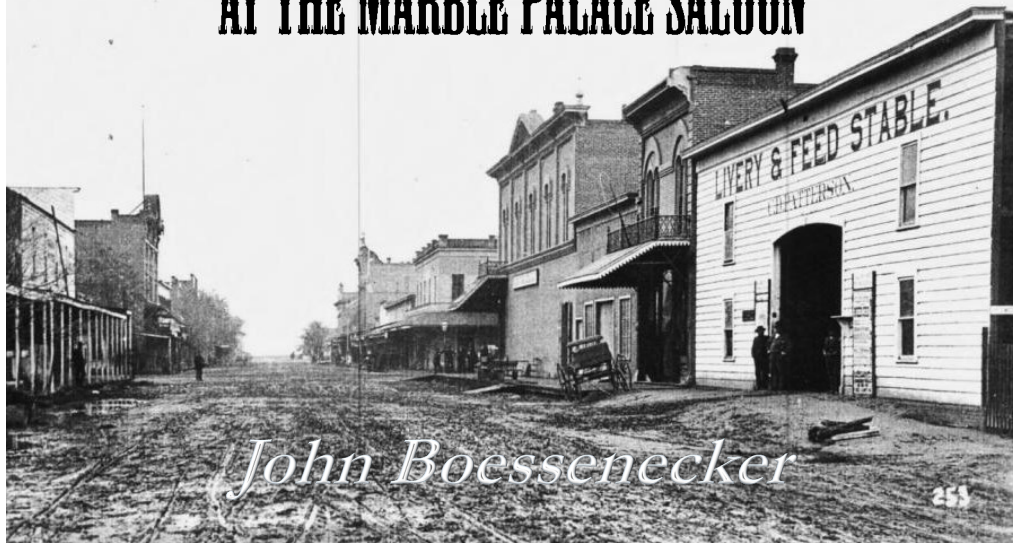


SHOWDOWN AT THE MARBLE PALACE SALOON



Modesto quickly earned a reputation as a wide open, lawless settlement. The townsite had been laid out by railroad surveyors, and due to the easy access by train, Modesto boomed. It became the commercial center of Stanislaus County and within a year Modesto was chosen the county seat, with seventy-five buildings already erected. Barney Garner established himself as a prominent saloonkeeper and gambler. In 1871 he married a local woman and began raising a family which would grow to five children. A Modesto journalist

later said of him, “He was always charitable, honest in his business dealings and a kind and affectionate husband and father. When excited, or under the influence of liquor, he had an ungovernable temper. He was a loyal friend and a bitter enemy.”²

One of those bitter enemies was a dance hall owner named Jerry Lockwood. On the night of September 30, 1872, Garner was playing cards in a saloon on Front Street in Modesto when a drunken Lockwood stepped inside. Spotting Garner, Lockwood knocked him to the floor, then drew his pistol and pulled the trigger. Fortunately for Garner, the weapon misfired. Lockwood then began beating his adversary over the head, but bystanders pulled him away. As Lockwood left the saloon he loudly threatened to kill Garner. The vengeful Garner promptly armed himself with a double barrel shotgun and followed Lockwood to the latter’s dance hall on nearby I Street. As Garner entered the front door, he saw Lockwood facing him with a revolver in hand. Garner swung up his shotgun and fired both barrels almost simultaneously. One charge of buckshot hit Lockwood in the left arm and side; the other ripped into his neck, killing him instantly. Modesto’s justice of the peace ruled that Garner had acted in self defense, though many townsfolk thought that he was guilty of murder.³

In Modesto, Front Street, now called Ninth Street, faced the railroad tracks. It was known as “the Front” and was home to saloons, gambling houses, and

Barney Garner was filled with rage. On a sultry August night in 1891 he stood in the front doorway of his capacious Marble Palace Saloon in the rowdy farming town of Modesto, California. Garner had long been the county’s Democratic political boss, but he knew that his power was fading. Leaning against the door, heavily intoxicated and shouting furiously, he railed against his enemies, especially Modesto’s new city marshal, Bob Young. Nothing had gone right for Garner since Young had been elected marshal.

Barney Garner was a small man of Irish descent, born Barnabas B. Garner in Tennessee in 1839. At the age of thirteen, in 1852, Garner traveled to California with his parents and siblings. He came of age during the gold rush, surrounded by rowdy, hard drinking miners. One pioneer recalled, “As a boy he was rough and wild.” Garner worked as a miner in the Mother Lode region until 1867, when he moved to Stanislaus County in the San Joaquin Valley of central California. Garner first ran a lumber business, then opened a saloon in Tuolumne City. In 1870 the Central Pacific Railroad was completed through the new townsite of Modesto. Garner, as well as almost everyone else in Tuolumne City, pulled up stakes and moved nine miles east to the burgeoning railroad town.¹

bordellos. There, brawls, shootings, and robberies were rife. Modesto had no city government until 1884, and the only police protection came from a lone constable. One chronicler described the Front as having an assortment of “painted women” who nightly danced for vaqueros, rancheros, and farmhands. Young or old, it made no difference to the “variegated Bohemia” found therein, where heavy drinking was the norm, and men often left with bruises and missing their bankrolls. Noted the reporter:

The “Front” was run wide open. It was the rendezvous of the most daring sports, gamblers, and saloon hangers-on that could be gathered together in the state. Gambling and drunkenness were rampant. Hardly a night passed but some farmhand was fleeced in a game of cards, robbed and beaten up, plied with liquor or doped, until he became insensible and his pockets picked by the light-fingered gentry.⁴

Barney Garner ran a succession of saloons and became the Democratic Party’s political boss in Modesto and Stanislaus County. As one pioneer explained, “He was the leader of the saloon forces in the convention and was known in his day as the boss of the Front. He always went into the Democratic convention with a good-sized vote and on several occasions held the balance of power and practically nominated and elected the candidates. In the political life of the city and county Garner was the dominant character.” Another recalled, “Although he could control men and obtain their votes, he could not control his temper, and when drunk was a very dangerous, bullying person. With his influence in politics and ugly temper, many persons feared him, especially after his cold-blooded murder of Jerry Lockwood.”⁵

Garner’s influence over the saloon element did not always prevail among regular voters. In 1880, 1884, and again in 1886 he ran for sheriff of Stanislaus County, but each time he was unsuccessful. That was fortunate, for Garner was often a lawbreaker, not a law enforcer. On one occasion in 1880 he got into a brawl with another candidate for sheriff and left his rival with a black and swollen eye. Three years later, in the fall of

1883, he was in a saloon in Stockton, thirty miles north of Modesto, watching a fistfight between two patrons. A big ruffian stepped up to the diminutive Garner and said, “I’d like to have a little fun, myself,” then struck him in the face. Garner punched back, and in the melee that followed, he repeatedly knocked his opponent to the floor. Finally the ruffian gave up, gasping, “I don’t believe I want any more. You’re too much for me.”⁶

In March of 1884 Barney Garner got into another fracas which, as a Modesto journalist reported, left his adversary with “black eyes and a much swollen head.” A month later he ran afoul of the San Joaquin Valley Regulators. They were a vigilante group, about 250 strong, that attempted to clean up Modesto. The Regulators closed down the rowdiest saloons and dance halls, ordered gamblers, pimps, and prostitutes to leave town, and shot dead one saloonkeeper who resisted. When Garner began to organize opposition to them, the Regulators sent him a blunt warning: “This is to notify you that if any disturbance is made, property destroyed, or persons injured by the gang ordered out of the county, or if any band is organized to resist the Regulators, or if, as has been threatened, any person’s property is burned on the supposition that the owner is a Regulator, you will be held personally responsible with your life.” In response, Garner and his cronies openly defied the Regulators, who decided to leave him alone.⁷

During the 1880s Garner took part in several brawls, mainly caused by political disputes. One of the most notable took place in March 1885, when he was drinking in a saloon on the Front. As he and another man squared off, a large crowd gathered to watch the fray. The city marshal quickly arrived and tried to arrest Garner, who resisted. As the pair struggled, several of Garner’s

The Front in Modesto, 1885. The Marble Palace Saloon is just to the left of the two water tanks. The railroad tracks can be seen behind the man in the foreground. Courtesy of City of Modesto—McHenry Museum



friends tried to free him. Suddenly Garner struck the marshal with a fist to the face, and the officer responded by slamming his pistol barrel over Garner's head. The Boss of the Front later pled guilty to assault, and was let off with a small fine.⁸

In 1886 Barney Garner acquired an ownership interest in the Marble Palace Saloon on Front Street. It was a large and popular drinking spot, and within a year he was its sole owner. On the morning of May 18, 1886, Garner was standing in front of the Marble Palace, cursing loudly. One of his enemies, W.E. Turner, a prominent lawyer and newspaper editor, approached on the sidewalk. He spotted Modesto's city marshal standing nearby but doing nothing to quiet Garner. Turner stepped up to the lawman and said, "You should not allow such language on the public walks."

Garner overheard the remark and sprang at Turner, slapping him across the face with the back of his hand. Instead of arresting Garner, the marshal simply admonished, "Barney, I won't allow such proceedings if I can help it."

When the city marshal was later asked why he did not arrest Garner, he responded lamely, "Turner knows the law and can make out a complaint if he so desires."⁹

However, the assault had taken place in front of the officer and he had a legal duty to arrest Garner and to not delegate that duty to the victim, Turner. This incident was one of many that demonstrated the need for a city marshal who could control Barney Garner and the other rowdies in town.

In April 1890 Modesto's voters elected a new marshal, Robert David Young. He was, according to a friend, "a young man of sober, steady habits." Bob Young was also untried, with no law enforcement experience. Young, born in 1861 in a small settlement west of Stockton, had grown up on the California frontier. He learned to ride, shoot, and hunt, and unlike many youths of that era, he graduated from high school. Young then worked as a wagon driver. Handsome and square-jawed, he married twenty-two-year-old Sarah Anne Sheridan in 1883. The couple raised a son, Leland, and two daughters, Zita and Esther.

Modesto's new marshal took his duties seriously. He was conscientious and energetic and set out to enforce the law fairly. Young cracked down on the hardcases and ruffians guilty of public drunkenness and

Robert D. Young with his wife Sarah. This photo was taken in about 1885, before he became city marshal of Modesto. Courtesy of Lisa Caraffi.



disturbing the peace and he became known for fearlessness in the discharge of his duty. And Bob Young had no fear of Barney Garner. Just a month after his election, he arrested Garner on a charge of "using loud and boisterous language." A judge fined Garner a meager \$7.50. A few weeks later, on the evening of June 3, 1890, Garner got into a drunken saloon brawl with a hulking ruffian named Thomas Parker, who boasted that he was "a fighter from away back." Parker cursed the much smaller Garner, who responded with three blows to his face. Parker quickly gave up the fight, but he returned to the saloon two hours later, grabbed a chair, and struck Garner over the head. Garner ducked, and only slightly injured, began pummeling Parker. At that, Bob Young and his friend, Deputy Constable Andy McGinnes, rushed into the saloon and separated the pair. They arrested Garner and Parker, both of whom were

promptly released on bail.

Bob Young had now arrested Barney Garner twice. No lawman had ever done that before. The more Marshal Young exerted his authority over the gamblers and saloonkeepers, the more Garner's political influence over them waned. The Boss of the Front seethed with hatred for Modesto's new city marshal. He repeatedly threatened to "do him up." And Young's fellow officer Andy McGinnes continued enforcing the law until 1892, when he was shot and killed by the notorious train robbers Chris Evans and John Sontag.¹⁰

Saturday evening, August 1, 1891, was a typically festive one in Modesto. The town was filled with ranch hands and farmers, seeking a weekend's entertainment in the Front's saloons and gambling halls. The Marble Palace, flanked on both sides by four other saloons, was going full blast. Marshal Young and his officers were kept busy by routine business as well as by a brawl that broke out between three rowdies. As a disorderly crowd gathered to egg them on, Young and Andy McGinnes raced to the scene. They broke up the mob and hauled two of the combatants to jail.

Meanwhile, in the Marble Palace, Barney Garner got roaring drunk. He denounced his enemies as loudly and profanely as he could. Garner directed most of his threats against Bob Young. The marshal heard about Garner's rantings but decided to ignore them. Shortly after nine o'clock Young was walking down Front Street when he spotted Garner standing in front of the Marble Palace Saloon with a group of his friends. Garner was still carrying on his harangue when Young stepped up and tried to quiet him.

"Barney, you must quit this," he said.

"You allow the fellows down the street to fight and swear," Garner complained, "and then you come up here and arrest me."

Young, however, had said not one thing about arresting him. Garner then declared, "Neither you nor any other man in Modesto can arrest me!"

At the same time Garner flashed his hand to his right trouser pocket and started to draw an old-style percussion derringer. Marshal Young reached forward with his right hand, trying to stop him, but Garner stepped back, half cocking the pistol while pulling it from his pocket. But the Boss of the Front wasn't quick enough.

Andrew McGinnes (right): Bob Young's friend and fellow lawman in Modesto.

McGinnes was ambushed and killed by train robbers Chris Evans and John Sontag in 1892.

Credit: Author's collection.



Young carried his own revolver tucked into the front of his waistband. Before Garner could draw the derringer, the marshal whipped out his pistol with his left hand and fired twice. The first slug tore into Garner's chest, just above the heart; the other plowed through his left shoulder, continued on, and grazed the arm of a bystander. Garner toppled to the sidewalk, gasping, "What did you shoot me for? Why did you kill me?"

Bob Young did not answer, and within a few breaths Barney Garner was dead. The marshal went immediately to the county jail and surrendered himself. The county coroner picked up Garner's corpse and found the half-cocked derringer in one pocket. He turned the body over to Garner's grieving wife and children, the innocent victims of the affair.

The county coroner empaneled a jury and called numerous witnesses to testify, and then ruled that Garner died "while resisting arrest by gunshot wounds inflicted by R.D. Young acting in his official capacity as City Marshal, and we further find that it was justifiable homicide." The officer took no pleasure in the shooting. A Modesto journalist interviewed him and wrote, "City Marshal Young deeply deploras the sad occurrence, but from the threats made against him during the earlier part of the evening and the demonstrations made at the time of the shooting, he feels that he would have been killed if he had not been the first to shoot."¹¹

Bob Young was repeatedly reelected city marshal and served capably for the next thirteen years. As one newspaperman remarked, “Mr. Young is a quiet, thorough-going officer who has complete control of the vicious element.” During the ensuing decade, he made countless arrests and restored law and order to Modesto.

On Christmas eve, 1902, Marshal Young was called to the Mint Saloon, half a block from Front Street. A ranch hand named Daniel Isom was drunk and threatening people with his pistol. Young entered the saloon through a back door and confronted Isom, who wielded a .38 caliber Smith & Wesson in his left hand. Isom was loudly cursing the bartender when Young stepped close and ordered him to leave the saloon.

“Don’t you come a step nearer or I’ll kill you!” declared Isom. “I don’t care for any city marshal or any other son of a bitch.”

Young, in an effort to avoid violence, retreated toward the front door, walking sideways so he could watch Isom’s six-shooter. Marshal Young slipped out the entrance and just as he swung the door closed, Isom shot five times at the door. One round misfired, but the other four ripped through the door. Only one bullet found its mark, and slammed into Young’s stomach. Isom’s revolver had not been fully loaded, and it was now empty. As the saloon patrons fled out the back door, Isom searched his pockets vainly for extra cartridges. Finally he pocketed the weapon, drew a knife, and rushed out the door after Young. The marshal, desperately wounded, had staggered a short distance away and stopped to lean against the front of a business. As Isom approached, Young drew his revolver and took close aim. He did not want to kill Isom, and instead fired one round into his assailant’s left thigh. Isom dropped heavily to the sidewalk.

Bystanders took both men to doctors. Isom had only a flesh wound, but the surgeons thought Young would die. However, they managed to remove the bullet and save his life. Daniel Isom was brought to trial, and the jury found him insane. He was sent to the state asylum in Napa, but within a few months he confessed that he had feigned insanity. Isom was returned to Modesto for a second trial. The new jury found him guilty of assault with a deadly weapon, and Isom received a lenient sentence of only two years in San Quentin.¹²

Bob Young recovered quickly from his wound

and within two months he was back on duty. But a year later, in the election of April 1904, he lost by only twenty-five votes. Probably due to chronic pain from his gunshot wound, coupled with his humiliating defeat after fourteen years of devoted service, Young began to drink heavily. In 1906, despite his prior opposition to the saloon element, he acquired the Mint Saloon—the same where he had been shot. Young’s new occupation only exacerbated his alcoholism, which in turn triggered psychiatric problems. In May 1907, while in a drunken rage, he attacked his twenty-two-year-old son, Leland, knocking him down, and then threatened to kill his entire family. Bob Young was arrested, and a judge found that he was mentally incompetent and sent him to the state insane asylum in Stockton. He was released six weeks later and returned to his family and his saloon.¹³

The former lawman continued his heavy drinking and became convinced that his son Leland and daughters Zita and Esther were conspiring to take his property. In May 1908, at the family home, he got into a drunken fury and assaulted Zita, aged twenty. Leland raced from the barn, struck his father over the head with a curry comb,



San Quentin prison mug photo of Daniel Isom, who shot and badly wounded City Marshal Bob Young in 1902.

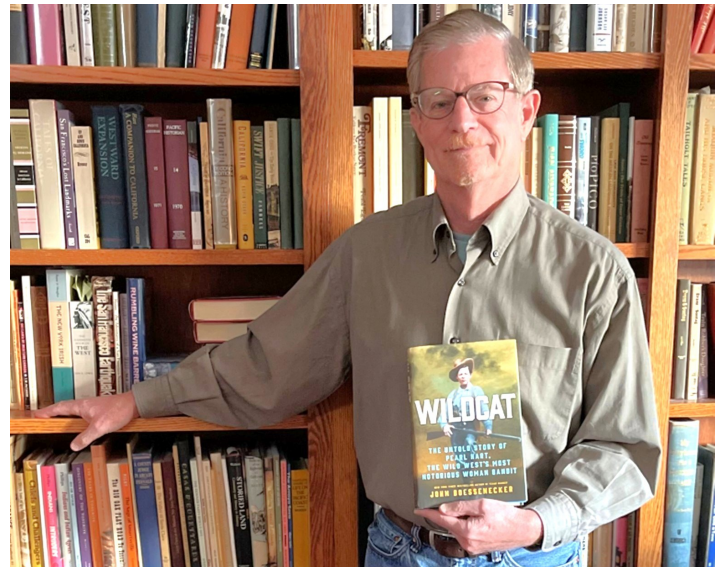
Courtesy of California State Archives.

and rescued his sister. Young was sent to a private hospital to get psychiatric help, but he did not stay there long. Two months later, on July 10, 1908, he burst into a Modesto shoestore where Leland worked. Young leaped onto his son and tried to strangle him. As Leland struggled, Young drew a pistol and shoved it into his son's body. Leland grabbed the barrel, forcing it down, just as his father pulled the trigger. Two shots rang out, but both bullets slammed into the floor. A pair of law officers rushed in and quickly disarmed and arrested Bob Young.

The incident created a sensation in Modesto. Young was kept in jail, while his wife Sarah filed for divorce. The criminal case came up for trial in October and his lawyers presented a defense of temporary insanity. The jurors, half of whom were sympathetic to the former marshal, were unable to agree on a verdict. Finally the prosecutor agreed to dismiss the case if Young stayed sober for a year and gave up the Mint Saloon. Young agreed and seems to have regained his sobriety. Sarah dropped the divorce case and her husband eventually reconciled with his children. He and Sarah opened a lodging house in Modesto, and thereafter Young lived peacefully. In 1910 he ran again for city marshal but got only a handful of votes. He then served briefly as a Modesto police officer. Sarah died in 1916, and some years later Young's health began to fail and he moved in with his daughter Zita and her husband in Oakland. He died in Zita's home on May 5, 1925, aged sixty-four and surrounded by his family.¹⁴

Today Bob Young has long been forgotten. But time and faded memories cannot erase his distinction as the man who tamed Modesto and killed Barney Garner in the showdown at the Marble Palace Saloon. ♦

John Boessenecker, a San Francisco trial lawyer and former police officer, is considered one of the leading authorities on crime and law enforcement in the Old West. Since 1968 he has published dozens of magazine articles about violence on the frontier. He is the award-winning author of twelve books, including the New York Times bestselling Texas Ranger: The Epic Life of Frank Hamer, the Man who Killed Bonne and Clyde. The WWHA awarded him the Best Book award in 2016, 2018, 2020, 2021, and 2023. He has appeared frequently as a historical commentator on Netflix, PBS, The History Channel, A&E, and other media.



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