

In the McDonald Cemetery, located near Cherry Creek in the Broadway Junction community, about 1/2 mile from the intersection of State Highway 19 and 24 on Farm Market Road 1184 lies Thomas A. Yates, Jr.

According to the classification system of the Lamar County Historical Society¹, he would be classified as a Pioneer, meaning that he came to Texas between 1830 and 1850. Other family ancestors are also buried there in the Atlas community². He is my 3rd great-grandfather on my dad's side³.

He rests here, but he began his life in Tennessee.

Life Story Events

Born Thomas Avis Yates, Jr. on March 27, 1798, in northern Tennessee, near Rutherford, to Rebecca Ragsdale, age 39, and Thomas Yates, Sr., age 46, Thomas spent his formative years in northern Tennessee. Records⁴ reflect that his father served in the Revolutionary War and the War of 1812 and was referred to as 'colonel.' The Yates family traces back to the state of Virginia and Maryland. They were of English heritage.

Parents: Thomas Yates, Sr. Colonel and Rebecca Ragsdale

Marriage

We next find records of Thomas Yates when he married Avis Totelo Griffin in Robertson County, Tennessee, on April 29, 1816, when he was about 18 years old. She was originally from South Carolina.

¹ McCuiston, Ed H. 1995. *Loose Leaves of the History of Lamar County*. Edited by Compiler Betsy Mills. Paris, Texas: North Texas Publishing Company.

² Other Yates family buried in McDonald Cemetery:

- YATES_Family_Plot_Maybe_10
- YATES_Five_Children_Of_William_And_Minerva.
- YATES_Thomas_2_Mar_1798_21_Dec_1855.
- YATES_Unknown.
- YATES_Unknown_No_2
- YATES_W_G_19_Mar_1819_28_Feb_1885.

³ Source: <https://www.findagrave.com/memorial/21570058/thomas-yates> (Find-A-Grave)

⁴ Ancestry.com (most records are from this source)

The young Yates family stayed in the area adding children to the family through 1823. Besides relying on the Census records, the family's movement was tracked by following the birth places of their children. Sometime from 1823 to 1829, they migrated in a northwest direction to the Missouri territory. By the time they settled in Texas and quit having children, they had 9 children who reached adulthood.

Migration

By 1829, they lived in the area of Salt River, Adair County, Missouri. The Salt River, in northeast Missouri, is a tributary to the Mississippi River. This was in Chickasaw Indian Territory around the time of a government treaty with them. The first permanent settlement in Adair County began in 1828, so their family were involved in settling that area.

In those days, it was then called the Missouri Territory. This area was a part of the Louisiana purchase that was organized from 1812 until 1821 that went all the way down to what would later become the Arkansas Territory. A southeastern portion of the territory was admitted to the union as the state of Missouri in 1821. The rest remained unorganized territory for several years.

Places of birth changed when a part of the territory was organized and changed its name. Over time, the family probably moved from Salt River, Adair County, Missouri, south toward Miller County, Arkansas. Instead of moving over land routes, they could have gone down the Mississippi River, then floated over and up the Red River, then spreading north and south on land from the Kiamichi River near what is now Paris, Texas. As was the custom, families traveled together when making a move.

As history changed the names of locales, the understanding of how life developed in those areas changes. For example, the history of Miller County, Arkansas tells of the hardships encountered by early pioneers who homesteaded land before the U.S. government signed treaties with the Native Americans or admitted it to the union.

Ancestors, such as the Yates, Ragsdale, Folsom and Shelton families, who later married into the Haddock family were already living in and around Miller County in the early 1800's. Although settlers continued to move into the area, the Treaty of Doak's Stand was about to change Miller County.

The Treaty of Doak's Stand, also known as Treaty with the Choctaw, was signed on October 18, 1820 (proclaimed on January 8, 1821) between the United States and the Choctaw Indian tribe. Based on the

terms of the accord, the Choctaw agreed to give up approximately one-half of their remaining Choctaw homeland (in Mississippi) in exchange for land in the Arkansas territory.

After Doak's Stand, Choctaws, who had already been moving into the area of Arkansas Territory, were ceded the land west of a line "one hundred paces east of Fort Smith, and running thence, due south, to Red river" to them in exchange for their land in the East. The residents of Miller County signed petitions of protest trying to pressure Washington, but all to no avail. Finally, on October 17, 1828, the territorial legislature abolished Miller County NORTH of the Red River and added the remnant of that county east of the new boundary line to Sevier County. In protest, the remaining residents burned the courthouse at Miller Court House and all the records.

It was around this time that many families picked up and moved SOUTH of the Red River.

Jesse Shelton and William Yates (one of Thomas' brothers) both signed the petition appealing the decision of Washington to trade Miller County land to the Indians. The result of the treaty was to displace both U. S. settlers and the Indians. Miller County residents had to move, and in some cases, were forcibly removed by the military. This contributed to the Yates and Shelton families moving down into Texas.

Families moved together for safety and to share resources. They settled near water and worked together to establish shelters, including forts. For example, Mexican Texas had cities that were originally accompanied by forts through the Spanish mission system: San Antonio, Goliad, and Nacogdoches. American territories established wooden structures, such as Ft. Towson. Each of these attached military units for added protection.

The following article about Jesse Shelton attests to this: ⁵

"Jesse Shelton came originally from Kentucky and settled at or near old Ft. Towson when that region was a part of Arkansas. When the government of the United States ceded that section of the Arkansas territory to the Indians all the American settlers who had lodged there were required to move. Mr. Shelton was not long in determining what he would do; he came over to Texas in 1837 and settled

⁵ <https://www.history.org/history/teaching/tchcrsta.cfm>. (n.d.). Retrieved from <https://www.history.org>. Loose Leaves of the History of Lamar County. (1921, July 12). Paris, Texas: The Paris News.

down near Roxton having previously built a house which had all of the appurtenances of a fort and for two years kept his family inside that structure. The Indians were giving so much trouble that it was necessary for the few settlers in that locality at that time to work their farms in companies. Some would work and other scout or stand guard.

Shelton's Fort was a refuge to all of his few neighbors for those two troublesome years. After that time the tide of savagery was rolled back further west and it was only now and then that they would escape the vigilance of the Rangers and make a foray into the settlements. The Yates family lived near there and intermarried with the Shelton family. Other forts established along the Red River were Ft. Lyday and Ft. Inglish.

Captain Shelton was an old Indian fighter, and his wife was part Choctaw. He had been living in the Arkansas territory since the very earliest of the 20's and was so familiar with the methods and practices of Indian warfare that he never suffered at their hands.

His son, Capt. E. J. Shelton, also, deserves special mention because of both his prominence as a citizen and the conspicuous role he played in the stirring scenes of pioneer days. When he was only 15 years of age he entered the service as a frontier Ranger (early Texas Ranger) and served in the legislature of the Republic. He was a magnificent horseman, a bold and daring rider, a courageous and fearless Ranger. The settlements were secure only when policed by such heroic bands of men as that to which Eli Shelton belonged⁶. He was married to Miss Martha Ann Elizabeth Yates in 1846 (Thomas' daughter), was a farmer by occupation but served in the State legislature from 1857, at intervals when not in the war, until 1873. When his wife's sister and husband died during the Civil War, Eli's family took in their orphaned kids.

But this jumps ahead and takes the spotlight from Thomas Yates. The preceding events help the reader to understand the strivings of settlers to this new land that would eventually become Texas.

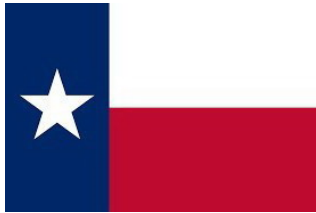
Oral history has it that the Yates family married into the Cherokees, but there is more documentation that the Shelton family married native Americans. Apparently, both families, Sheltons and Yates were negatively affected by the treaties as they lost claim to the land they had already settled.

⁶ ⁶ <https://www.history.org/history/teaching/tchcrsta.cfm>. (n.d.). Retrieved from <https://www.history.org>. Loose Leaves of the History of Lamar County. (1921, July 12). Paris, Texas: The Paris News.

Following the birth records, it looks like the Thomas Yates family moved from Arkansas to Texas around the time of the birth of a daughter, who didn't reach adulthood. After the move, state archive records help document Thomas Yates in Texas.

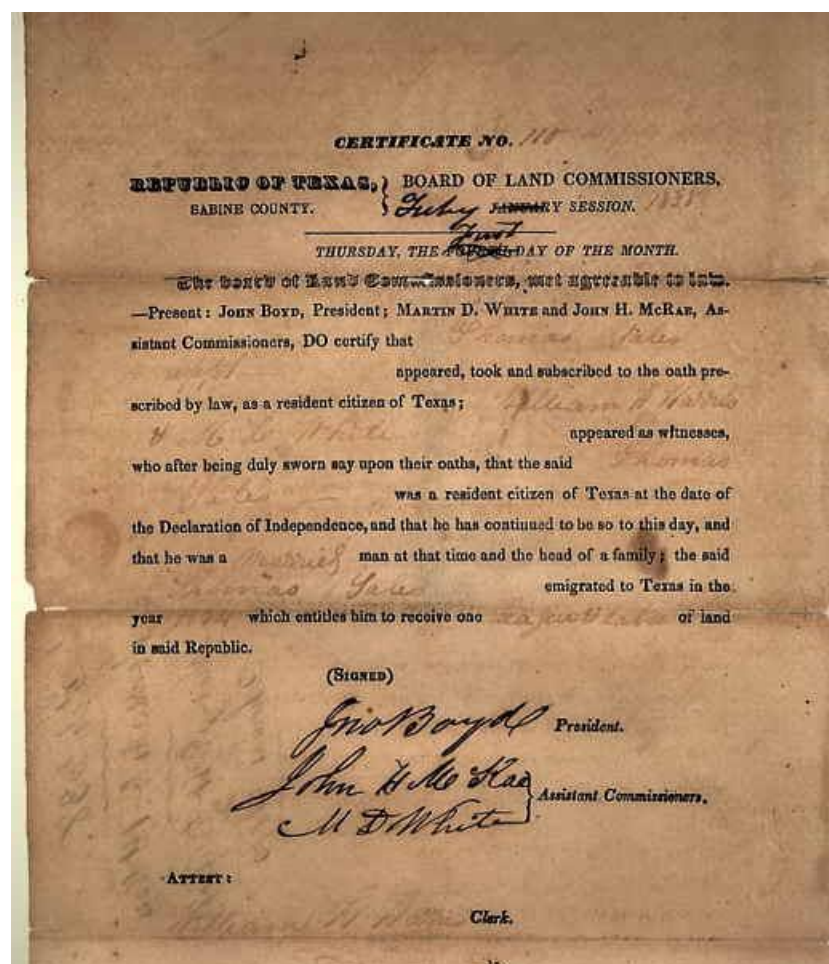
Yates family in Texas

By 1834, Thomas Avis Yates and family lived in Texas. On Feb 1, 1838 he appeared before land commissioners for Republic of Texas and took an oath that he was married and emigrated to Texas in



1834 and had been in Texas since. By documenting his residence in Texas by this time, he became entitled to a land grant by the State of Texas of a league and a labor of land.

Besides homesteading land, the Headright System attracted early settlers. Organized in several classes, these **headright** grants were issued between 1836 and 1842 to individuals and families who settled in **Texas**. As part of the process of settling in Mexican controlled Texas, new



residents were required to claim loyalty to the Catholic faith and provide a character certificate. The Character Certificate files in the General Land Office in Austin establish the identities of early

immigrants to Texas, fix their date and place of settlement, and shed light on their origins and their families. It was generally assumed that most people lied regarding their Catholic faith and possibly other facts provided. For example, by 1835, Thomas Yates certified that he, a 51 y/o married man and native of Virginia (actually Tennessee), USA took oath of allegiance (signed on 18 Jan 1835 • Texas). His ancestors were from Virginia, but we know he hailed from northern Tennessee.

Texas' battle for Independence: Fall, 1835 • Lamar County, Texas, USA

Willis H. Landrum, was captain of a company that participated in the siege of Bexar in 1835 and probably recruited Thomas Yates to the volunteer Texas army, since Yates served under him. Capt. Landrum also signed an affidavit verifying Yates' service⁷.

It should be noted that those who formally joined the army did so with two-month enlistments. Thus, whatever was to be done had to be done quickly. But neither quickness nor precision were characteristics of the citizen army, and so the Texans simply milled around the outskirts of San Antonio, waiting for orders.

As October and November passed and December came on, some men simply left without leave from anyone. The men who gathered outside of San Antonio had settled down to farm the land they held. It was well enough to soldier when crops were in and there was still time before a spring planting, but winter was coming followed by spring planting.

This citizen army composed mostly of farmers and landowners, had little training. The growing conflict with Mexico had attracted men from all over Texas to join the fight, including Thomas Avis Yates, Jr.

By December 4, 1835, the men were becoming more discontent when Ben Milam rallied part of the force to enter San Antonio and fight.

During a meeting at an old mill on the night of December 4th, Ben Milam uttered an inspirational call of, *'Who will go with old Ben Milam to Bexar?'*

Yates stepped forward to join Ben Milam's leadership and fought in the siege of Bexar that began the next day.

⁷ Source: General Land Office, Archives and Records Division

Loss of Ben Milam

During the battle, Ben Milam was fatally hit in the head while passing from his division's position to another leader's position. This loss seemed to set the fighting men off with a new fury for vengeance and soon the city belonged to the Texans.

From the Texas State Archives, we know that Yates served directly under Willis H. Landrum, captain of a company that participated in the siege of Bexar in 1835. He also commanded a company of volunteers in the Third Regiment of the Third Brigade in the campaign for the expulsion of the Cherokee Indians in 1839. Living in the Nacogdoches area, Landrum represented Shelby and Sabine counties in the Senate of the First Congress of the Republic of Texas. By 1852 he had moved to the Black Jack Grove area in Hopkins County. His will was filed for probate in Hopkins County on March 22, 1865.

Significance of the battle

The Bexar campaign was a victory of considerable significance since after that the Texans held both San Antonio and Goliad, the two primary forces of the Mexican army.

Within days of the surrender, most of those who had taken San Antonio had returned to their homes for the winter and were not present in the fall of the Alamo in March. A greater force had remained in Goliad, only to suffer defeat and death under the command of Colonel James Fannin on Palm Sunday, 1836. **John Ragsdale**, age 26, from the William Ragsdale, Jr. family, who arrived at Texas around 1818 in present-day Lamar County, was massacred along with almost 400 other soldiers. It was 1838, two years later, that his brother and another prominent citizen of Red River County (now Lamar County) helped probate his will. An older brother, James C. Ragsdale, also served under Fannin, survived and received a 320 bounty for his service to the state of Texas.

After that, the joint battle cries were shouted: Remember the Alamo! Remember Goliad!

Donation & Bounty Grants

Grants were issued by the Republic of Texas for participation in specific battles of the revolution. Soldiers who fought in the Siege of Bexar and the battle of San Jacinto (including the baggage detail at Harrisburg), and the heirs of those who fell at the Alamo and Goliad were eligible for 640 acres. A total of 1,816 donation warrants were issued for 1,162,240 acres.

Land Grants to Thomas Yates :

- 1) League of Land granted by state of Texas
 - a. Certificate: 110 Patentee: Thomas Yates
 - b. Patent Date: 9 Sep 1841
 - c. Acres: 4605.50
 - d. District: Gonzales County: Caldwell File: 238 Patent #: 415 Patent Volume: 1 Class: Gonz. 1⁸

The 1854 map of Caldwell County shows Thomas Yates' land was located northwest of Lockhart bordering the old San Antonio road. It may be helpful to remember that *"a league of land in those days was of less consequence than a horse*. Land was used to pay debts or trade for other things of value, including as a stake in gambling. Also, we must remember that in those days, people were hanged for stealing horses.

- 2) A second league of land was awarded to Thomas Yates, probably for his military service. On May 18, 1841 he was granted a League of Land (4428 acres in Hopkins County) granted by state of Texas.
 - a. File #: Nacogdoches -1-169

That land shows up on the Hopkins County map mentioned earlier as a big square with the following notations: No. 22, Thos Yates, N 1, 169.

This writer and family researcher went to the Hopkins County courthouse to research what happened with this land and found that the day after it was deeded to Thomas Yates by the state of Texas, it was sold the next day to a lawyer in Houston who sold it to another lawyer in New Orleans the next day. Selling price that Thomas Yates received: \$1,000. In going through the related pages during that time, transactions like that were scattered throughout the ledger. It must have been a widespread practice of the times and represented a greater value than the price of a horse. Two thousand dollars back then would be worth about \$59,000 in today's money.

The Money

⁸ Source: General Land Office, Archives and Records Division

Farmers were poor in those days. Money in Texas was of questionable value, especially until the state joined the union; therefore, the sale was probably in US currency. Thomas Yates was 'land poor.'⁹ The first rule of thumb would have been to pay off existing debt. Next, he could have made improvements to his existing homestead. Additionally, he could have bought slaves to increase his labor pool on the farm. Thomas did buy family land back in Tennessee.

Records show that in 1847, he bought 165 acres of heir property in Tennessee from the Crabtree family, that mother, Rebecca Ragsdale had inherited from her father, William Ragsdale (price: \$5 per acre). Most certainly, the money served to increase his status in the area, which probably elevated his political strength.

Appointed Postmaster

On May 31, 1848 he was appointed Postmaster for Odds Creek or Auds Creek. Later that area became a part of Delta County, near Charleston and Cooper, referred to as Lake Creek.

Overall, the 1850 Census records Thomas Avis Yates living in Precinct 3, Lamar County, Texas, on October 23, 1850. In that census, the county recorded 3,978 residents, with 1,085 slaves comprising 27 percent of the population.

The details for Thomas Yates' holdings are listed below:

Occupation: Farmer; (lists agriculture livestock & crops). He reported owning 8 slaves¹⁰.

Last Will and Testament

Three years later, he wrote his will on Feb 28, 1853. . In the text of the will, he begins with "being impressed with the uncertainty of life and certainty of death" as he continues to lay out his desires regarding who would inherit his property.

⁹ Defined as: owning so much unprofitable or encumbered land as to lack funds to develop the land or pay the charges due on it.

¹⁰ 1850 Residence Place: Lamar, Texas, USA Number of Enslaved People: 8 1850 - Slave schedule • Precinct 3, Lamar, Texas

Deeding land to sons, James (160 acres) & Larkin (160 acres) and wife, Avis (10 acres, including home), he had no mention of his slaves, except referring to the rest of his 'real and personal property' willing it to his wife. It was witnessed by William Yates.



Death

Thomas Avis Yates died on December 21, 1855, when he was 57 years old.

Burial

Thomas Yates, Jr-Tombstone inscription:

"Remember young man as you pass by, that as you are now, so once was I, but as I am, so you must be, therefore prepare to follow me."¹¹

He is buried in the McDonald Cemetery

near Atlas. Thomas' military career was brief, but he played an integral role in the fight for independence of Texas. For that, he was well-rewarded. As it is popular to say in this day and time: "Thanks for your service."

Addendum:

From the by-laws of the Lamar County Historical Society, I have borrowed a classification system which declared all those who came to the old Red River District (in Texas) before the close of the year 1830 would be classed as **Pathfinders**, while those who came between that date and the close of the year 1850 would be classed as **Pioneers**. Those coming after the close of the year 1870, would be regarded as **old settlers**¹². Instead of restricting this system to the Red River District, I am applying the

¹¹ Quote by Hon. H. D. McDonald saying that the very first epitaph he ever saw was carved upon the tomb which marked the last resting place of Thomas Yates, in the McDonald graveyard and that it ran something that.- Source: http://www.lamarcountytexas.org/cemetery_2/location/mcdonald.shtml

¹² Ed H. McCuiston, October, 1995

classification system to ancestors in general who came to the territory that became Texas. In addition, anyone who came after the close of 1870, I am simply calling, '**Settlers.**'

Using this system, it can be said that Thomas A. Yates, Jr. was a pioneer in Lamar County, Texas. Other ancestors of this writer can also be classified. We find **Pathfinders**, such as:

Class of 1817-1818: William Ragsdale & his son, Thomas (who married into the Yates family).

Class of 1820: William Rabb, settled originally near Jonesborough, then moved to Austin's Colony in 1826. His son married into the Ragsdale family.

Class of 1829: Phillip Alexander Hattox, alias Phil Coe, who was a part of Austin's Colony, as was William R Pipkin, both of whom settled in Washington County and are listed as among Austin's Colony (Austin's 300) and their descendants¹³.

Qualifying as an **Old Settler** would be:

Class of 1867, John Burnett Raines, who married into the Yates family and lived in the Branom Community, Hopkins County, Texas where he donated a parcel of land for the Mt. Zion Cemetery in western Hopkins County¹⁴.

These family names, along with those mentioned earlier, are the families that connect to this writer going back to the birth of Texas.

Happy to share research information with others researching those families named herein.

¹³ GONE BUT NOT FORGOTTEN:: Life & Adventures of Phil Coe, Kindle Edition, Billy D. Haddock (Author) Sold by Amazon.com Services LLC

¹⁴ Pillars of Mt. Zion:: History of the Branom Community in Western Hopkins County Paperback – April 7, 2018 by [Billy D.](#)

[Haddock](#) (Author)