

# RUSTLERS, RAILROAD AND STAGECOACH ROBBERS

THE BLACK JACK CHRISTIAN GANG IN MEXICO



DAVID K. MARTINEAU



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**David K. Martineau**

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ISBN: 978-1-63491-368-3

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Published by BookLocker.com, Inc., Bradenton, Florida, U.S.A.

Printed on acid-free paper.

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2016

First Edition

## **Chapter 2**

### **The Deputy US Marshall**

Deputy US Marshall Arturo B. Saenz, commonly known as Art Saenz, was a product of the bi-cultural, wild, and lawless border area. He was born in Mesilla, Confederate Territory of Arizona (today Mesilla, New Mexico), on 1 Jul 1861. The Southern halves of Arizona and New Mexico were annexed by the Confederate President Jefferson Davis, as a Confederate Territory, and an Arizona Ordinance of Secession was signed by the people of now Southern Arizona and New Mexico, assembled in convention in Mesilla, on 16 Mar 1861. Shortly thereafter the citizens of Tucson, Arizona Territory ratified the action indicating their desire to become part of the new Confederate Territory. The Confederate Territory of Arizona only lasted a brief period of time, as Brigadier General James Henry Carleton and his California Volunteers recaptured Tucson in June of 1862, after which the whole area again came under control of the Union forces. General Carleton and the California Volunteers had been assembled in

California and sent through Arizona and New Mexico, as far east as El Paso along the Rio Grande, to rid the entire area of Confederate forces, and halt their plans to develop the area as a Confederate stronghold. Additionally, in the same year of 1861, Carleton's forces encountered and clashed with the Chiricahua Apache members of the bands of Cochise and Mangas Coloradas, who had recently experienced the treacherous deaths of members of Cochise's family, at the hands of Lieutenant George Nicholas Bascom, at Apache Pass, near what would soon become Fort Bowie. Bascom's actions gave rise to the Apache wars in the area. So you can easily see how young Art Saenz was raised in an atmosphere of cultural struggles between Mexicans and Americans, Southern States versus Northern States, and Apaches versus Americans. All of these influences affected his personality. In his early twenties Art Saenz, fully fluent in Spanish and English, joined the U. S. Army, as a cavalry private, and served his entire four year enlistment in the border area. Some people raised along the border felt "torn between two cultures", Mexican and American. Not Art Saenz. He felt doubly blessed, equally comfortable in the Mexican

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culture, and also the American southwest. He loved his Mexican background, and his American western frontier culture. He treasured both parts of his life, and derived extra strength from having them both. He did not care much for people who could only speak Spanish, nor those who could only speak English, thinking that both were missing important cultural aspects of life. He felt that he possessed a much better understanding of people and life, due to his dual culture.

In May of 1883, Private Art B. Saenz was serving as a Cavalry Trooper in the 6<sup>th</sup> Cavalry, and assigned to the US Army forces being assembled at John H. Slaughter's San Bernardino Springs Ranch, in the very south eastern corner of Arizona, along the US-Mexico border. This force was being assembled and organized under General George Crook (the first major Crook border-crossing chase after Geronimo), to cross over the border into Mexico, in pursuit of Apaches who had left the San Carlos Reservation, under Geronimo. Tom Horn, an associate of Chief Scout Al Sieber, was in the force, attached to one of the pack trains as a packer or mule-skinner. Private Saenz was also attached to this pack train, which

followed the main body closely, transporting supplies and ammunition on mules.

The Apache bands being followed into Mexico included several influential Chiricahua Chiefs: Geronimo, Chato, Chihuahua, Nana, Naiche, Juh, Loco, Bonito, Mangas, Zele, and Ka-ya-ten-nae (who later declared that he was a Mexican Apache, having been born and raised in the Sierra Madre Mountains stronghold). In addition to General Crook's main body, there was a significant Apache Scout force, led by Captain Emmet Crawford, Lieutenants Charles B. Gatewood and James O. Mackay, Chief Scout Al Sieber and his deputy Archie McIntosh, and scout-guide-interpreters Mickey Free, Severiano and Peaches. The scout force also included a group of about 190 Indian Scouts, mostly Apaches from various Apache Tribes, plus a few Yumas and Mohaves thrown into the mix for good measure. General Crook was a firm believer in the use of Apache Scouts to track Apaches, and relied heavily on them. Regular Cavalry Troops and Pack Trains could not move as fast as the Apaches did, and could only be successful if accompanied with a force of Apache Scouts, who



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could operate independent of the main body and pack trains.

General Crook's force left San Bernardino Springs Ranch on 1 May 1883, and crossed into the Mexican State of Sonora. With the Scout force leading the way, the force moved south to the Bavispe River. The force followed the Bavispe River further southeast, past the towns of Bavispe, Bacerac, Huachinera, and on to Tesorababi (which no longer shows up on maps). The troopers noticed that many properties in the area had been abandoned by the Mexicans, due to fear of the Apaches, who freely raided among the Mexican populations and ranches for cattle, horses and other supplies. Local Mexicans were loath to go up into the Sierra Madre Mountains, since Apaches used that area to hide from both Mexican and American soldiers and ranchers. At the suggestion of the Chiricahua guide Peaches (he was actually White Mountain Apache, but married to two Chiricahua women and had lived for a long time with the Chiricahua), General Crook diverted his force away from the Bavispe River and headed southeast up into the heart of the Sierra Madre mountains, generally following a

tributary to the Bavispe up to its source, near the continental divide, between the Mexican States of Sonora and Chihuahua. High in these mountains between Sonora and Chihuahua was a favorite location used by Apaches for centuries, which is remote, inaccessible, and well-suited as a hiding place from which to raid Mexican ranchers from Sonora and Chihuahua. High up in this area Crook's force ran into the band of Chiricahua Chief Chato. His band had an American prisoner, a six-year-old child named Charlie McComas, who had been captured previously by a raiding party of Chiricahuas south of Silver City, New Mexico. When the advance scouts ran into Chato's encampment, shooting erupted. This caused one of Chato's warriors to bash in Charlie's head with a rock. Little Charlie McComas' body was tossed into some bushes and not found by the American attackers. The story of what happened to the McComas boy did not come to light until much later, narrated by a Chiricahua Warrior, Jason Betzinez, who heard it from an eyewitness, Ramona Chihuahua, one of Chief Chihuahua's daughters. At about the same time, a group of five Mexican captives being held by the Chiricahua Apaches were released or escaped, and joined

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General Crook's party. The Chiricahuas had hoped to trade them to the Mexicans for Apaches being held as prisoners of the Mexicans.

Chiricahua Apaches began to come into Crook's camp to talk. Crook informed them that he intended to either fight with them or bring them back to the United States. Little by little, warriors began to come in, along with women and children, agreeing to return with Crook. Even Geronimo came into Crook's camp, on 22 May, and agreed to gather up his people and return to the United States with the American soldiers. First Chato, then Chihuahua, then Ka-ya-ten-nae agreed to surrender. Soon Naiche and Loco also agreed, followed by Nana and Bonito. By 28 May all major Chiefs had agreed to surrender and return to the reservation, with the exception of Chief Juh and his band, which never returned. At least 374 Chiricahua Apaches, including warriors, women and children, had agreed to return. On 30 May 1883, General Crook broke camp and started for home. He had agreed to allow Geronimo to gather up the remainder of his people, and travel on their own back to the border, to join the Apaches who accompanied General Crook back to the

reservation. Crook and his men, accompanied by Apaches, travelled along the eastern side of the continental divide, down the Sierra Madre Mountains onto the Janos Plains, in Chihuahua. From there they went northwest, crossing back into Sonora, then on to cross the international border back into Arizona at the San Bernardino River, and on to Silver Springs, Arizona, where they met General Crook's soldiers who had stayed behind at the border, arriving there 15 Jun 1883. A group of Chiricahua leaving Mexico went from Chihuahua north to the US Border. They crossed the border into New Mexico, and from there went west along the Gila River, to the San Carlos Reservation. Chiricahuas from Mexico began to arrive at the San Carlos Agency in early June 1883. The main body arrived 23 Jun 1883, and smaller parties of Apaches continued arriving for months thereafter. Chato and his band arrived in February 1884, and Geronimo and his band finally arrived 25 Feb 1884. The last party of Chiricahua Apaches did not arrive until 15 May 1884, completing the return of the Apaches who had been hiding in the Sierra Madre (except for Juh and a few others who continued to run wild in the

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Sierra Madre, but their raiding potential and danger to Americans was greatly reduced).

After his military service, Art Saenz took up residency in Lordsburg, New Mexico, dabbling in local law enforcement and cattle ranching. On the strength of his military experience and law enforcement activities, at age 31 he was hired by the United States Marshalls Service as a Deputy Marshall. He liked the fact that the mission of the Marshalls Service was federal, not just local nor restricted to a small jurisdiction. The Marshalls Service was responsible for providing federal judicial security, securing and transporting federal prisoners, executing federal court orders, and assuring the safety of endangered government witnesses. The Marshalls Service dealt with national crimes, not local ordinances; and it was involved in international affairs and cross-border operations. By August 1896 Deputy Marshall Saenz found himself working under Edward L. Hall, U.S. Marshall for the Territory of New Mexico. Dep Marshall Art Saenz was single. He always pictured himself marrying someone and raising a family, however, he had not yet got to that stage in life.



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