



# The Trial of "Indian Joe": Race and Justice in the Nineteenth-Century West (Law in the American West)

*Clare V. McKanna Jr.*

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On the night of 16 October 1892, a double homicide occurred on Otay Mesa in San Diego County near the Mexican border. The two victims were an elderly couple, John and Wilhelmina Geysler, who lived on a farm on the edge of the mesa. Within minutes of discovering the crime, neighbors subdued and tied up the alleged killer, José Gabriel, a sixty-year-old itinerant Native American handyman from El Rosario, California, who worked for the couple. Since Gabriel was apprehended at the scene, most presumed his guilt. The local press, prosecutors, witnesses, and jurors called him by the epithet "Indian Joe."

The sensational murder trial of Gabriel highlights the legal injustices committed against Native Americans in the nineteenth century. During this time, California Native Americans could not vote or serve on juries, so from the outset Gabriel was unlikely to receive a fair trial. No motive for murder was established, and the evidence against Gabriel was inconclusive. Nonetheless, the case went forward. Drawing on court testimony and newspaper accounts, Clare V. McKanna Jr. traces the murder trial: the handling of the case by the prosecution, the defense, the jury, and the judge; an examination of the crime scene; and the imaging of "Indian Joe." Through his considerable research, McKanna sheds light on a dark time in the American legal system.

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