



Historic Bakersfield & Kern County, California  
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## Lynchings at the Kern County Jail, 1879

by Gilbert P. Gia

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**I**n 1878 Bill and Tom Yoakum operated the Long Tom gold mine about 25 miles northeast of Bakersfield. It looked prosperous with its a mill, blacksmith shop, general merchandise store, and bunkhouse for 30 employees. However its output for the prior ten years had been less spectacular than steady,<sup>1</sup> unlike the Yoakums' notorious reputation for violence. Their hard line against claim jumpers, even against suspected claim jumpers, might have been why Tom Yoakum lost his bid for Kern County Sheriff.

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<sup>1</sup> According to Guy Hughes, quartz pockets at Long Tom had not been worked out completely, and the main ledge was still rich and holding (Guy Hughes, *Lynn's Valley Tales and Others*, 1976).

**In recent months the Yoakums had appeared in county court in a disputed mining claim against Hamilton J. "Tug" Tucker, 30, and his three partners Johnson, Bronough, and Webb. The spat was well-known and had a profound effect on what happened next.**

**Late in the afternoon of April 13, 1878 Bill Johnson and Tug Tucker were driving their wagons along a level stretch of road about one-half mile outside of Long Tom, where they had dropped off provisions and mining necessities and were returning to Granite Station. Their lead wagon was a four-horse affair driven by Bill Johnson, who was accompanied on the seat by Tug Tucker's sister Mrs. Burdett. Driving the wagon behind them was Tug Tucker, who was balancing a child on his knee. Next to him was his wife, Harriet with a child in her arms. In the back of the wagon was one of the Bronough boys.**

**Two shots came from a nearby outcropping of rocks.<sup>2</sup> Johnson threw up his arms and cried, "I've been shot!" Tucker appeared to have jumped from the second wagon, but he, too, had been shot. Fifty yards down the road James Bernard, James Webb**

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<sup>2</sup> Guy Hughes wrote, "Nearly fifty years ago, I stepped the distance from this rock to the road. It was about one-hundred steps to the spot behind the rock, from which the victims were shot." *Lynn's Valley Tales and Others*.

and F. Langford heard the noise and came running, and when they got there they found Johnson and Tucker dead on the road and Mrs. Burdett hysterical next to them. As others swarmed in from around Long Tom, expressions of horror changed to anger. Because of the bad blood between the Yoakums and Tucker and his partners, most of those present said the Yoakums did it.<sup>3</sup>

At the coroner's inquest held the next day in Judge Colby's court in Bakersfield, Mrs. Tucker entered dressed in deep black and accompanied by her father, Y.P. Stokes, a prominent citizen of Tulare County.<sup>4</sup> Behind them came Mrs. Burdett, also dressed in black, but the hush that initially descended on the room was then broken by angry murmurings when the courtroom saw how badly bruised Mrs. Burdett's face was from her fall.<sup>5</sup>

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<sup>3</sup> "But for the firmness of the Sheriff and Alex Mills they could hardly have escaped lynching by the infuriated citizens of that locality," (*Southern Californian, Kern County Weekly Courier*, Apr 18, 1878, p 3, c 2). For background on Alex Mills see [http://www.gilbertgia.com/hist\\_articles/crime/Marshal\\_mills\\_disincorporaton\\_cri.pdf](http://www.gilbertgia.com/hist_articles/crime/Marshal_mills_disincorporaton_cri.pdf)

<sup>4</sup> In 1887 the court house was on the grounds now occupied by City Hall and the Bakersfield Police Dept.

<sup>5</sup> *Southern Californian, Kern County Weekly Courier*, Jan 23, 1879, p 1, c 4-7. The Yoakum case was protracted, and much newspaper information about it did not appear chronologically.



Kern County Court House, *Resources of California*, (San Francisco, October, 1888)

**Attorney Gregg representing the Yoakums asked Judge Colby to empty the courtroom, which he did, but once the crowd was outside it started talking about a lynching.<sup>6</sup>**

**By that afternoon Coroner A.A. Mix released several pulses of information: Sheriff W.R. Bower<sup>7</sup> said the shots came from behind a shield-shaped, six-ft tall boulder with a natural hole in it; Mrs. Tucker had told the jury she first met Bill Yoakum in 1871 at Long Tom after she and Mr. Tucker had got married and moved to Long Tom to live. She added that she then went East and upon returning opened a boarding house near the**

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<sup>6</sup> In 1876 Judge Philip Colby had unsuccessfully represented William Yoakum in a claim on the Baker Tract in Bakersfield (Lynn Hay Rudy. *Granddad: Hugh A. Blodget in Early Bakersfield*, 1999. Jenner, California).

<sup>7</sup> William R. Bower was Sheriff of Kern Co 1878-86 and 1893-94

**Yoakum's place; and Mrs. Tucker remembered that the shooters wore brass-toed boots.<sup>8</sup>**

**The report of the coroner's inquest said that Mrs. Tucker did not say the Yoakums were the shooters, although the report said Tom and Bill Yoakum "were thought to have" killed J.H. Tucker and William Johnson. The Yoakums were then formally charged with murder.<sup>9</sup>**

**Newspapers up and down California deplored the shootings, and Bakersfield Courier's editorial "Bad State of Affairs" condemned Kern County for its "miserable state of civilization."<sup>10</sup> The Courier wrote, "It is an unpleasant but indisputable fact that Kern County has no enviable reputation among strangers. Good citizens must cease to shrink from their duties to society. They must accept them cheerfully, with all their responsibilities, regardless of the consequences, until the spirit of lawlessness is subdued and a better era is inaugurated."<sup>11</sup> The Courier was complaining that Bakersfield did not have an aroused citizenry.**

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<sup>8</sup> *Southern Californian, Kern County Weekly Courier*, Jan 23, 1879, p 1, c 4-7.

<sup>9</sup> *Southern Californian, Kern County Weekly Courier*, Apr 18, 1878, p 3, c 2

<sup>10</sup> *Kern County Gazette*, April 27, 1878, p 4, c 2

<sup>11</sup> *Ibid.*

**The courtroom was packed on Wednesday January 13, 1879 for the opening of William Yoakum's trial. His attorneys were D.S. Terry of Stockton, Alex Campbell, Sr. of San Francisco, and the Bakersfield firm of Colby, Gregg, and Calhoun. Yoakum had powerful legal representation, but could he get a fair trial in Bakersfield?**

**Some citizens said that a woman whose husband had been shot and killed as he sat next to her would not be able to identify brass-toed boots from 250-feet distant, and besides, weren't brass-toed boots pretty common? But doubters were the minority. In the larger court of public opinion the Yoakums killed the two men, and the Yoakums must be punished. Bakersfield's memory of the five, local lynchings a year earlier was a persistent reminder of what other indignant men had done in the name of justice.<sup>12</sup>**

**Bill Yoakum's defense attorneys asked for a change of venue and also handed Judge Colby a supportive petition signed by**

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<sup>12</sup> The Committee of Safety in Bakersfield hanged five Mexican bandits in the presence of 100 spectators. ("Lynch Law," *Southern Californian, Kern County Weekly Courier*, Dec 27, 1877, p 2, c 1-2. See also "Mob Violence in Bakersfield," *Historic Kern*, Quarterly of the Kern Co Historical Society, Sep 1994, vol 44, no. 3.)

merchant Herman Hirshfeld, cattleman Ferdinand A. Tracy, and livery-stable owner W.R. Crawford. All three were respected, but the judge ruled that the trial would stay in Kern County. As defense and prosecution attorneys assembled the jury, the Courier charged the district attorney with stacking it in favor of Bill Yoakum.

At the trial Harriet Tucker testified that as she and her husband spied a man behind the rocks, and moments later a bullet zinged over their wagon. She said that at the same time Johnson turned around and called out "I'm shot!" Mrs. Tucker saw blood spreading across his shirt. She continued, "Just then my husband fell off the seat and down into the road. I cried, 'Don't shoot the children!' The wagon lines had dropped, and the horses were running toward some rocks. I jumped out of the wagon with my baby in my arms and laid it on the grass, ran and stopped the horses, and lifted my boy out of the wagon. I went back to where my husband was lying. Mrs. Burdett went over to Mr. Johnson and saw he was dead. I could do nothing for him. The first shot struck Mr. Johnson, two shots very quick. Then the third shot from far away. I heard three shots, the third killed my husband. Mrs. Burdett had their

children, and she halloed to them 'Don't shoot!' When I looked up I saw two men running down into the canyon from the rocks above. They were Tom and Bill Yoakum. Bill Yoakum carried a gun in his right hand, and I then saw Tom Yoakum disappear behind the rocks. I looked down and saw a wagon crossing the gulch below and coming up the hill straight ahead of us. Then I turned sick and fell to the ground."<sup>13</sup>

"Next thing I remember Mr. Cunningham or Mr. Bernard raised me up and gave me some water to drink. I asked Mr. Cunningham to go after them, and he said, 'We have got no gun, and they'll shoot us from the rocks.' I said, 'They are not in the rocks. There's a gun in Mr. Johnson's wagon, and I'll go and get it.' And I started to the wagon and Mr. Cunningham caught and held me, and then I fainted again. That evening when I was at Mr. Mills', Mrs. Burdett and Mr. Bronough came to bring my baby to me. When I went back later I saw that they had arranged the rocks so that a little porthole had been formed so no one could see them. But I did not recognize the Yoakums by their features, only by their clothes."<sup>14</sup>

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<sup>13</sup> Kern County Gazette, Apr 20, 1878, p 4, c 2

<sup>14</sup> Ibid.

**On the Fourth of July 1878 Sheriff Bower was informed that an attempt would be made to take the Yoakum brothers from jail and hang them. He gave little heed to the information at first but later in the day became convinced that the movement was genuine and notified his deputies. He also armed several others and placed them in different parts of the court house.<sup>15</sup>**

**Why did Mrs. Tucker wait to identify the Yoakums? She testified that Cunningham, Webb and Bernard had arrived almost immediately after her husband was shot, but when she started to tell them the names of the shooters, she noticed a brother-in-law of the Yoakums standing nearby, and that was why she did not speak. She said, "The day after the shooting I finally told the coroner that it was the Yoakum that I saw shoot. Later when I was at the inquest I saw Robert Gilbert. He is a brother-in-law of the Yoakum."<sup>16</sup> When I saw him I stopped talking. I was afraid they'd tell the Yoakum and they'd run off."<sup>17</sup>**

**Mrs. Burdett's testimony was the same as Mrs. Tucker's. Next, the children were called to the stand. Young Sarah Tucker as**

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<sup>15</sup> *Southern Californian, Kern County Weekly Courier*, Jul 11, 1878, p 1- 2

<sup>16</sup> The man was Callie Yoakum's brother.

<sup>17</sup> *Ibid.*

well as a son of Tucker's partner Bronough both said they saw one of the Yoakums running up the canyon with a gun on his shoulder. Fifteen other witnesses were also called, and all of their testimony corresponded to Mrs. Tuckers recollection of events. Bill Yoakum's only collaborating witness was Callie, his wife of seven years.<sup>18</sup> She swore that Bill was home all day taking care of their sick child while she did the wash.

For each day of the nine-day trial, the same 30 women occupied the same front seats of the courtroom. On the last day Bill Yoakum was ushered in, and as he passed in front of the throng of 30 behind the railing every eye followed him. The Courier said Yoakum's face was sallow and shrunken from incarceration, and his expression was one of "anxiety, if not remorse." At 4 pm Judge Colby sequestered the jury, and as Tom Yoakum was removed to his jail, he touched his wife's hand. A trace of tremor appeared between them, but no other emotion. Callie Yoakum lingered outside the courtroom for several minutes surrounded their three young children.

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<sup>18</sup> Kern County Weekly Courier, Mar 23, 1872, "W.J. Yoakum and Miss Callie Gilbert, both of Bakersfield, married by Justice Adams."

**Spectators barely had cleared the courtroom when the jailer hurried in with the cry “a verdict.” The courtroom filled quickly, the foreman was called, and when he announced that Bill Yoakum was found not guilty of killing Tucker, Sheriff Bowers had to move in to protect him from the crowd that saw a monstrous, unpunished crime and the obstruction of justice.<sup>19</sup>**

**Yoakum now faced a second trial. In trying him for the murder of William Johnson the jury selection drew from a panel 100 names. The Yoakums brought in additional legal help from San Francisco.**

**During this time word got out that in the first trial Judge Colby walked in on the sequestered jury. It was a breach of court rules, but the judge insisted he had not influenced the jury. In response, the Courier wrote an inflammatory editorial claiming that some Kern county judges were being bought off.**

**Bill Yoakum’s second trial took ten days, and that jury heard the same witnesses and the same evidence that had been presented in the first trial. The first ballot was unanimous, and**

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<sup>19</sup> *Southern Californian, Kern County Weekly Courier*, Jan 30, 1879, p 3, c 3

**Yoakum was found guilty of murder in the first degree. Council V.A. Gregg moved for a stay of sentencing to file an appeal.**

**Now the Courier counseled for civil obedience. "It is to the credit of the community that the law has been allowed to take its course. There will be more confidence shown in juries, [and] great crimes cannot be committed and the perpetrators shielded by influential friends through the manipulation of the courts, or the corruption of individual witnesses or jurors." Perhaps in an attempt to calm tempers, the Courier wrote, "Everything will yet be done to render the law effective for the protection of the convicted man."<sup>20</sup>**

**Pending appeal, the Yoakums were held at Kern County jail, but they never got their day in court. On May 28, 1879 at half-past midnight a lynch mob broke into the courthouse. For some months past, the Yoakums had made so much trouble that they were put in leg irons and chained to the floor, and when the mob unlocked the cells, that is the way they found them.**

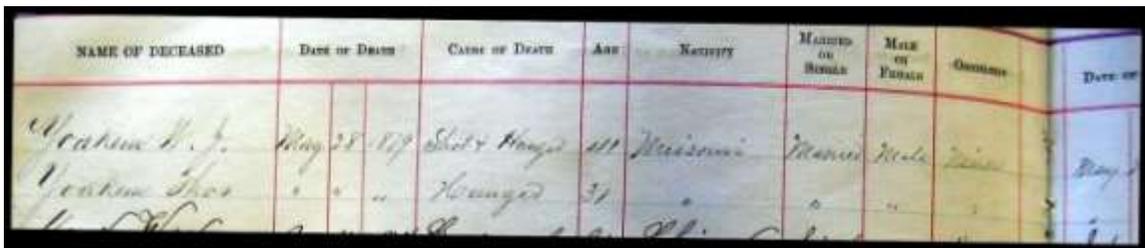
**Bill Yoakum pleaded, "I promised my mother I wouldn't die**

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<sup>20</sup> *Southern Californian, Kern County Weekly Courier*, Feb 27, 1879, p 2, c 2

with my boots on. Please let me take 'em off." He stooped, came up fighting,<sup>21</sup> Jailer W.H. Coons was outside when he heard yelling and nine shots.<sup>22</sup>

The Courier's story went like this. Noise from the crowd roused jailer George Reed.<sup>23</sup> When he refused them admittance, they broke in the door, grabbed him and Coons, and took the keys. Meanwhile, outside, Sheriff Bower and brewery owner Henry A. Jastro were returning home from town and as they approached the courthouse steps when heard a commotion. Men stopped them there.<sup>24</sup> Coons waited nearly two hours before going back to the cells. There he found Bill and Tom Yoakums' bodies hanged from the bars.<sup>25</sup>



NAME OF DECEASED	DATE OF DEATH	CAUSE OF DEATH	AGE	NATIVITY	MARRIED OR SINGLE	MALE OR FEMALE	OCCUPATION	DATE OF BURIAL
Yoakum B. J.	May 28 1874	Shot & Hanged	41	Missouri	Married	Male		
Yoakum Tom	" " "	Hanged	31	"	"	"		

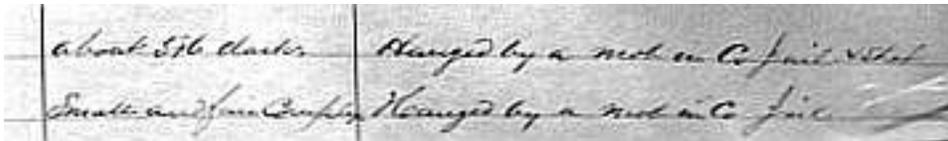
<sup>21</sup> Dec 17, 2002 email from Audrey Lee Becker to the author: "The sister of Bill and Tom Yoakum named Annie Eliza Yoakum married Thomas Edwin Hughes, who had a son born in Arizona. Guy Hughes was born in Arizona. Maybe he is a grandson??"

<sup>22</sup> Guy Hughes, *Lynn's Valley Tales and Others*, (1976)

<sup>23</sup> According to the *Southern Californian, Kern County Weekly Courier* of May 23, 1874, p 1, the Kern County jail was part of the courthouse and had about six cells.

<sup>24</sup> Jastro's house was six blocks north of the courthouse. If he had been walking home from a downtown lodge meeting, he had strayed uncommonly far in the wrong direction.

<sup>25</sup> Bill Yoakum had a pistol wound in his left breast, a shotgun wound to his left side, and another shotgun wound that nearly severed his right arm. (*Southern Californian, Kern County Weekly Courier*, May 29, 1879, p 3, c 2)



Kern County Coroner's book, 1879

Line 1 above reads, "about 5+6 darker, Hanged by a mob in C. Jail + shot."

Line 2, "Smaller and finer completion, Hanged by a mob in Co. Jail"

**Only a few of the 75 men wore masks. Sheriff Bower and Henry Jastro surely recognized most of the mob, but Bower and Jastro never told. The coroner's report concluded that "unknown persons" killed the Yoakums.**

**The Courier questioned whether the crimes of the living overshadowed the crimes of the dead, although it was horrified by the "apparent brutal characteristics of the tragedy." Although the Courier regretted that Kern County had become "unhappily prominent for its summary executions," the newspaper was proud to say that "good men were involved," and it was gratified that "justice has been vindicated."**

**The Courier accused Judge Colby of abetting the Yoakums and went so far as to say that everything the Judge did, both in and out of office, was open to suspicion. The Courier wrote, "Only by long suffering acquaintance with corrupted courts and their corrupting advisers, with the schemes of officers to protect and**

**defend their friends in crime, and the selection of jurors subject to the influences of attorneys practiced in the giving and receiving of bribes, can such events be taken out of the semblance of barbarism." The lynchings were "revengefully just," it said, and "these desperate means of defense" would continue until the courts changed.<sup>26</sup>**

**Because almost all Western newspapers condemned Kern County, the Courier had to go looking for friends. One was the Modesto Herald, whose editorial "An Era of Crime" said there were too many loopholes in the law and some criminals bought their freedom. "For their own protection the people must take the matter into their own hands."**

**Was Kern County's court system corrupt? This author surveyed the 1876-77 Weekly Courier and found no complaints against the criminal justice system.**

**Historian Guy Hughes knew something that the Courier did not. Tucker and Johnson were successful in getting a man sent to prison for stealing gold from one of their mines, and he swore**

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<sup>26</sup> *Southern Californian, Kern County Weekly Courier*, June 12, 1879, p 2, c 3

**he would return and even the score. Just prior to the murders, this man had been seen around Kernville.<sup>27</sup>**

**Sheriff Bower was handsomely reelected in the county ballot of September 11, 1879, and in the same election 44-year-old Benjamin Brundage became a Kern County superior court judge.**

### **Afterward**

Bakersfield author Lee Harold Edwards wrote the Yoakum story in *Ambush at Long Tom*, which appeared in *True West Magazine* in November, 1992. That story is at [http://www.lhale.com/Stories\\_Fawvor/Ambush\\_at\\_Long\\_Tom.htm](http://www.lhale.com/Stories_Fawvor/Ambush_at_Long_Tom.htm)

When I wrote about the Yoakums in 2002 I was yet unaware of Harold or his many (100+) magazine articles about Western badmen, nor did I know his books *The Killing Of Jim McKinney* (Porterville, California, 1988) or *Goodbye Billy The Kid* (Creative Publishing, 1995).

As I rewrote my Yoakum story this year, I smiled as I remembered what Harold told me in 2002 after he read my first effort. "Well, Gilbert," he said in his precise and gentlemanly way, "I think you did a good job on it." I wasn't then able to appreciate those sympathetic words given to a fledgling historian. I do now.

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<sup>27</sup> Guy Hughes, *Lynn's Valley Tales and Others*. Jul 20, 2003, email from Lynn Hay Rudy to the author: "Also, one of his cousins told me Guy Hughes' immediate family excised quite a bit from his manuscript after his death and before it was published. The complete list of perpetrators is forever unknown, I guess." Hughes wrote that three of the mob committed suicide not too long after the Yoakums were lynched.