

Thomas Jacob (“TJ”) Austin

Native American Research Case #22
Compiler by Helen C. Austin, Ph. D
& Patricia (“Trish”) Emser

The following story was researched and compiled by Trish Austin Emser, AFAOA member, from family legend and data gathered from travels to archives and locations in many states over a period of five years. Trish first contacted me when she saw our Native American website. Not only did she solve several family mysteries, but she formed a family reunion of the newly contacted descendants, who also saw our website.

Congratulations Trish! Helen C. Austin

Born: 23 November 1866 in North Carolina (near Albemarle)¹

Died: 31 August 1936 in Ft. Gibson, Oklahoma¹

TJ Married Frances H. Russell 24 March 1893²

TJ Married Sarah Rogers on 23 May 1905³

Those before him: Thomas Jacob Austin or TJ Austin, was born on river bottom land in the home where six generations of the Austin family resided before him near the lovely town known today as Albemarle, in Stanly County, North Carolina. TJ was a direct descendent of W. William & Ruth of North Carolina (verified through DNA testing and logged in the AFAOA DNA Project, as traced through TJ’s grandson Larry O. Austin of Kansas; 2015 DNA test using familytreedna).

TJ’s parents were John Marcus Austin (who was typically only referred to as “Mark”) and Rebecca Cagle Smith Austin (descendent of George Cagle, a soldier in the Revolutionary war, verified by DAR).

Rebecca and Mark Austin were married 4 Apr 1862 in Albemarle, North Carolina. TJ had an older brother, Benjamin P. (aka “BP”), who was born 3 Dec 1863. TJ was born in 1866 after Mark was discharged from the Civil war. TJ had 1 younger sister, Martha Abigail, plus 4 younger brothers (John Marcus Jr., Lindsey, William and Adam Wesley).

Father served as a Confederate Soldier⁴: TJ’s father Mark was a member of Company I, 52nd Regiment of the North Carolina Infantry. Mark served as a confederate soldier from 1862-1863 until he was wounded in the famous battle of Pickett’s Charge on July 3, 1863. After being wounded and losing his left hand, Mark was presumed and left for dead on the battlefield. The Union army captured Mark at Gettysburg where he was a member of the “Roll of Prisoners of War” as of 22 Oct 1863, held at David’s Island, New York Harbor until his release in Dec 1864.

Family resettles in Arkansas: After release from imprisonment, it is believed that Mark sought land of his own in the south—he moved his family to Pope County, Arkansas, eventually settling in a location near White Oak Mountain. John Mark was listed in the US Census of 1880 residing in: Lee, Pope, Arkansas. Of TJ’s siblings, the next youngest was Martha Abigail who was born in Arkansas on 17 Apr 1869. Based on the birth locations, it is believed that TJ’s family relocated from North Carolina to Arkansas sometime between when TJ was born in 1866 and when Martha was born in 1869. There are also reports that Roy Lee’s mother’s family (Frances H. Russell) lived in North Carolina before moving to Arkansas; interestingly, TJ’s older brother Benjamin P. (“BP”) also married a Russell named “Virgie Nancy Russell”⁵. It is believed that many North Carolina families, such as the Russells, Austins, and Smiths moved to Arkansas in search of new lands and a more prosperous way of life after the civil war.



“TJ” Austin

Major Events in TJ's Adult Life

TJ's marriages: TJ's first marriage was to Frances H. (possibly "Hall") Russell, where they were married on 24 Mar 1893 in Franklin County, Arkansas⁶. Thomas' stated residence was in Atkins, Pope, Arkansas and Frances as stated to be living in Spielerville, Logan, Arkansas. The rumor passed through the Russell cousins who still live near Russellville, Arkansas is that Frances' family was upset by the marriage to TJ, as he was not highly regarded by the Russell family. It should also be noted that Frances Russell's mother was Nancy Neely—reportedly a full blood Cherokee originally from South Carolina, but that information has not been substantiated. What is most interesting is that we have a Nancy Neely Russell, who appears to be a very close resemblance to Roy Lee Austin (TJ's youngest son with wife Frances Russell Austin). TJ had a second marriage while Frances was still living. The second marriage was to a Cherokee woman registered in the Dawes Roll, named Sarah Rogers⁷.



Roy Lee Austin



Nancy Neely Russell

TJ in search of land: There is a record dated 1896, in Oklahoma, listing Thomas J Austin, as having applied as a Cherokee in the "1896 Applications for Enrollment", Case 1126. After this early enrollment period, the Dawe's Roll was established which helped set criteria for acceptance as one of five Indian tribes. According to the Dawe's Roll, CC#5196, page 314, Enrollment #12456, it is noted that "Tom Austin" married Sarah Rogers on 23 May 1905.

When she married Tom, Sarah was a widow with a new born child, Lucinda Rogers. Both she, and her mother, Eva O'Field, received large amounts of land in the area of Mayes County, Oklahoma near the town of Pryor Creek. It is believed that this is the only land ever "owned" by TJ. For a portion of time, he resided on Sarah's property and otherwise lived in a home in Muskogee owned by the Missouri-Kansas-Texas "MKT or Katy" Railroad. TJ's address in the City Directory of 1913 was "Cherry in Holstein addition near Beacon".

Too many losses of loved ones: TJ suffered many losses of the women close to him; it is believed that these losses contributed to a very difficult life. His families barely survived in a rough, and sometimes lawless territory. Birth and death certificates were not required in Oklahoma before 1908, and if a family member died it was common practice to just, dig a hole, and bury them soon after they deceased. TJ had no land holdings of his own. He lost all of his possessions to a fire before 1920. He struggled to put food on the table for his family.

The Pellagra "Epidemic": Between 1914 and 1929 TJ lost his wife, sister and daughter to a horrible condition called Pellagra, which was characterized by the "4 D's"—Dementia, Dermatitis, Diarrhea, and finally Death. The dermatitis was so severe that it was often confused with leprosy. In the early 1900's those witnessing this condition feared that it was contagious, causing extreme reactions, and sometimes they even abandoned family members. Over time it was learned that Pellagra is actually a disease caused by a dietary deficiency in vitamin B (niacin). Death statistics indicate that Pellagra may have been one of the most severe nutritional deficiency diseases ever recorded in the United States, and it often afflicted women who provided better meals to their husband and children, leaving little food for themselves.

Family fatalities: Frances H. (Russell) Austin: TJ's first wife reportedly died of a "chronic gastric" condition 16 January 1914. Her death certificate stated she was ill for about 2 ½ years, and the family has understood that she died of Pellagra.

Martha Abigail (Austin) Anderson, TJ's closest sibling, who was born in Arkansas and who lived in Oklahoma near TJ, died 28 Mar 1916. The death certificate in Purcell, McClain County, Oklahoma stated the cause of her death was Pellagra and anemia.

Elsie (Austin) Martin, TJ's only daughter was married to P. B. Martin. She died at age 27, on 15 Feb 1929. Her official cause of death was Pellagra.

The Solid Glass Coffins of Oklahoma: Related to the fear of Pellagra, extreme measures were enacted such as the invention of solid glass coffins which were sealed in the hope of protecting the living. It's interesting to note that TJ's oldest son, Delbert Austin (27 Aug 1900 – 15 Sep 1974), submitted his WWI Draft Card (5 June 1917) stating that his occupation was glass blower at the Mid-West Casket Company. Historical records show that the era of producing the glass caskets by companies including Corning and American Glass did not last long, partly due to the extreme weight of the caskets and their expense.



Oklahoma Glass Coffin

TJ's first family: TJ's first marriage to Frances H. Russell was said by family members to be discouraged by John M. Russell, a strong willed blacksmith, living in Arkansas, who did not seem to care for his daughter's choice of husband. TJ eventually had four children with Frances: Delbert in 1900, Elsie in 1902, Inola (aka Nola) in 1904, and Roy Lee (aka Lee Roy) in 1911. (The 1910 US Census lists

Thomas J. Austin with his family residing at "60 Muskogee, part of MKT Railway, Muskogee Indian Territory.) Birth years provided in this article are based on death certificates; according to the 1900 census, the oldest children may actually be older than what was reported on their death certificates. Also, note the gap in birth years between Inola & Roy Lee (7 years).

When she was well, Frances (Russell) Austin reportedly travelled to Kansas City, sometimes for overnight trips with her friends, travelling on the MKT as a great way to shop in a big city. Frances died 3 years after Roy Lee was born. He was raised primarily by his older sister Nola. It is interesting to note that Frances (Russell) Austin was a member of Daughters of Rebekah in Muskogee; it is rumored that they arranged for her funeral instead of TJ, but this is not substantiated. According to Dorothy (Shunk) Austin, Roy Lee's first wife: "Frances died when Roy was 18 months of age...I'm sure he was born in or near Muskogee, Oklahoma. The (school) card shows they lived in the country just below the cotton compress. His father was a farmer and his main crop was sweet potatoes. This was river bottom land. Sweet potatoes must be cured by drying. This would have required either wood or coal heat. TJ's sweet potato house caught fire and the fire spread to their house. Everything the family owned was destroyed, including whatever pictures and records that they had."

TJ's second family: TJ's marriage to Sarah brought: Lacy (1908), Luke, aka Buck (1912/13) and Beatrice (1917). In 1917 Sarah had filed a divorce petition, as well as a restraining order against TJ. Regarding TJ/Tom/Thomas J. names: Although the Dawes Roll lists TJ as "Tom Austin", the court paperwork list his name as "T. J. Austin". Additionally, in the Oklahoma State Certificate of Birth in Pryor, Mayes County, there is a documented birth of a male child to Thomas J. Austin and Sarah Rogers, on 23 Aug 1912. TJ had a stressful life of one tragic event after another.

TJ and Sarah Breakup: In addition to the early deaths of those beloved members of his first family, TJ had divorce papers and a restraining order served to him, after Sarah Rogers Austin filed petitions in 1917 for a divorce. An excerpt of the Divorce Petition, Record 1617, 31 Aug 1917 states: "...since last year, the year of 1916, the said defendant has been guilty of violent and turbulent act and conduct toward the said plaintiff, and has cursed her, struck her with his hand, and threatened to kill her, and called her low down vile and unseemly names..." "Plaintiff says that she is a Cherokee Citizen and as such received an allotment of lands containing 110 acres of which 40 acres is in cultivation and about 30 acres of hay land and that on said land there is a small two roomed house and some outbuilding and 90 acre of the same is under fence..." (Inventory list of home and livestock) "Plaintiff says that she said defendant is now living at the above place and is in possession of all the above crops food stuffs and products and all of the cattle and horses and other personal property and that she believes and therefore alleges that unless the said defendant is restrained pending the final trial and determination of this action that he will sell, dispose of or otherwise get rid of the said property above." As a motion to modify the order filed by Sarah, TJ as defendant stated that "he would show to the court that he is a farmer and as such has been and is now living

on the allotment of said plaintiff where they have made their home from more than one year last passed; that said defendant and his two minor sons are now living on said property and that said defendant cannot at this time find another farm to which he can move and take his property; and that he has no place to take his boys...that said plaintiff left the home of this defendant of her own free will and accord and not at the suggestion of this defendant; that she is now living with her mother and has been from some time passed, so this defendant is informed and believes. He further prays that he be allowed to collect the money due him from the parties to whom said property has been sold; that said property is mortgaged and that he be allowed to apply said money on the payment of his debts, which has been incurred for the living expenses of the parties hereto and in the improvement of the allotment of said plaintiff.”

A copy of a mortgage dated 12 Mar 1912, shows Thomas J. Austin and “his wife” who was not named, received \$150 from Charles E. Ellis for a mortgaged property in Wagoner County, Oklahoma. Wagoner is directly between Pryor and Muskogee on the MKT railway. Therefore, it appears that TJ may have been mortgaging the land owned by Sarah Rogers Austin in the timeframe before the divorce petition was filed. In previous searches of land records in Oklahoma, and based on city directories and the census, no records have been located which would indicate that TJ personally owned land in Muskogee or surrounding areas.

TJ the traveling sweet potato man: It is believed that for much of his time in Muskogee, from the early 1900’s until around 1920, that TJ was growing sweet potatoes in Muskogee near the MKT railway. He employed help from the nearby town of Wybark, and shipped sweet potatoes on the railway. Note that there is no record of Thomas J./TJ being recorded in a US Census in 1910 with Frances; he was reported living in the household with Sarah under the name “Tom”. It was stated through the family that TJ had delegating the up-bringing of his youngest son, Roy Lee, to his daughter, Inola, since his wife Frances died in 1914. Roy Lee’s oldest son, Ray Dene Austin, retold stories about his father (Roy Lee) travelling via train with TJ to Pryor to visit the “Indian lady” along with Roy’s sisters. These stories are very credible, as Roy Lee was born in 1911 (the location and timeline seems correct). Roy Lee (this author’s father) never spoke about his family—he would typically lower his head and refuse to answer any questions about his upbringing. It is believed that for Roy Lee recalling his father TJ, that the combination of losing his mother, his home, and having a father who was largely absent was a heavy burden to recall or discuss. In addition, living in Oklahoma with step sisters who were Indian would be considered taboo for the timeframe/environment where he grew up.

Reader’s Note: Because the family history of Thomas Jacob Austin involves an established AFAOA database (William & Ruth of North Carolina) as well as a Native-American Family, the details of records and his descendants can be found in two parts of the Austin Families Association of America website:

http://afaofa.org/db_files/Native_Americans/Individuals/I455

http://afaofa.org/db_files/William_Ruth_Austin_NC/Individuals/I2051.html

Addendum:

TJ Austin’s Pedigree for Seven Generations in America is:

Thomas Jacob (TJ) Austin (1866 – 1936)

John Mark Austin (1837 – 1919)

Thomas H. Austin (1803 - ?)

Jacob B. Austin (1775/80 – 1858) aka Colonel Jacob Austin, auctioneer

Bryant Austin (1751/55 – 1832) note about Bryant:

He was a Regulator once sought for arrest by the Governor Tryon of North Carolina in 1771. It is recorded that he helped bribe his way out of the arrest based on his willingness to share fine brandy with the Governor’s soldiers. Bryant was also a chain carrier Patriot of the Revolutionary War.

John Austin (1727-1778)

W. William Austin (1700 – 1770) North Carolina

Sources:

1. OK Death Certificate Registered No. 865, 131 510853
2. Arkansas, County Marriages, 1838-1957, ancestry.com
3. USA Indian Territory, Northern District, Page 252, No 273: Marriage License for Tom Austin and Sarah Rogers of Pryor Creek, Indian Territory on 27 Apr 1905, familysearch.org
4. Military Service records, US National Archives & Records Administration, Veteran: Austin, John M., Compiled Military Service File. Noted on Company Muster Roll Aug 31, 1863 that "Left on battlefield at Gettysburg, PA July 3, 1863".
5. Arkansas Marriage License, Pope County, Page 481, B. P. Austin and Nancy Russell, married 31 July 1890.
6. Arkansas, County Marriages Index, 1837 – 1957, Thomas J. Austin and Frances H. Russell, married 24 Mar 1893, FHL Film 1034245, ancestry.com
7. Cherokee Nation, Cherokee Roll, CC# 5196, Page 314: O'Field, Eva and Sarah Rogers, with notation of marriage to Tom Austin.