

**Private Nicholas D. Austin , Co. D, 10th Regiment, Missouri Infantry & Co. A, 5th  
Regiment, U. S. Volunteer, Infantry**

[http://www.afaoa.org/db\\_files/William\\_Austin\\_MD/Individuals/I1160.html](http://www.afaoa.org/db_files/William_Austin_MD/Individuals/I1160.html)

Nicholas Dudley Austin, alias N. D. Austin, alias Nathan D. Austin was a Civil War Soldier who never quit volunteering. Like an Energizer Bunny, he kept on, and on, and on, until he was discharged in the Spring of 1866. He did have many different names listed on the service records. So did other soldiers. Lee surrendered at Appomattox Court House on April 18, 1865. Why did Nicholas stay with the military until 1866?

Who was Nicholas Dudley Austin? His parents were serious, hard working people. His father, Philip West Austin, who was born Dec 13, 1797 in Orange County, North Carolina, was first, a farmer, then a Baptist Minister of some renown. His mother was Mary Dudley who was born Feb 23, 1810 in Tennessee. Her father was either a Hudson Dudley or a Nicholas Dudley, who was born in 1790. The ancestry of William Austin of Kent County, Maryland has been published on afaoa.org by compiler Liz Austin Carlin. Philip West Austin is on that database.

Philip West Austin removed from Kentucky, went down to Tennessee, and married Polly (Mary) Dudley, on Sept. 20, 1827, in Dickson (Dixon) County, Tennessee. Nicholas was their first child, who was born Jan 19, 1829. Then his sister, Susan Austin, was born in 1830. Susan may not have lived long, because she was not listed on the 1830 census. Mary died young Jan 27, 1833. Philip needed someone to take care of the house and to help raise the three-year-old toddler, Nicholas. A year after Mary died, Philip married his second wife, Sally Gilbert. By 1840, Philip had removed his family from Tennessee to a farm in the town of Mayfield, Graves County, Kentucky.

Sally had thirteen children. These, half-siblings to Nicholas, were: James A. (1836-1885); William (1837); Charles (1838-1924); Dicy Katherine (1840-1926); Lucian T. (1842-1862) a Civil War Soldier; Elizabeth J. (1843); Sally T. (1843-1916); Harriet E. (1844-1912); Martha E. (1846-1922); Philip Vince (1847-1917); Thomas H. (1849-1933); John (1851-1927); Samuel (1853-1907).

The wife of Nicholas D. Austin was Mary E. Perkins. She was the daughter of Ebenezer Ebbins Perkins and Patsey White and was born March 4, 1820 in Tennessee. She married Nicholas in 1848 in Tennessee. The couple moved to Mayfield, Graves County, Kentucky with Philip. Mary and Nicholas soon had a large family. Their nine children were: Dew or Dow Philip Austin (1849-1922); James M. (1850-1879); Sarah (1852); Martha Elizabeth (1853); Susan Caroline (1855-1938); Polly D. (1856-1870); Teresy Jane (1858-1914); Albert Ross (1861-1901); Calbert Boss (1861-1929). Nicholas and Mary had at least eleven grandsons who had the surname Austin.

About 1859, Nicholas and Mary removed from Kentucky to a farm in Hartville, Wright County, Missouri. They had a good life there before the Civil War. Besides running his farm with the help of his older children, Nicholas was a blacksmith. He also had another sideline. According to letters written by some descendants, Nicholas had a prosperous whiskey distillery business. The problem was that he did not pay the federal revenue tax on the product. No dates are given in the letters, so it is not known whether his problems happened before or after the war. My opinion is that it was before the war. The story goes that Nicholas ran away from home. The circumstances are debatable. Whether it was because of the "revenueurs" or a domestic problem cannot be proved. I think I know the reason why he went away and did not come back for a very long time.

Calbert Boss Austin, the last child of Mary and Nicholas, was born in 1861 in Hartville. Soon after that, the Civil War started. Nicholas did not go very far away. He was in Oregon County, Missouri in the summer of 1862. There, Nicholas Dudley Austin enlisted in Co. D of the 10th Regiment Missouri Infantry, Steen's Regiment, also known as the 1st Regiment Missouri Infantry. It was organized about Nov 1862 by the consolidation of Steen's and Pickett's Battalions Missouri Infantry. For the next year he was present on the muster rolls of the Regiment. He got sick when he was on the march and was then detached as a hospital nurse to work at the St. John's College Hospital in Little Rock, Arkansas. Sometimes he was paid to work as a cook at the Hospital.

The Union Troops found Nicholas on Sept. 10, 1863, working as a nurse in Ward A of St. John's

Hospital when they stormed the hospital during their invasion of Little Rock. A Nathan D. Austin was also there, was in the same unit, and had the same job. The records for Nicholas show that he often used the name Nathan or N. D. on the muster rolls. Nicholas was taken to St. Louis prison.

N. D. was transferred from the St. Louis Prison on Oct 18, 1863 and received at Gratiot State Prison, St. Louis, Missouri on Mar 4, 1864. Prisoner exchange was stopped before this time. That may be why the U. S. Army had a hard time deciding what to do with Nicholas. His case was referred to Capt. Hoffman on Sept 29, 1864, and Nicholas was then transferred to the Alton, IL Prison by order of Maj. General Rosecrans Jun 17, 1864. Although Nicholas ended up in three prisons in less than one year, his final prison was the one with the worst conditions for the prisoners.

About six weeks before the surrender of General Lee at Appomattox Court House, on Feb 25, 1865, Nicholas “swallowed the dog”. He was released after he signed an amnesty oath to the United States. A few weeks later, on Mar 22, 1865, Nicholas D. Austin enlisted at Alton, Illinois, in Co. A, 5th U. S. Volunteer Infantry.

The Fifth Regiment was ordered to Ft. Leavenworth as soon as Nicholas enlisted. They were assigned to duty in the District of The Upper Arkansas from the Little Arkansas River to Fort Dodge and Cimarron Crossing. They had further duty in Nebraska, Colorado and Utah.

Nicholas never made it that far. The June 1865 Muster Roll, shows Nicholas, alias Nathan, on duty as a cook for a detachment at Salt Marsh, Kansas. Then the Regiment went on Frontier Duty. But Nicholas got sick and had to go to the Post Hospital in August of 1865 at Fort Riley, Kansas. It was winter and the western outposts were probably very cold and uncomfortable.

In January and February of 1866, Nicholas was still sick in the hospital. The U. S. Army considered him a loss and gave him a discharge at Ft. Riley on Feb 10, 1866. He received a Surgeon's Certificate of Disability. His disease was contracted while in the line of duty at Lake Sibley, KS.

The disability of Nicholas was paralysis of the left leg. A duplicate of his honorable discharge was sent to the U. S. Pension Office. He applied for a U. S. Army pension in 1866, but he never got a certificate of recognition. His widow also applied for the pension in 1908, but did not get it. So, we know he must have died before 1908.

What happened to Nicholas after the War? It has not been proven. If his left leg was still paralyzed, he probably had limited mobility. Since he applied for a pension from Hartville, Missouri in 1866, this suggests that he was able to make the trip from Fort Riley back to his home. The 1870 U. S. Census of Hartville shows that his older sons, Dew Philip and James were running a farm. No value was listed for the farm. His other children: Laura, Albert, Calbert, Martha, Caroline, Polly, and Jane were school children. Their mother, Polly was age 40, was living with them. The dwelling next to the family had one man living there. His name was Nickodemus. He was a farmer with a substantial net worth for those times. He had \$800.00 worth of real estate and a personal estate worth \$200. In my opinion, Nick was living on the same farm as his wife and children. He had ownership of the farm. For some reason his wife, may not have wanted him to live with her and the nine children. Perhaps his handicap had something to do with it? He was gone from home for five years. Was that his fault?

There are still many unanswered questions about this family. A search of the 1880 and 1900 census did not turn up an exact match for Nicholas Dudley Austin. He could have been using an alias. He could have started another life in another place. There are two documents that I found that would be sensational to use in a novelized version of his life, but nothing that is suitable for an accurate finish to his life's story. Findagrave.com has a gravesite for a Nicholas/Nickodemus Austin buried in Kentucky who had another wife and another life as a blacksmith, but that would only fuel more conjecture on the legend told by his family that he might have run away with another woman. This story ends here.

#### **SOURCES & NOTES:**

Ancestry and Early Life: afaoa.org Database for William Austin of Kent Co, MD, Compiler Liz Austin Carlin. Nicholas Dudley Austin b 19 Jan 1829 at Dickson Co., TN wife- Mary Polly Perkins 4 Mar 1829-4 Apr 1911. Married 1848 at Dickson Co., TN. Parents: Philip West Austin 13 Dec 1797-24 Sep 1872 and Mary Polly Dudley 23 Feb 1810-27Jan1833. Carlin reported that a 1976 letter to Janet Austin Curtis from Charlotte Austin of Strafford, MO had provided some information. See afaoa.org for more details.

CENSUS: 1850 U. S. Census, Graves Co., KY, Dist 2, 3 Aug, Family 91. Nicholas Austin, age 21, b. TN, a farmer, \$100. R. E. Mary age 21, TN; D. P. age 1 KY; James age 2 months, KY.

CENSUS: 1860 U. S. Census, Wright Co., MO, Hartville, 26 Jul, Page 887, Dw 55, Fam 55. N. D. Austin, 31, blacksmith & farmer, \$390. R. E., \$400. P. E. b. TN; Mary 31, TN; Dow P. 11, KY; James 10 KY; Martha E. 7 KY; Susan C. 6 KY; Polly D. 4 KY; Teresy J 1 KY.

TAX LIST Wright Co., MO. 1861 N. D. Austin and P. A. Austin.

CSA MILITARY: NARA; Confederate States of America. Compiled Service Records. Pvt. Nicholas D. Austin, Co. D 10th Regt. Missouri Infantry, Steen's Regiment, also known as the 1st Regt MO Inf., was organized about Nov 1862 by the consolidation of Steen's and Pickett's Battalions MO Inf.

Aug 1, 1862- Enlisted at Oregon Co., MO in Steen's Regt., for three years Aug-Oct 1862 Present on Muster Rolls to this date Oct 31, 1862 Absent, left sick on the march for 19 days Cavalry and 12 days Infantry Mar-Apr 1863 Muster Rolls have that Nicholas was absent and detached as a hospital nurse. Mar 1, 1863 N. D. Austin was paid as a nurse, and then a cook, at the St. John's College Hospital, Little Rock, AR until he was captured by Union troops. Sep 10, 1863 Captured at the Hospital at Little Rock, AR, Ward A

USA MILITARY: National Archives and Records Administration (NARA); Carded Records Showing Military Service of Soldiers Who Fought in Volunteer Organizations During the American Civil War, compiled 1890 - 1912, documenting the period 1861 - 1866; Catalog ID: 300398; Record Group #: 94; Roll #: 15. (Galvanized Yankees) Provided by fold3.com. Also, M1290, Roll 23. Sept 10, 1863 Captured at Little Rock, AR Sept 29, 1863 Transferred from St. Louis Prison Oct 18, 1863 Received at Gratiot State Prison, St. Louis, MO Mar 4, 1864 Case referred to Capt. Hoffman Sept 29, 1864 Transferred to Alton, IL Prison by order of Maj. Gen. Rosecrans Jun 17, 1864 Admitted to Gratiot State USA Prison Hospital Sep 1864 POW, Nicholas B. Austin, Pvt, Co. D, Picketts Battn, CSA. Records of Confederate Prisoners of War at Alton, IL Prison. ----- Feb 25, 1865 Released on amnesty oath to U. S. Mar 22, 1865, Nicholas D. Austin enlisted at Alton, IL in Co. A 5th U. S. Vols. Inf. Apr 14, 1865 Name was listed as Nicholas B. Austin at Alton Military Prison in the 5th U. S. Vol. Inf. 1865 Medical card listed as N. D. Austin.

Note that duplicate Muster Rolls and documents exist for a Nathan D. Austin a Pvt Co. A, 5th U. S. Vol Inf. Mar 17, 1865 Enlisted as N. D. or Nathan D. Austin at Alton, IL for 3 yrs. He was previously a CSA Pvt. Co. D Prickett's Rebel Regt and was captured at Little Rock Ark. hospital Sep 10, 1863. Jun 1865 Muster Roll, on duty as a cook for a detachment at Salt Marsh, KS Aug-Dec 1865 Muster Roll. Absent, Sick at Post Hospital Ft. Riley, KS Jan 1866 Muster Roll, Absent, Sick in hospital Feb 10, 1866 Muster Roll. Loss Ft. Riley, KS Feb 10, 1866 For N. D. Austin, Pvt. Surgeon's Certificate of Disability. Discharged. His disease was contracted while in the line of duty at Lake Sibly, KS. A duplicate of his honorable discharge was sent to the U. S. Pension Office. His Disability was paralysis of the left leg.

CENSUS: 1870 U. S. Census, Wright Co., MO, Hartville, 18 Jun, Dw 105, Fam 105. Austin, Phillip 21, m, w, farmer, KY (son of N.D.); Julia 24, f, AL. Dwelling 106, Family 106. Austin, James 20, farmer, KY (son of N.D.); Laura 20, f, w, KY; Polly 40, f, w, Mother, KY; Albert 10, school boy, MO; Calbert 10, M, W, school boy, MO; Martha E. 17, school girl, MO; Caroline 15, school girl, MO; Polly 13, school girl, MO; Jane 11, b 1859 MO. Dwelling 197, Family 107. Nickodemus Austin, age 50, m, w, farmer, \$800. R. E., \$200. P.E., b. MO. (This is probably N. D. Austin. Another alias? He is living by himself, but next to his family.)

MILITARY PENSION-DEATH: NARA. U. S. Pensions for Civil War and Later Soldiers. Application for Austin, Nicholas D. Co. A 5 Regt. U. S. Vol. Inf. Filed 1866, Feb 20 for Invalid App. #103,103, No certificate # granted. Filed 1908, Jun 12, Widow, app. # 897.742. Law 0, No certificate # granted. Noted MHC-Mag. Died? At? Note: By Helen C. Austin Sept. 18, 2012. This pension data suggests that Nicholas was still living in 1866 and is probably the one who was on the 1870 Census. Since his widow filed in 1908, this implies that Nicholas was dead at that time. No death date was submitted to the U. S. Pension office. For further information it is suggested that the original pension application 103,103 and 897.742 filed in NARA, Washington, D.C. should be studied.

BIRTH-DEATH: Missouri State Board of Health, Bureau of Vital Statistics, Death Certificate 5061, Wright Co., Brush Creek Twp. Mary E. Austin, f, w, widow, age 82, no occupation, b KY, father's name-Perkins. The informant was D. P. Austin (Dow Philip) of Grimes, MO. Date of death Jan. 9, 1911. Buried Coon Creek, Jan 11, 1911, Undertaker Whelchel of Hartville, MO. Medical Certificate- Dr. Al Farmer attended deceased from Dec 12, 1910 to Jan 9, 1911. Cause of death, Chronic valvular heart disease and chronic nephritis. See film on Ancestry.com.