

Whitson Dye & Sarah Jane Yarborough

Whitson Dye was born ca. 1816 in Rutherford Co, NC & died in the year 1869, near Camp Call, Cleveland Co, NC. Whitson's parents were John Dye b. 1794 Chester Co, SC and Mother is unknown. His siblings include, David, unknown male, Susannah, Sarah and Juda Anna. His Mother died in 1830 in Rutherford Co, NC. John Dye remarried March 18, 1831 to Ailey Hill, daughter of Rueben Hill & Margaret Brien.

John & Ailey Dye moved to McMinn Co, TN by 1850. They had additional children; Alfred Burton, Obediah, John Jr, Zachariah, Jeremiah, Perry G & Catherine Jane Dye.

Whitson "Whit" Dye married Miss Sarah "Jane" Yarborough, 2 Jan 1840, in Rutherford Co, NC. At the time of Whitson's death he owned 199 Acres of farm land which was sold to the highest bidder at the courthouse in Shelby, NC on Sat. Feb. 24, 1900. This land was known as the Whitson Digh Place, On Duncan's Creek in Township No. 8 Cleveland Co, NC., two houses and the farm to be sold. His name is signed to a land deed for John Yarborough for 20 acres of land on the waters of Beaver Dam adjoining lands of Moses Hamrick, Richard Hamrick, Elizabeth Jenkins and others entered 2 Jan 1857.

John is believed to be Jane's Brother. He was born 1813 in Lincoln Co, NC and died 29 Mar 1887. He is buried at New Prospect Baptist Church, Cleveland Co, NC.

His parents are listed as Wyatt Yarborough and Elizabeth Whitworth. His wife was Fannie Belle Ledford.

The 1850 Census:

Whitson Dye 34 300 acres; born NC
Jane Dye 32
Crowel Dye 8
Lucinda Dye 6
Pinckney Dye 5
James W Dye 4
Roxanna Dye 1

The 1860 Census

Whitson Die 46; Farmer NC
Jane Die 40
Andrew C Die 18
Lucinda Die 16
Pinkney Die 14
Doctor Die 12
Roxanna Die 10
Margaret Die 8
Elvira Die 6
Percella Die 4
George P Die 1

Dye-Die-Digh The name change

Keeping in mind that in this time period most people were minimally educated and many did not know how to read or write even their own names. Knowing your own family history was just not as important as it is today. Sometimes if someone did know the art of writing they would keep a family record in a family Bible, but often these were lost in time. Whit's Grandfather, Henry Dye appears on the 1790 Census in Chester Co, SC as Henry Die and appears on the 1800 Census in Rutherford Co, NC as Henry DIGH.

In both cases, the record taker chose how the name was spelled. They often spelled by sounding out the name or by spelling it close to another name they already knew that sounded similar. This is why in genealogy we are forced so often to search for our ancestor under many various ways to spell a surname.

The historical spelling of the name originates in England as DYE. The majority of the family line maintains that spelling as of this date. It is believed that the reason the family members that stayed in North Carolina maintained the DIGH spelling is because when they began to learn how to spell the name and to read, they looked around and saw all the documentation of the name spelled DIGH, this was a locally adapted spelling, it had been spelled that way on numerous records and documentation. It was then easier to keep that spelling of the name. I don't think that they really realized that it was spelled any differently than relatives in Tennessee. There could have been some falling out between some of John's older children and his new wife and children with her. Perhaps they did not remain in contact much after they moved to Tennessee, this is unknown.

However, John's daughter Susannah and her husband, Abner Greene Dycus, did try to settle in Warren Co, TN for a short time, however, they returned to Rutherford/Cleveland Co, NC area.

The younger children were raised by Ailey, and had a closer relationship with her.

Only the children of the two elder children of John Dye continued the DIGH name.

Whitson and his sister Sarah, who had never married, her two sons, adapted the DIGH spelling, as well.

The Children of Whitson and Jane are:

Andrew Crowel Digh was born ca. 1842. He served in the Civil War as a Confederate Soldier. He died of disease while a Prisoner of War at Look Out Point, Maryland.

Andrew died Oct 23, 1863. He is buried at the Look Out Point Confederate Cemetery in Sec 1 Site 1. He was the 1st soldier buried at this cemetery.

Lucinda Digh was born ca. 1844. She married William J Self and William E Ledford.

Children include: Francis Self, George Ledford, Anne Hannah Ledford, Mary Dora Ledford, Hester Ledford, John Ledford, Priscilla Ledford, Ellen Ledford, Margaret C. Ledford, Jesse Ledford.

John Pinkney Digh b. 8 Apr 1845 in Rutherford Co, NC and died 11 Feb 1919 in Rutherford Co, NC, J P Digh married Mary Emeline Rollins 13 Aug 1873 in Rutherford Co, NC. John is listed as a Civil War Pensioner of Rutherford Co, NC. Known Children are: Zena P Digh Smawley, James W Digh, & Nora Digh Philbeck.

James W Digh b. ca 1846 in Rutherford Co, NC

Doctor W Digh b. 8 Mar 1847 in Rutherford Co, NC d 15 Jan 1915 in Rutherford Co, NC. Dock married Rosaline Sylvania Rollins b. Feb 16, 1855 d. Feb 16, 1905 on 15 Jan 1870. The couple are buried at Cool Springs Cemetery in Rutherford Co, NC.

Doctor Digh is listed as a Civil War Pensioner in Rutherford Co, NC.

Known children are: George Pinkney Digh, Fannie Priscilla Digh Jones, Charles Alonzo Spurgeon Digh, Julius Walter Digh, Charles, resides in Lincolnton, Lincoln Co, NC in 1920.

Roxanna Digh b. July 1849 Cleveland Co, NC, married James "Perry" Francis. They appear on the 1880 Census in Rutherford Co, NC and were married ca. 1862.

Children include: James, Magdona, John, Joseph, Julius, Jacob Lake, Charles, Doctor Mamie, Eva, Maude & Robert Francis. Roxanna has 12 children of which about 7 survived.

Elvira Caroline Digh b. Oct 15, 1853 Cleveland Co, NC d. March 17, 1934.

Elvira married her 2nd Cousin, Henry Alexander Ramsey, March 30, 1871 at Polkville. Cleveland Co, NC. Henry was the son of Langdon and Margaret Horn Ramsey, grandson of Alexander Ramsey & Agnes Dye.

Agnes was Whitson's Aunt.

Henry was born Jan 6, 1850 and died Jan 26, 1931, they are buried at Mount Pleasant Baptist Church Cemetery, Cleveland Co, NC.

Children include: John Alonzo, Zulie, Frank Colon, Cordie, Essie Hester, Alexander Cleveland, Addie Flossie, Mamie Eveline, Roy Claude, & Arthur Bryant Ramsey.

Priscilla Digh b. 1857 married Frank Lewis

Lewis, M. Frank October 22, 1854 September 13, 1924 Sunset Cem. Memorial Ave. Sect. Cleveland Co., NC

George Franklin Digh b. 1859 d. 1941 Cleveland Co, NC m Anah "Jane" Dailey Feb 29, 1888 in Rutherford Co, NC. Resided in High Shoals, Rutherford Co, NC Known children are: Robert, Priscilla, Cliff and Joseph Digh. George and Jane are buried at Beaverdam Cemetery,

Regarding the Estate of Whitson Digh

State of North Carolina Probate Court
Cleveland County
July Court 1870

The petition of Jane Digh , widow of Whitson Digh ,respectfully showeth that her said husband died intestate during the year 1869, leaving him surviving the following children, heirs of his body, vis; J P Digh, Dock W Digh, George Digh, Rozanne Francis wife of Perry Frances, Lucinda Ledford Wife of Wm Ledford, Elvira Digh, Priscilla Digh, Hester Digh and further that at that time of his death he was seised and possessed of 199 acres of land adjoining the lands belonging to the estate of G Womack, and other lands which said lands upon his death descended to his heirs as aforesaid.

Your Petitioner further showeth she deisres to have one third part in value of the said lands assigned to her during her natural life for dower, may be issued to the Sheriff of the County commanding him five ___* Jurors?_with no?___ Connection with the parties ,of interest, by _____ or Affinity and entirely disinterested to view 12 _____and Allot ans set apart by proper _____and _____ one third part of the aforesaid lands to the petitioner for her natural life, including the dwelling, outhouses and all appertances, .

Your Petitioner further prays that this supoena , with copies of the petition be issued to the said J P Digh, Dock Digh, Roxanne Francis , Lucinda Ledford Wife of Wm Ledford, That like supoena and copy and may be assigned to a guardian of your appoint and _____ for Elvira Digh, Priscilla Digh, Geo Digh, Hester Digh. Who are minor heirs of the said Whitson Digh, commanding them to appear and answer or report to this Petition within twenty days or ___ default prayer of Petitioner and be granted and as is duty bound as your petitioner will ever pray.

J P Digh appointed guardian for minor defendents.

Signature of Attorney for Petitioner (illegible)
July Court 1870
Jane Digh Vs Heirs of Whitson Digh
Published Nov 22, 1870 Jenkins

Served
J P Digh
D W Digh
Sarah L Ledford
R L Francis

JP Digh Guardian of Minors

North Carolina Supreme Court March 18, 1881
Cleveland County

F J Lucas & Wife, E P Lucas, Hester M Digh, by his next friend & Brother in Law
F J Lucas, Plaintiffs

Vs. John P(inckney) Digh et al Complaint- Defendants

To the Honorable Supreme Court of Cleveland County, the Petition of Plaintiffs,
F J Lucas & Wife, & Hester M Digh minor, by he next friend , F J Lucas
respectfully shows—

That Whitson Digh late of Cleveland County died intestate in said County in the
year 187_ Leaving him surviving as his heirs at law . Your F____E P Lucas ,
Wife of Plaintiff F J Lucas and Hester M Digh Together with the defendant J P
Digh, D W Digh, George Digh, Roxanne Francis wife of defendant Perry Francis,
Elvira Ramsey wife of defendant Henry Ramsey and Sarah Lucinda Ledford,
Upon wherein his real estate ascended as tenants in common each of them
being entitled to one eighth interest therein.

That Sarah Lucinda Ledford one of his hiers at law died intestate in said County
of Cleveland in the year 1878 or 1879 leaving her surviving husband Wm Ledford
and Children , Francis Self, Child of her 1st husband Wm Self, who is dead, Ella
Ledford, Hester Ledford, Dora Ledford, John Ledford, Priscilla Ledford, Maggie
Ledford, and Jesse Ledford, by her 2nd husband Wm Ledford, all of said children
being _____ of whom have her interest in the will
of the estate of Whitson Digh and descended as tennants in common, subject to
whatever claim his____ & Wm Ledford may have issue.

That Defendants Emiline Digh and Roziline Digh are the wives of the Defendants
J P Digh and D W Digh, respectfully, Your Petitioners, further show that the lated
intestate Whitson Digh at the time of his death was seised _____ of a
Tract of land _____ in Township No 8 Cleveland County, on the Water's of
Duncan's Creek, Joining lands of Joseph Miller (formerly J E Davis) James
Hunt, and others continuing 200 acres more or less known as the "Whitson Digh
Place"

"Your petitioner further shows that they were to have partitions made of said land
____ they show the the defendants receiving with respective _____ and interests
then but that owing to the size of the tract of land the volume and quality of the
land, the _____ of the _____ intended and outer _____ it is _____ that
Actual _____ the of be made , in tract _____.

Your Petitioner further allege that they are _____ believe
that defendant D W Digh, Geo Digh and owning the interests of Henry Ramsey
& Wife Elvira, Perry Francis and wife Roxanne, and JP Digh and Wife subtract
land is purchase wherefore your Petitioner by Judgement that the suubject land
be sold by Command appointed by your Honorable _____ may _____ just and
_____ often by suit of all _ & _____

The parcels be divided between the petitioner and the defendants accordingly to
his _____ . R McBrayer ATTY for
Petitioners

In Several other records Dock W Digh attempted to
Purchase.

State of North Carolina
Cleveland County

The Ordering and having been duly summoned and _____ to act as _____ in allotting Jane Digh widow and relict of Whitson Digh dec'd her hold in the lands that her said husband died siezed and possessed submit the following report to wit: Long Land Description Follows: illegible

State of North Carolina Cleveland County Probate Court

The Petition of Jane Digh Widow of Whitson Digh respectfully showeth that her said husband died intestate, during the year 1869 leaving him the following surviving children, heirs of his body viz: J P Digh, Dock W Digh, George Digh , Roxanne Francis wife of Perry Francis, Lucinda Ledford wife of Wm Ledford, Elvira Digh , Priscilla Digh, , Hester Digh. And further that at the time of his death he was seised and possessed of 199 acres adjoining the lands of E J Davis, the lands be belonging to the Estate of G War mack, and other lands which said lands upon his death are _____ to his heirs as aforesaid.

Your Petition further showery that she desires to have one third portion in value of said lands assigns to her during her natural life for dower, and to that end prays that in wit of dower may be issue to the Sheriff

Of the County commanding him in summons five _____ connection with the parties , of interest, _____ and allot and set apart by _____ or affinity and entirely disinteresting to ___12 primius

And allot and set apart by prayer _____ and _____ one third part of the aforesaid lands to the petitioner for her natural life , including the dwelling, outhouses and all appurtenances.

Your petitioner further prays this _____ and copies of this petition be issued to the said J P Digh, Dock Digh, Roxanne Francis, Lucinda Ledford wife of Wm Ledford., that like subpoena and copy may be assigned a guardian of you appoint and _____ for Elvira Digh, Priscilla Digh, Geo Digh, and Hester Digh., whom are minor heirs of the said Whitson Digh .
(rest difficult to make out)

21 Feb Court 1870 Jane Digh vs. Heirs of Whitson Digh

J P Digh appointed Guardian for Minor defendants
(John Pinkney Digh)

Petition for Dower by Jane Digh

JP Digh
D W Digh
Sarah L Ledford
R L Francis
EP Lucas

There is another Law suit where Hester M Digh (sounds MALE) Vs J P Digh Shows that Sarah Lucinda Ledford Died and they all sued for her share of the estate Mar 18, 1881 This time has Elvira Digh as wife of Henry Ramsey

Apparently Lucinda was 1st married to Wm Self, and had child Francis Self, and Wm Self had died and she married Wm Ledford.

Then her children are listed: Hester Ledford, Dora Ledford, John Ledford, Priscilla Ledford, Maggie Ledford, Jesse Ledford, Ella Ledford.

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State of North Carolina, } To the Surveyor of said County
 Cleveland County, } Greeting: :

YOU are hereby commanded to lay off and survey for John Yarbrough 2 1/2
 acres of land on the waters of Beaverton creek adjoining the lands of Moses
 Hamrick, Richard Hamrick, Elizabeth Johnson and others. Entered the 2nd
 day of January, 1857 No 440. Observing the direction of the Act of Assembly
 in such cases made and provided, and this shall be your warrant. Given from under my
 hand and seal, this 12th day of January 1857

W. H. Leland E. T. Seal

Scale 80 Poles Per Inch.

State of North Carolina }
 Cleveland County }
 By virtue of Warrant
 No 440 Entered 2nd January
 1857. Surveyed for John
 Yarbrough 2 1/2 acres of
 land on the waters of Beaverton adjoining lands
 of Moses, & Richard Hamrick & others. — Beginning
 on a Post oak, Moses Hamrick's corner, thence with
 his line West Eighty four poles to a Post oak on
 Richard Hamrick's line, thence with said line South
 Seventy four poles to a Stake in Richmond old road
 thence along said road N. 66° E. fourteen poles to
 a Dead Post oak Mrs Yarbrough's corner, thence
 with a line of a Grant of 4 1/2 acres to Edme
 Hardin South Sixty Three East, Ninety two poles
 to the beginning. January 31st 1857.

H. Dyer }
 J. C. Gray } etc

J. R. Logan & Co

State of North Carolina Probate Court
 Cleveland County
 The petition of Jane Digh, widow of Whitson
 Digh, respectfully sheweth that her said husband
 died intestate within the year 1869 leaving her
 surviving the following children, viz of his
 legal wife J. P. Digh, Doct^r Digh, George Digh, Rosann
 Francis wife of Perry Francis, Lucinda Sedford, wife of
 W. Sedford, Elvira Digh, Pansilla Digh, Hester Digh
 and further that at the time his death he was
 seized and possessed of 199 Acres of land
 adjoining the lands of E. J. Davis, the lands be-
 longing to the estate of G. Hamuck and the
 lands which said lands upon his death de-
 scended to his heirs as aforesaid.

Your petition further sheweth that she desires
 to have and take part in value of said lands
 accipit to her during her natural life for dowry
 and to that end prays that a writ of dower
 may be issued to the Sheriff of the county com-
 manding him to summon five freeholders
 connected with the parties, of intrest, with-
 out cause, or affinity, and entirely disim-
 partial to view the premises and allot and
 set apart by proper mode and manner one third
 part of the aforesaid lands to the petitioner for
 her natural life, including the dwelling, out-
 houses and all appurtenances.

Your petition further prays that copies
 of this petition be issued to the
 said J. P. Digh, Doct^r Digh, George Digh, Rosann
 Francis, Lucinda Sedford, wife of W. Sedford.

That like subpoenaed copy may be sent you
 a guardian of your affairs ad litem for
 Elvira Digh, Rosella Digh, Geo Digh, Hester Digh
 who are minors heirs of the said Whitson
 Digh commonly then to appear and answer or
 demur to this petition within twenty days or in de-
 fault prayer of petition will be granted. And as
 in duty bound your petition will ever praye
 Sidney M. Allen Atty for
 the petition

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 24th Sept 1870
 J. M. Digh
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 Hester Digh
 Elvira Digh
 Geo Digh
 Rosella Digh
 R. H. Francis
 J. M. Digh
 J. M. Digh
 Rosella Digh
 Geo Digh
 Hester Digh
 Elvira Digh