellow meant to kill me treacherously and steal out of the country through the big timber, leaving my dead body among the leaves.“

The finding of Merrill's body two weeks later proved the truth of Tracy's treachery toward his companion. He had evidently found that the other man was losing his nerve, and had got rid of him to save further trouble.

All day Tracy displayed the greatest carelessness in regard to human life. At one time he desired the captain of the launch to run in close to McNeil's Island, where a government military prison is located, in order that he might get a pot shot at one of the guards. During the day he dozed slightly once or twice, but, as his rifle was across his lap and the slightest movement awakened him, the

crew dared not interfere with him. At Meadow Point, near the city of Seattle, Tracy finished his yachting trip, tied the captain and crew up, and went ashore, forcing one of the terrified men to accompany him as a guide. The ascendancy this man acquired over everybody he met is remarkable.

The outlaw headed toward the north end of Lake Washington and was recognized more than once before he reached Bothell. Here he lay hidden till morning in the dense brush and secured some much-needed sleep. It was raining hard, but there is no doubt that the escaped convict found shelter from the storm under some big logs. Meanwhile, Seattle was full of wild rumours about Tracy. Every stray tramp was an object of suspicion, and the greatest excitement prevailed among people. Before night the excitement had increased tenfold. Harry Tracy, it was reported, had come into touch with two posses, had engaged in battle with them, killed three officers and wounded one, and had himself escaped unhurt!

Persistent reports came to the city of Tracy's presence near Bothell. It was said that he was surrounded in a brickyard; that he had several times been definitely identified by men who saw him skulking in the heavy timber. Sheriff Cudihee, of King County, a fearless and efficient officer who had a good record for running down criminals, at once ordered posses to the scene and hastened there himself. It may be stated in passing that from that moment to the time of Tracy's death Sheriff Cudihee hung doggedly to the trail of the flying bandit. Other sheriffs took up the hunt and dropped it when the convict had passed out of their bailiwicks, but Cudihee alone followed him like a bloodhound wherever he went, until the question of Tracy's escape or capture came to be a personal issue between Edward Cudihee and Harry Tracy, two of the most fearless and determined men that ever carried a gun.

At Bothell the posse separated, and every road was guarded. Two officials from Everett, several from Seattle, and Mr. Louie B. Sefrit, a reporter for the Seattle Times, started down the road toward Pontiac, part of them following the railway track and part the wagon road. About a hundred yards southeast of where the railroad track and the wagon road cross again there were two small cabins standing in a yard which was much overgrown with grass, weeds, and old tree stumps. Three men, named Williams, Brewer, and Nelson, jumped through a wire fence and started toward the cabins, while the others went down the track to examine the cabins from that side. Said one Raymond to Sefrit, the reporter:

„I believe Tracy is in that yard.“

Sefrit answered that he thought so, too, for the grass had been freshly beaten down. He pointed to a black stump some five yards in front of him. Like all tree stumps in the Puget Sound country, it had been partly burned.

„That's exactly where I believe he is,“ said Raymond. „Let's——“

He never finished the sentence. From behind the stump arose Tracy himself, his rifle at his shoulder. There came a flash, and Anderson, one of the deputies, fell. Still another spit of flame belched from the rifle, and Raymond fell back with a stifled cry. He was quite dead before help reached him. Sefrit took a shot at the desperado with a Colt's revolver, whereupon Tracy wheeled and let drive at him. Sefrit, realizing that he was in an exposed position, fell as if shot. The outlaw fired again at him, then waited watchfully to make sure he had killed his man. A bunch of grass lay between Sefrit's head and Tracy, but the reporter could see the convict crouching behind the stump and knew that the slightest

movement meant death. So for some minutes the Times reporter lay there in an agony of suspense, expecting every moment to feel a bullet tearing through his breast. Then Tracy slowly began to back away in the drenching rain. Two more shots rang out, and Jack Williams, who had been coming forward from the rear, fell, desperately wounded.

Tracy scudded away in the thick underbrush, and half a mile from the scene of battle relieved a rancher of a horse he was riding. This he presently discarded, impressing into his service a farmer named Louis Johnson, with his wagon. He forced the farmer to drive him to Fremont, which is a suburb of Seattle. By this time the escaped convict was very hungry. He made Johnson hitch his team to the fence outside the home of Mrs. R. H. Van Horn and then invited himself to dinner. Mrs. Van Horn at once recognized Tracy from his published photograph.

„What do you want?“ she asked.

„Food, madam, and clothing,“ returned the urbane murderer. It chanced that there was a man named Butterfield in the house, and from him Tracy coolly took the dry clothing which he wore. Being in a good humour, the bandit dropped into the kitchen and conversed with Mrs. Van Horn while she prepared his meal for him.

„I have never *held up* a lady before,“ he explained, while eating the food. „I don't want to have to tie you when I leave. Will you promise not to say anything about my having been here?“

„For to-night I will—but not to-morrow morning,“ answered the plucky little woman.

„That will be all right,“ said Tracy; „I'll be far enough away by then. I want to tell you, madam, that I haven't enjoyed a meal so much in three years.“ He then mentioned his „yachting trip,“ as he called it, from Olympia to Seattle.

At eight-thirty o'clock a knock came at the door. Mr. Butterfield answered it and said that it was the grocery boy.

„If you tell him anything it will mean death to the men here,“ Tracy told Mrs. Van Horn significantly, as she went to give her orders to the boy.

Nevertheless, she took occasion to nod her head toward the door and whisper the one word „Tracy“ to the boy. He understood, and two minutes later was lashing his horse along the road toward Fremont. When Tracy rose to depart an hour later Sheriff Cudihee lay in ambush within six feet of the Johnson wagon.

Tracy thanked Mrs. Van Horn for his meal in courteous fashion, then stepped down the path to the road with Butterfield and Johnson on either side of him. Meanwhile, the vigilant Sheriff Cudihee lay in wait for his man near the wagon. As Tracy sauntered down the path the sheriff of King County covered him every inch of the way with his Winchester. There was just a shadow of doubt in his mind as to which of the three was the man he wanted. He decided to wait until the outlaw climbed into the wagon.

Suddenly out of the darkness rushed Police Officer Breece, Mr. J. I. McKnight, and Game Warden Neil Rawley. Breece covered the convict with his rifle from a distance of about ten yards and cried, „Throw down that gun, Tracy!“

The desperado wheeled and fired point-blank. Breece fell over, a dead man. Twice more the convict fired, this time at Rawley, and the game warden went to the ground mortally wounded. Tracy dashed through the fence and made for the woods. The sheriff levelled his rifle and fired twice at the disappearing

convict, but owing to the darkness neither shot took effect. Harry Tracy, burglar, outlaw, and murderer, had again broken through the death trap that had been prepared for him. Had it not been for the recklessness of interfering officials Cudihee would undoubtedly have caught or killed his man.

With the curious mania which he had for continually doubling on his tracks Tracy again headed for Bothell, near which point he held up Farmer Fisher for clothes and provisions. Cornered in a strip of country not twenty miles square, in the midst of which was a city of one hundred and twenty thousand population, though three bodies lay in the county morgue to attest his unerring skill and others lay wounded near to death in the hospitals, yet Harry Tracy still roamed the country like an Apache, uninjured and untamable. Whenever men bearded him he left a trail of blood behind him in his relentless flight. He himself condoned his crimes because, as he said, he killed to satisfy no lust for blood but simply to keep his cherished liberty.

In order to understand how one fearless man was able for so long a time to defy the law, the nature of the country must be considered. The Puget Sound country was at that time the most densely timbered on earth. The underbrush is very heavy, and a rank growth of ferns some four feet high covers the ground like a carpet. A man might slip into the ferns and remain hidden for months within a dozen yards of the roadside provided the food question were eliminated. The one thing that Tracy feared was the bloodhounds which were set on his trail, and after he had shot these, his mind was more at ease.

After holding up another household of Johnsons, Tracy—accompanied by their hired man, Anderson, whom he forced to attend him as a human pack-horse—doubled back to Seattle by way of Port Madison. He skirted the city till he came to South Seattle, and then cut around the end of Lake Washington to Renton. At this point he made himself the uninvited guest of the Jerrolds family. Walking up from Renton with his unwilling companion, Tracy met Miss May Baker, Mrs. McKinney, and young Jerrolds picking salmonberries. Tracy stopped them, smiling. „I guess you have heard of me; I am Tracy,“ he said; then added, „You needn't be afraid of me. I never harmed a woman in my life, and I don't intend to begin now.“

Talking easily with the women, Tracy walked along to the house, in the rear of which he tied Anderson to a clump of bushes. He called the Jerrolds boy and handed him two watches, which he wished sold in order to buy two 45-calibre single-action Colt revolvers and a box of cartridges. He threatened to kill everybody in the house in case the boy betrayed him, but the lad was no sooner gone than he told Mrs. Jerrolds that this was mere bluff. This iron-nerved murderer and outlaw actually shed tears at this point.

„I wouldn't hurt you, Mother, for anything. I have a mother of my own somewhere back East. I haven't done just right by her, but I reckon all the mothers are safe from me, no matter what happens.“

Presently Tracy brightened again and was laughing and talking with the three women just as if they had been old acquaintances. It was nearly time to prepare dinner, and Tracy carried in wood and volunteered to get the water from the spring. Rifle in hand, he sauntered down to the railroad track and filled his bucket with water. As he did so a special train, bearing the posse which hunted him, came round the bend. He ducked into the bushes to let it pass.

„I reckon there are some gentlemen in that train looking for me,“ he remarked carelessly when he had reached the house. „I saw a reporter there. They are always in the lead. First you see a reporter, then a cloud of dust, and alter a while the deputies. It’s the interviewer I’m afraid of!“ And he laughed.

There was much gay talk and laughter during the meal which followed, in which Tracy took the lead. His repartee was apt and spirited, and his sallies were irresistible. The Jerrolds boy had informed the sheriff’s officer of Tracy’s whereabouts long ago, and by this time the deputies were beginning to surround the house. Everybody was alarmed save the outlaw himself. He strolled to the window and looked out at an enterprising photographer who was trying to take a picture of the house.

„My trousers are too short and they’re not nicely ironed,“ he said. „I like to be neatly dressed before ladies. I guess I’ll go out and hold up a deputy for a pair.“

Miss Baker was worried in case she might not get home before dark. Tracy reassured her saying it was a pleasant moonlit night, and that he would be glad to accompany her if he might have the pleasure.

As the day wore on the deputies gathered thicker and thicker around the house, cautiously drawing closer and closer, for they knew that the outlaw was a dead shot. Finally Tracy concluded that he had better be going. From his Chesterfieldian manner he might have been bidding his hostess good-bye after some elaborate function. From the back doorstep he waved them all a merry good day and wished them all manner of luck. As it happened, just at that moment poor Anderson had been discovered tied to a tree. One of the deputies gave a shout, and the others crowded round to see what was the matter. In the excitement Tracy quietly slipped down to the river and disappeared!

Day after day the chase after this extraordinary man continued. Hundreds of men beat the woods and patrolled the roads in vain. Once Tracy was wounded, but managed to keep under cover until he was again able to travel. He played hide-and-seek with the officers of King County for weeks, then suddenly broke away for the Cascades on horseback. Weeks later he turned up in eastern Washington en route for his old stamping ground, the »Hole-in-the-Wall« country. More than once his fondness for loitering for days in the same spot showed itself. His effrontery knew no bounds. At one place he made use of the telephone to call up a sheriff in order to tease him about his ill-success in capturing Tracy. Before he left, however, he gave the poor official one grain of consolation. „You’ve done better than the other sheriffs,“ he said. „You’ve talked with the man you want, anyway. Good-bye; I’m afraid you won’t see me again.“

But he did. Eastern Washington does not afford any such hiding ground as the big forests of the western part of the state. From point to point the telephone handed on the message that Tracy had just passed. He doubled here, there, and everywhere; but he could not shake off his relentless pursuers, aided as they were by the telephone wires. Sheriff Cudihee, now thoroughly aroused, swore never to leave the chase till Tracy was taken. Sheriffs Gardner and Doust and Cudihee held the passes and closed in on him.

Tracy had reached the rough country south of the Colville Indian reservation. He had become gaunt as an ill-fed wolf. Hunger, cold, and exposure have tamed more bad men than fear. They sap the physical well-being which in some men is the spring of courage. But they did not affect the iron nerve of his man. He was still as savage and as dangerous as on the day when he broke out of the penitentiary. For two days and nights the outlaw hung around the Eddy ranch,

not far from Creston, until a young man who saw him there raced with the news to Sheriff Gardner, who hastened to the scene at once.

Meanwhile, a party of five citizens of Creston, which is in Lincoln County, stopped forever the evil career of the man who had travelled four hundred miles and baffled thousands of pursuers. C. C. Straub, deputy sheriff, Dr. E. C. Lanter, Maurice Smith, attorney, J. J. Morrison, section foreman, and Frank Lillen Green, all armed to the teeth, proceeded to the ranch of Mr. L. B. Eddy, where the outlaw was known to be in hiding. The country thereabout is very rocky, and the party took every care not to be caught in an ambush. They saw Farmer Eddy mowing his hay, and while talking with him observed a strange man emerge from the barn.

„Is that Tracy?“ asked one of them.

„It surely is,“ answered Eddy.

Eddy followed orders and drove to the barn. Cautiously the members of the posse followed him. Tracy came from the barn and began to help his host unhitch the team. His rifle he had left in the barn, but his revolvers he still carried. Suddenly he saw his pursuers.

„Who are those men?“ he demanded, turning sharply to Eddy.

„Hold up your hands!“ shouted the officers, without waiting for the farmer's reply.

Like a flash Tracy jumped behind Eddy and the team and bade the terrified farmer lead the horses to the barn. When near the door he made a break to reach his rifle. A moment later he reappeared, rifle in hand, and started headlong down the valley. Again his iron nerve had brought him out of an apparently certain trap. Two shots he fired at his pursuers, but neither of them had effect.

The man hunters took up the chase at once. Tracy dodged behind a rock and began firing rapidly. It was growing dark, however, and he missed his men. Then he made a dash for a wheat field near at hand, the officers firing at him as he ran. Suddenly he stumbled and fell on his face, but dragged himself on hands and knees into the field. He had been hit.

Sheriff Gardner and his posse now arrived on the scene and surrounded the field. Presently a single shot was heard by the watchers. That shot sent the notorious bandit into eternity. In the early morning the cordon cautiously worked its way into the field and presently stumbled upon Harry Tracy's lifeless body. The most famous man hunt in the history of the country had ended. Crippled and bleeding, hopeless of escape, the bandit had shot himself sooner than let himself be taken.

After escaping from a dozen sheriffs, slipping cleverly out of death trap after death trap, and leaving behind him everywhere a trail of blood that would not have discredited an Apache chief, Tracy fell at last by his own hand rather than lose the liberty which he apparently prized more than life itself.

