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REPORT TO: File
SUBJECT Witt & Associates: Albemarle & Amherst Counties, VA, Court Orders, 1745–1800
BACKGROUND: William Mills, born c1783–88; emerged as a tithe on the 1806 census of Franklin County, VA. There in 1815, he married Drucilla Kemp,¹ daughter of Robert Kemp and Millie Edmundson. As a young man, he can be placed—as a temporary laborer—in the adjacent counties of Montgomery (1814) and Giles (1816). In his declining years, his known residences focused on old Montgomery County:

- 1848–51: Floyd County (cut from lower Montgomery)
- 1853: Montgomery County
- 1860–62: Pulaski County (cut from lower Montgomery)²

A page-by-page examination of all surviving record books and files for Franklin County reveal no direct evidence of William’s parentage. A similar examination of the records of a block of 29 counties in Central and Western Virginia reveals no Mills couple who can be candidate parents for William.³ Meanwhile:

- Multiple Y-line descendants from each of *two separate sons* of William carry the Witt/Whitt Y. **That provides genetic evidence that William himself carried the Witt Y.**
- Typically, the circumstances defined for William exist because a single mother bore a child who grew to adulthood using his mother’s legal surname.
- My study of the Central and Western Virginia families of the surname Mills reveals only two candidate females for his mother:

Sarah Mills, b. c1768, **Amherst County**, to Jesse Mills and wife Lucy Tilman—both of whom were born in Albemarle. Sarah was a single mother of one proved child in 1791 when she married Elijah Sartain in lower Montgomery County. In 1806, their land was cut away into Giles County. In 1814, they sold their land and moved to Gallia County, Ohio, with his in-laws, the Napiers (formerly of Albemarle) and Blankenships.⁴ *Autosomal DNA tests provide more than 60 matches between*

¹ Drucilla’s grandparents, John Kemp and Polly Craighead, had Amherst County roots. So did her stepmother, Sarah Maddox. Across his own lifetime, William associated with several families also rooted in Amherst and Albemarle, particularly Toney and Wade.

² For all known details of William’s life, see E. S. Mills, “William Mills (b. c1784–88; d. c1862); Spouse Drucilla Kemp: Research Notes,” 98 pp., a work-in-progress last updated 9 May 2022; archived online at HistoricPathways.com under the “Research” tab.

³ Research reports for several of these counties are posted at Mills, HistoricPathways.com > Research.

⁴ For all proved details for Sarah, her parents, and her grandparents in Albemarle and Amherst, see my following reports at HistoricPathways.com > Research:

descendants of William Mills-Witt and Sarah Mills, none of which can be attributed to any other shared ancestry.

Frances “Frankey” Mills, birth and parents unknown, who was a single mother of at least two proved children in 1792 when she married the middle-aged John White in lower Montgomery County.⁵ *Autosomal DNA tests provide no viable matches between descendants of William Mills-Witt and Frankey Mills. Y-DNA descendants of her one premarital son find test matches among descendants of the interrelated Atkins-Mullins family.*

OBJECTIVE: This first block of several planned for the Witts of Albemarle and Amherst will begin with court records. The planned project will extract all discoverable records in order to reconstruct the framework of their lives and the network of kin and associates who might link one specific Witt male to Sarah or her parental household.

CAVEAT: Two Mills-Witt relationships are already known.

(1) Sarah Mills’s aunt Anne Mills married Lewis Witt, son of Benjamin who moved from Albemarle to Bedford County. This project has considered the possibility that Sarah might have borne William by a son of her aunt Anne. However,

- It has not been possible to place Sarah in Bedford County;
- No son of Anne has been documented in Amherst County;
- The poverty of Sarah’s parental household during her teen years reduces the possibility of visits across the 80 or so miles round-trip between their homes;
- The limited financial means of the widowed Anne (Mills) Witt, who had numerous children to support, reduce the likelihood of the teenaged Sarah going to live with her aunt to ease the poverty in her own parental household.

Thus, this segment of the project focuses upon (a) identifying the Witts who would have been in proximity to Sarah and her parental household and (b) defining the situation of their individual lives.

(2) William Mills-Witt’s daughter Sarah m. 1850 William H. Key in Floyd Co., VA. Her groom and the brother with whom he shared a household on the 1850 census of Floyd, George W. Key, were ⁶

- born in Giles Co., VA, as sons of James Arphaxed Key and wife Betsy Snidow who married in Giles’ parent county Montgomery by bond of 16 April 1815.

• “Jesse Mills Sr. (c1743–aft1810) of Albemarle & Amherst Counties, Virginia; Spouse Lucy Tilman: Research Notes,” 73 pp., a work-in-progress last updated 28 April 2022.

• “William Mills (c1695–c1755) of Goochland, Albemarle & Amherst Counties, Virginia; Spouse Mary [—?—]: Research Notes,” 104 pp., a work-in-progress last updated 23 February 2022.

• “Gallia County, OH: Preliminary Research on Elijah Sartain, Wife Sarah Mills, and Related Families from Montgomery and Giles Counties, VA—Particularly Brumfield, Chapman, Napier, and Williams,” 86 pp., report to file 1 September 2021.

⁵ For a summary of all known details about the life of Frankey and the man she married, see “John White Sr. (c1740–1821); Spouses: 1. Unidentified & 2. Frances “Frankey” Mills: Research Notes,” 153 pp., a work-in-progress last updated 6 September 1821.

⁶ For this marriage and the parentage of William H. Key, see the previously cited “William Mills (b. c1784–88; d. c1862); Spouse Drucilla Kemp: Research Notes.”

- grandsons of George Key and wife Susanna Craighead who moved from Bedford Co. to Franklin County 1800–1. Susanna was the daughter of Rev. John Craighead of Bedford and *first cousin of Robert Kemp, whose daughter Drucilla married William Mills-Witt*. Upon their arrival in Franklin, they bought land from Robert Kemp.
- great-grandsons of John Key of Albemarle > Amherst > Nelson and wife **Agnes Witt**, daughter of the Albemarle pioneer, William² Witt (John¹).

Summary of Findings

THE RECORDS:

- Albemarle court orders (pre-1800) exist for 1745–48. Those for 1748–65 are missing.
- Amherst was created 1 June 1761 from Albemarle. Amherst court orders (pre-1800) exist for June 1766–September 1769, January 1774–March 1794, and 1799.

THE FAMILY:⁷

- At least three Witts were adults in Albemarle the year it was created (1745): **William² Witt** (son of John¹ Witt and wife Anne Daux), William²'s son **John³ Witt**, and John Key (married to William²'s daughter **Agnes Witt³**).⁸
- In August 1745 John³ bought land from John Barnet, location not stated; no witnesses named.
- John³ is the man called “John Witt “Sr.” in this set of extracted court orders.
- John³ Witt last appears in court records on 2 May 1780. He made his will on 4 December 1781, (proved 4 March 1782) naming a daughter Lucy and four sons: William, Littleberry, George, and Elisha; witnessed by Abner, David, and William Witt. He also spoke of “Seven first sons born to my

⁷ For documentation of statements in this summary, see that date in the “Research Notes” section. Factual assertions in this summary that are taken from other sources will carry a specific citation of the outside source.

⁸ According to David F. Whitt, *Ancestors and Descendants of William Whitt, 1774–1850* (Bowie, MD: Heritage Books, 2004), 53–54:

- William² Witt and brother John² Witt, reared in Charles City Co., were granted land in Henrico Co. in 1715.
- William² was born c1680 and d. in Albemarle in 1754 leaving a will that names children: **John Witt**, **Benjamin Witt**, **Sarah Canidey**, wife of John; and **Agnes Key**, wife of John. Executor Peter Chastaine’s wife **Middy** “is also believed to be one of William Witt’s daughters.”

Albemarle’s parent county, Goochland, was cut from Henrico in 1727. Goochland’s court orders place the following:

- **John² Witt** was first noted in Goochland on 20 November 1733 when he—together with *Peter Chastain* and Anthony Trabue—witnessed a deed from Judith Ballew to Peter Guerrant; see Goochland Co. Order Book 3 (1731–1735): 218.
- **William² Witt** first noted in Goochland in September 1737, as witness to a deed from John Graves to William *Barnet*, co-witnessed by John Anderson and John Thomas; Goochland OB 4 (1735–1741): 237.
- **Richard² Witt**, b. c1790, was in Goochland in October 1738 when he was paid for a wolf’s head (Goochland OB 4:366). His wife Elizabeth was daughter of Edmond Liptrot of Henrico; see Beverly Fleet, *Virginia Colonial Abstracts*, III: 408.
- **Benjamin³ Witt**, son of William² and father of **Lewis⁴ Witt** of Bedford (husband of Anne Mills), was a Goochland landowner petitioning for a road with Nowel Burtain, Thos. Christian, Peter Chastain, and Anth. Vilen in April 1740 (Goochland OB 4:456).

According to David F. Whitt:

- **John² Witt** and wife Ann Rogers (dau. of John of Charles City Co. who left will 1730) also had children who also settled in Albemarle: dau. *Susanna* m. **Charles Husley**; dau. *Judith* m. **James Tuley**; dau. *Unidentified* m. **John Farrar**; dau. *Unidentified* m. David Barnett of the Barnetts from whom John Witt of Albemarle bought the land in 1745.

Tuley’s brother Charles was a witness to the will of William Mills Sr. of the Pedlar (father of Jesse, grandfather of Sarah, and proposed great-grandfather of William Mills-Witt of Franklin County.

Farrar was the father-in-law of Thomas Jopling, whom William Mills Sr. named coexecutor of his will.

wife Lucy.”⁹ The court orders suggest this fuller list of sons:

- **Abner⁴ Witt**, born by 1740; first bought land in 1761 (Benjamin *Maddox*, witness).¹⁰ he does not appear in surviving court orders until September 1769. In November 1785, Abner lived on a 2-to-3 mile stretch of road between himself “and the Widow Burton.”* In March–July 1786, he sold and mortgaged several tracts of land on Corbin’s Creek near Lackey’s Gap, N “side of Lackey’s Mt. in the gap,” Davis Cr., and Rockfish River at mouth of Short Cr..¹¹ Between 9 August 1787 and 5 March 1788, Abner left Amherst. On 16 June 1794, from **Knox Co., TN**, he gave a power of attorney to James Littrell of Amherst to sell three tracts of land: one on N branch of Davis Cr., one formerly owned by John Key, and one adjacent to John Craghead/Craighead.**
**Rebecca (Cobbs) Burton’s late husband was the father of a natural son William Burton who in 1786 married Elizabeth Mills, sister of Sarah Mills.¹² Thus, the road order of November 1785 places Abner Witt and family within “courting distance” of Sarah Mills who became pregnant by a Witt male between 1783 and 1787, but likely 1787.*
***John Craghead’s sister Polly was married to John Kemp of Franklin Co., whose granddaughter in 1815 married Sarah Mills’ son William Mills-Witt.¹³*
- **John⁴ Witt (John “Jr.”)**, likely born c1745; was sued in April 1774; had a well established plantation in 1778; licensed in November 1781 to keep an ordinary at his home. In October 1782, his plantation was said to be near Rockfish River. In May 1789, a road order placed it near Doak’s Gap. On 21 June 1795 he and wife Elizabeth (allegedly Littrell, *var.* Luttrell¹⁴) sold 220 acres on S fork Rockfish adj. Geo. Witt and Elisha Witt.¹⁵ A suit by John Witt against William Witt, launched after the last court minute of 1794, was dropped in February 1800, for non-prosecution. Both had left the county. (In 1806, “John Witt Senior” and [son] Jesse were taxed consecutively in Capt. Boyd’s district, **Knox Co., TN**, for 150 and 166 acres respectively; John also was taxed for two black polls but had no tithes. William Luttrell and Felix Brown, husband of Mary Luttrell of Amherst, daughter of Richard, was taxed in same district.¹⁶
- **George⁴ Witt**, born by 1750; witnessed a deed by Abner in March 1774;¹⁷ bought his first known land in Albemarle about July 1778. He last appears in court orders in September 1792, selling land jointly owned with wife Betsy, brother John & wife Elizabeth, and Josiah Dodd & wife Mary. He may be the George Witt taxed 1805 in Capt. Jack’s district, **Knox Co., TN**.¹⁸
- **Charles⁴ Witt**, born by May 1752; adult by May 1773; died in Continental Army. In October 1784

⁹ Amherst Co., Will Book 2:34.

¹⁰ Albemarle Co., Deed Book 3: 22. Drucilla Kemp, wife of William Mills-Witt, was stepdaughter of Sarah Maddox

¹¹ Amherst Co., Deed Book F: 2, 86, 87, 101, 138. Neighbors were Littleberry Witt, Joseph Roberts, John Boles, Jas. Lackey, Jas. Littrell, Lee Harris, Clough Shelton, Jas. McAlexander, and “Horrill.”

¹² For documents relating to Elizabeth and her husband William Burton, see the previously cited, “Jesse Mills Sr. (c1743–aft1810) of Albemarle & Amherst Counties, Virginia; Spouse Lucy Tilman: Research Notes.”

¹³ For the Craghead-Kemp family in Franklin County and their connection to William Mills-Witt, see E. S. Mills, “Mills & Associates: Franklin County, Virginia, Extended Survey,” report to file, 21 November 2021, 112 pp.; archived online at *HistoricPathways.com* > Research.

¹⁴ “U.S. and International Marriage Records, 1560–1900,” database, *Ancestry* (<https://www.ancestry.com/discoveryui-content/view/764103:7836> : 1 May 2022); neither a date nor supporting evidence is offered.

¹⁵ Amherst Deed Book G:581.

¹⁶ Pollyanna Creekmore, *Early East Tennessee Taxpayers* (Easley, SC: Southern Historical Press, 1980), 68–70. A George Wit was also taxed for 300 acres and 3 tithes in Capt. Jack’s district (p. 82) and a John Witt, apparently John Jr., was taxed for 150 acres and 1 poll in Capt. Jack’s district (p. 94).

¹⁷ Amherst Co., Deed Book D: 142.

¹⁸ Creekmore, *Early East Tennessee Taxpayers*, 82.

Abner Witt was named his “heir at law” (i.e., eldest brother).

- **Littleberry⁴ Witt**, born by July 1756. In July 1777 he, Charles and John “Jr.” gave oath in court to prove a will executed by John “Sr.” Last on record in these court orders in March 1793. *Probate opened in Amherst 18 January 1797* in Amherst by **widow Jane**.¹⁹
- **Elisha⁴ Witt**, born by July 1756; in July 1777 he, Abner, and John “Jr.” gave oath in court to prove George’s deed. Last on record in these court orders on 3 August 1789, serving as surety for Josiah Dodd. (According to his Revolutionary War pension affidavit, he left Amherst for Kentucky in 1795.²⁰ In 1800 he was taxed in **Madison Co., KY**, with brother William.²¹)
- **Lewis⁴ Witt**, born before February 1759; in February 1780 he gave oath in court to prove a deed by Abner Witt. Last on record in these court orders on 10 August 1786, being sued with his surety Joseph Roberts.
- **William⁴ Witt**, born by 1764; witnessed his father’s will in December 1781; attested it in court in March 1782; served Revolutionary cause;²² *sold his land in January 1793 and left Amherst for Madison Co. Ky.*²³ Court minutes are lost from 1794–1799; in that interval his brother John launched a suit against William that was dropped in February 1800 for lack of prosecution.
- The Witts who remained in Amherst were cut away in 1807 into Nelson Co. Witts’ Cove remains a landmark in Nelson.

KEY ASSOCIATES:

Samuel Allen: in June 1784 he served as special bail for Abner Witt.

Benjamin Carpenter, bought land jointly with James Littrell in 1779, using several Witts as witnesses. David⁴ Witt and John³ Witt [Sr.] bought adjacent land, at same time, with John conveying his to sons. In August 1784, Carpenter served as special bail for Abner⁴ Witt; was sued with him for debt in September 1785. In November 1786, Carpenter was jointly sued with Abner, and brothers John, Littleberry, and William Witt. In January 1787, Abner gave a deed of trust to Carpenter *and* to John, Littleberry, and William Witt, to secure a debt they had undertaken for him.

David Clark: In April 1788, John⁴ Witt served as his special bail.

Josiah Dodd: In March 1787, he and Abner Witt (his surety?) were sued for debt. In June 1789, he, George Witt and John Witt bought land together. In September 1792, he and wife Mary Dodd, George Witt and wife Betsy, and John Witt and wife Elizabeth all sold that land.

John Hall: In August 1788, John⁴ Witt served as his special bail.

Robert Hardy: in May 1784, he served as special bail for Abner Witt.

James Littrell: bought land jointly with Benjamin Carpenter in 1779, with several Witts as witnesses. David⁴ Witt and John³ Witt [Sr.] bought adjacent land, with John conveying his to sons. (In May 1784,

¹⁹ Amherst Co., Will Book 3:493.

²⁰ Affidavit of applicant, 20 November 1832, Estill Co., KY, in Elisha Witt (Pvt., Capt. Jacob’s Co., Col. Taylor’s Regt., VA Line, Revolutionary War), W3059 (<https://www.fold3.com/image/28157765> : 1 May 2022), 45 images, specifically image 28157827

²¹ G. Glenn Clift, *Second Census of Kentucky, 1800* (1954; reprinted Baltimore: Genealogical Publishing Co. 1993), 325.

²² *Missouri Intelligencer and Boon’s Lick Advertiser*, Fayette, Missouri, 4 January 1828, p. 3., col. 3, William Witt obit.

²³ On 19 May 1806, William was in Madison Co., KY, when he signed a marriage permission for his daughter Lucy to marry her cousin “William Witt Jr.” [son of Elisha], with Charles and Elisha Witt as witnesses to the permission; see “Kentucky, U.S., County Marriage Records, 1783–1965,” *Ancestry*, database with images (<https://www.ancestry.com/imageviewer/collections/61372/images/TH-1-10014-43943-26> : Madison > 1800–1816.

Abner served as special bail for John “Luttrell.” March 1793, Littleberry & David Witt were witnesses for Luttrell in suit against him by Galt & Co. In June 1794, Jas. Luttrell acted as attorney for *Abner Witt “of Knox Co. [TN].”*

Joseph Morris: in May 1784, he served as special bail for Lewis⁴ Witt.

John Morrison: in August 1784, he served as special bail for Abner Witt

Joseph Roberts: witnessed Abner Witt’s 1780 purchase of land from James and Judith Tuley. In November 1785, Joseph was adjacent neighbor to land purchased by Abner Witt on Davis Creek.²⁴ In July 1786, Roberts bought part of Abner’s land on the “exact top” of Lackey’s Mountain.²⁵ In August 1786, he was sued with Abner for debt in three cases. *When William Walton (uncle of Sarah Mills) left Amherst, Joseph Roberts bought all three of his tracts of land—suggesting they were close neighbors.*²⁶

Abraham Strange: in August 1784 served as special bail for Abner Witt.

Research Notes

28 MARCH 1745

ALBEMARLE COUNTY, VA

“**John Key** is Appointed Surveyor of the High Way, from the End of A Road which is Cleared, to John Key’s Mills, the nearest and best way to the Late Secretarys ffoard, and the Male Tithables of William Womac, Daniel Holladay, Robert Daulton, William Hind, John Key, and Larkin Smith are Ordered to Assist the said Key in Clearing the same.”²⁷

COMMENT:

I am noting this first reference to John Key, but will not have time in this project to gather all the many records created by and about him.

22 AUGUST 1745

ALBEMARLE COUNTY, VA

“A Deed with Livery Seisen and Receipt was presented in Court by John Barnett and by him Acknowledged to **John Witt** and on the motion of the said Witt was Ordered to be Recorded.”²⁸

²⁴ Amherst Co., Deed Book F: 24.

²⁵ Amherst Co., Deed Book F: 87.

²⁶ In 1784, Joseph Roberts and James Halley Burton were cited as adjacent landowners to William Wright Jr.’s land on Davis Creek; Amherst Deed Book E:611. *Halley Burton’s widow and executrix in September–November 1785 prosecuted a suit for debt against Jesse Mills, father of Sarah*; see Amherst Co., Court Order Book 1784–87, p. 291.

²⁷ Albemarle Co., Order Book 1744–1748, p. 25; imaged, *FamilySearch* digital film 7893705 > image 23.

²⁸ Albemarle Co., Order Book 1744–1748, p. 45; imaged, *FamilySearch* digital film 7893705 > image 33. Abstracted in Bailey Fulton Davis, *The Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)* (Greenville, SC: Southern Historical Press, 1979), 7; citing Albemarle Co., “Order Book 1744–1748,” p. 45. As Davis notes at p. 1, Albemarle’s first deed and will book has been lost; the court orders help to fill gaps, though they provide few details from the deeds themselves.

Benjamin B. Weisiger III’s *Albemarle County, Virginia, Court Papers, 1744–1783* (Richmond: Privately printed, 1987) does not contain Witt or Whitt entries.

COMMENT:

“The term *livery of seisin* means simply ‘transfer of possession’: *livery* means ‘delivery’ and is from the Old French *livre*, and *seisin* means ‘possession and is from the Old French *saisir* or *seisir*. The concept behind livery of seisin, therefore, was the symbolic transfer of the possession of land. The entire ceremony of transfer was called feoffment with livery of seisin, with *feoffment* meaning ‘a gift,’ specifically a gift of a freehold interest in a parcel of land.”²⁹

28 NOVEMBER 1745

ALBEMARLE COUNTY, VA

“John Bellamy against **William Witt** [West?]. In Assy. & Baty. The Parties appear who Inform the Court they have mutually agreed all matters in difference between them. Therefore by Consent of Parties and with the Assent of the Court, This Suit is Ordered to be Dismist.”

12 SEPTEMBER 1746

ALBEMARLE COUNTY, VA

“James Nevels, **William Wit**, Joseph Smith, John Peartree Burks, John Hayson [*sic*], and John Key having been Severally Summoned to Shew cause why they did no[t] Appear and Deliver in theyr Verdict as Jury men &c this day Appeared and having Severally made their Excuses It is Ordered the said Summons be Dismsd.”³⁰

MAY 1747

ALBEMARLE COUNTY, VA

Proving of deed from Martin King to **Jno. Witt** and court order to record. Martin King Jr. in June 1746 and November 1747 also sold land to Jno. Anthony and Henry Martin.³¹

9 JULY 1747

ALBEMARLE COUNTY, VA

John Witt ...Wm Witt served on this day’s jury.³²

10 JULY 1747

ALBEMARLE COUNTY, VA

“**William Witt** makes Oath to Two days Attendance as an Evidence for William Barnett at the suit of John Biby. Ordered the said Barnett do pay the said Witt fifty Pounds of Tobacco for his said attendance &c.” Ditto **John Witt**, Edward Barnett, David Barnett, and John Martin, two days each.³³

COMMENT:

As previously noted, David F. Whitt positions David Barnett as a son-in-law of William² Witt.

12 MAY 1748

ALBEMARLE COUNTY, VA

Grand jurors include **Benjamin Witt**. Petit jurors include **William Mills**, Patrick Napier, Leonard Ballow [Jr.].³⁴

²⁹ Farlex, *The Free Dictionary: Legal Dictionary* (<https://legal-dictionary.thefreedictionary.com/Livery+of+Seisin>).

³⁰ Albemarle Co., Order Book 1744–1748, p. 176; imaged, *FamilySearch* digital film 7893705 > image 99.

³¹ Davis, *Deeds of Amherst County, VA (1761–1852) & Albemarle County, VA (1748–1807)*, 9; citing Albemarle Co., “Order Book 1744–1748,” pp. 271, also 121 and 320 for Martin King.

³² Albemarle Co., Order Book 1744–1748, pp. 293–95; imaged, *FamilySearch* digital film 7893705 > images 158–59.

³³ Albemarle Co., Order Book 1744–1748, p. 298; imaged, *FamilySearch* digital film 7893705 > image 160.

³⁴ Albemarle Co., Order Book 1744–1748, pp. 361, 363; imaged, *FamilySearch* digital film 7893705 > images 193–94.

COMMENT:

- The next surviving court-order book for Albemarle is that of 1783–1785.
- Amherst court-order books begin with 1765. However, I found no Witts until 1769; and only one such order before 1773.

4 SEPTEMBER 1769
AMHERST COUNTY, VA

“An Indenture of Bargain & Sale between Richard Kirby of the one part, and **Abner Witt** of the other part, with the Receipt Indorsed were acknowledged by the said Richard Kirby and ordered to be Recorded.”³⁵

COMMENT:

This volume ends 5 September 1769. The next filmed volume begins 6 December 1773.

6 DECEMBER 1773
AMHERST COUNTY, VA

“A Deed Indented from **Abner Witt** to Carter & Trent was Proved by the Oaths of two Witnesses and ordered to lie for further proof.”³⁶

7 DECEMBER 1773
AMHERST COUNTY, VA

“James Kerr, Plaintiff against **Abner Witt**, Defendant. In Debt. This day came the Parties by their Attorneys and the issue whereby they had put themselves upon the Country being waived, Judgment is granted the Plaintiff against the Defendant by confession for forty pounds the Debt in the declaration mentioned and Costs to be discharged by the payment of twenty pounds with legal Interest thereon from the first day of June 1772 till paid and the Costs.”³⁷

7 MARCH 1774
AMHERST COUNTY, VA

“A Deed Indented from **Abner Witt** to Carter and Trent was further proved by the oath of **Charles Witt** and ordered to be recorded.”³⁸

4 APRIL 1774
AMHERST COUNTY, VA

“Carter and Trent Plaintiffs against **John Witt Junr.** Defendant. In Debt. This day came the Defendant in his proper person and came also **John Roberts** who entered himself special bail and pledge for the Defendant in this suit, whereupon the said Defendant acknowledged the action of the Plaintiffs against him to be just. Therefore it is considered by the Court that the Plaintiffs recover against him £53.1.6 and their Costs in this behalf expended, to be discharged by the payment of six pounds two shillings and nine

³⁵ Amherst Co., Order Book, 2 June 1766–1769, pp. 524–25; imaged *FamilySearch* digital film 8151599 > images 287–88.

³⁶ Amherst Co., Order Book, 1773–1782, p. 3; imaged *Family Search* digital film 8151599 > image 308.

³⁷ Amherst Co., Order Book, 1773–1782, pp. 12–13; imaged *Family Search* digital film 8151599 > image 313.

³⁸ Amherst Co., Order Book, 1773–1782, p. 28; imaged *Family Search* digital film 8151599 > image 321.

pence with legal interest thereon from the 8th day of May 1773 till paid and the Costs, execution to be stayed till June next.”³⁹

2 MAY 1774

AMHERST COUNTY, VA

“A Deed Indented from **Abner Witt** to **John Witt Senr.** was proved by the oaths of three witnesses and ordered to be recorded.”⁴⁰

“Alexander Spiers, John Bowman & Co., Assignees of Zacharias Taliaferro gent., Plaintiffs, against **Abner Witt** Defendant. In Debt. The attachment awarded against the estate of the Defendant in this Suit being Levied and he not appearing to give bail according to the rule of this Court, it is considered that the Plaintiffs recover against him twenty seven pounds thirteen Shillings and ten pence, the debt in the declaration mentioned, together with legal Interest thereon from the eleventh day of August 1773 till paid, and their Costs in this behalf expended.”⁴¹

7 JULY 1777

AMHERST COUNTY, VA

“A Deed Indented with the Memorandum of Livery and Seisin and Receipt thereon Indorsed from **Abner Witt** to **John Witt Senr.** was proved by the Oath of **John Witt Junr.**, **Charles Witt** and **Littlebery Witt**, the Witnesses thereto and ordered to be Recorded.”⁴²

1 DECEMBER 1777

AMHERST COUNTY, VA

“A Deed indented with the Receipt thereon Indorsed from **John Key** and **Agness** his Wife (she being first privily Examined according to Law) to James Trail, was acknowledged, and ordered to be Recorded.”⁴³

COMMENT:

Agness Key is named as a daughter in the 1754 will of William Witt of St. Anne parish, Albemarle County. Her named siblings were Benjamin Witt, Sarah Canidey (wife of John), and John Witt. Other children are referenced but not identified. Executors were John Witt and Peter Chasteen. (Will Book 2:20)

“A Deed Indented with the Memorandum of Livery and Seisen & Receipt thereon Indorsed from Nathan Crawford to **John Witt Senr.** was Acknowledged by the said Crawford and ordered to be Recorded.”⁴⁴

6 JULY 1778

AMHERST COUNTY, VA

“A Deed Indented with the Memorandum of Livery and Seisen & Receipt thereon Indorsed from Robert Doak to **George Witt** was proved by the Oath of **Abner Witt**, **John Witt Jun.** & **Elisha Witt**, three of the Witnesses thereto and ordered to be Recorded.”⁴⁵

“On the Motion of **John Witt Jun^r**, Michael McNeely, Alexander Miller, Joseph Higginbotham Morrison and John Beaver (or any three of them) they being first Sworn, are appointed to view the Old Road from

³⁹ Amherst Co., Order Book, 1773–1782, p. 43; imaged *Family Search* digital film 8151599 > image 329.

⁴⁰ Amherst Co., Order Book, 1773–1782, p. 47; imaged *Family Search* digital film 8151599 > image 331.

⁴¹ Amherst Co., Order Book, 1773–1782, p. 65; imaged *Family Search* digital film 8151599 > image 340.

⁴² Amherst Co., Order Book, 1773–1782, p. 189; imaged *Family Search* digital film 8151599 > image 405.

⁴³ Amherst Co., Order Book, 1773–1782, p. 206; imaged *Family Search* digital film 8151599 > image 414.

⁴⁴ Amherst Co., Order Book, 1773–1782, p. 206; imaged *Family Search* digital film 8151599 > image 414.

⁴⁵ Amherst Co., Order Book, 1773–1782, p. 235; imaged *Family Search* digital film 8151599 > image 429.

the Lower End of the said Witt's Plantation to the upper end of the said Plantation, and to view a new way for a Road from and to the same place, and Report to this Court the Conveniences and Inconveniences thereof."⁴⁶

"Alexander Miller is Appointed Surveyor of the Road from Doak's Lower Plantation to the Top of the Mountain by Luke Hambletons with his Usual Gang, and the following Persons Viz^t. **John Witt Jun., Elisha Witt, George Witt,** John Watkins, Luke Hambleton, William Hambleton, John Beaver and Joseph Canterbury, and It is Ordered that he keep the said Road in Repair according to Law."⁴⁷

4 AUGUST 1778

AMHERST COUNTY, VA

"The Action of Trespass Assault and Battery Brought by Charles Brooks against **Abner Witt** is Continued."⁴⁸

"The Action of Trespass on the Case brought by Ester Small against **Abner Witt** is Continued."⁴⁹

7 SEPTEMBER 1778

AMHERST COUNTY, VA

"A Report for a New way for a Road from the Lower end of **John Witt Junior's Plantation** to the upper End thereto was this Day returned and is as follows, In pursuance of the within Order we the Subscribers being first Sworn have viewed the old Road from the Lower End of John Witt's plantation to the upper end of the said plantation and also a way for a new Road from and to the same place, and we are of opinion that the New way is now much the best and Easiest to be kept in Repair and does no Damage to any Individuals Michael McNeely, Alexander Miller, John Beaver, whereupon the said New way is Established for a Road, and the Surveyor of the old Road is ordered with his Gang to keep the New Road in Repair according to Law."⁵⁰

8 SEPTEMBER 1778

AMHERST COUNTY, VA

"The Action of Trespass Assault & Battery brought by Charles Brooks against **Abner Witt** is Dismisd."⁵¹

5 OCTOBER 1778

AMHERST COUNTY, VA

"**John Witt Jun.** is Appointed Surveyor of the Road from **his House** to the top of **Doaks's gap** with the following Gang Viz^t **George Witts,** John Carpenter, John Watkins, John Beever, Joseph Canterbury, Luke Hambleton, Micajah Frazier, John Hall, Jesse Hall, John Stagner, and James Hambleton, and It is orderd. that the said **John Witt Junr.** do with his, the aforesaid persons and their male labouring Tithables, keep the said Road in Repair according to Law."⁵²

1 MARCH 1779

AMHERST COUNTY, VA

"A Deed Indented with the Receipt thereon Endorsed from Samuel Woods and Mary his Wife to **David**

⁴⁶ Amherst Co., Order Book, 1773–1782, p. 237; imaged *Family Search* digital film 8151599 > image 430.

⁴⁷ Amherst Co., Order Book, 1773–1782, p. 240; imaged *Family Search* digital film 8151599 > image 431.

⁴⁸ Amherst Co., Order Book, 1773–1782, p. 266; imaged *Family Search* digital film 7856348 > image 17.

⁴⁹ Amherst Co., Order Book, 1773–1782, p. 280; imaged *Family Search* digital film 7856348 > image 24.

⁵⁰ Amherst Co., Order Book, 1773–1782, p. 292; imaged *Family Search* digital film 7856348 > image 30.

⁵¹ Amherst Co., Order Book, 1773–1782, p. 309; imaged *Family Search* digital film 7856348 > image 39.

⁵² Amherst Co., Order Book, 1773–1782, p. 326; imaged *Family Search* digital film 7856348 > image 49.

Witt was proved by the Oath of **Littleberry Witt, John Witt,** and **Elisha Witt,** Witnesses thereto and ordered to be Recorded.”⁵³

1 MARCH 1779

AMHERST COUNTY, VA

“A Deed Indented with the Receipt thereon Endorsed from Samuel Woods and Mary his Wife to James Littrell and Benjamin Carpenter was proved by the Oath of **Elisha Witt, Littleberry Witt,** and **David Witt,** Witnesses thereto and ordered to be Recorded.”

“A Deed Indented with the Receipt thereon Endorsed from Samuel Woods and Mary his Wife to **John Witt** was proved by the oath of **Littleberry Witt, Elisha Witt,** and **David Witt** Witnesses thereto and ordered to be Recorded.

“A Deed Indented with the Receipt thereon Endorsed from **John Witt** to **David Witt,** was acknowledged and ordered to be Recorded.”

“A Deed Indented with the Receipt thereon Endorsed from **John Witt** to **Littleberry Witt** was acknowledged and ordered to be Recorded.”⁵⁴

6 SEPTEMBER 1779

AMHERST COUNTY, VA

“A Deed Indented with the Receipt thereon Indorsed from **John Witt Junr.** to **Littleberry Witt** and **John Witt** was Acknowledged by the said John said John Witt Junr. [*sic*] to be his Act and Deed, and ordered to be Recorded.”⁵⁵

1 NOVEMBER 1779

AMHERST COUNTY, VA

Abner Witt was sworn in for jury duty.⁵⁶

7 FEBRUARY 1780

AMHERST COUNTY, VA

“A Deed Indented with the Receipt thereon Indorsed from James Tuley and Judith his Wife to **Abner Witt** was proved by the Oath of Francis New?, **Lewis Witt,** and Joseph Roberts Witnesses thereto and ordered to be Recorded.”

COMMENT:

- Judith Tuley, according to David F. Whitt, at Table 3 (between pp. 51–52), is believed to be a daughter of John² Witt and wife Ann Rogers.
- Lewis Witt of this record appears to be one of the unnamed “seven first sons” cited by John³ Witt (called John Sr. in these abstracts).
- Joseph Roberts did business at Thompson & Teas, as did the Waltons, the Lavenders, and William Mills (son of Jesse). Roberts were among the former customers sued by the firm several years after they dissolved the partnership.⁵⁷

⁵³ Amherst Co., Order Book, 1773–1782, p. 342; imaged *Family Search* digital film 7856348 > image 58.

⁵⁴ Amherst Co., Order Book, 1773–1782, p. 343; imaged *Family Search* digital film 7856348 > image 60 [image 59 is a repeat of image 58].

⁵⁵ Amherst Co., Order Book, 1773–1782, p. 379; imaged *Family Search* digital film 7856348 > image 73.

⁵⁶ Amherst Co., Order Book, 1773–1782, p. 386; imaged *Family Search* digital film 7856348 > image 82.

⁵⁷ Amherst Co., Court Order Book 1787–1790, p. 321; imaged, *FamilySearch* digital film 7856350 > image 173.

“Francis New Acknowledged his Deed indented with the Receipt thereon Endorsed to **Abner Witt** to be his Act and Deed, and orderd to be Recorded.

“A Deed Indented with the Receipt thereon Indorsed from Samuel Woods and Sarah his Wife to **Abner Witt** was proved by the Oath [of] Benjamin Carpenter, James Littrell, and **Lewis Witt**, three of the Witnesses thereto, and ordered to be Recorded.”⁵⁸

1 MAY 1780

AMHERST COUNTY, VA

“William Barnett, Joseph Roberts, Thomas Carpenter & Israel Davis (or any three of them) they being first Sworn, are appointed to view a way for a Road from Samuel Lackey’s Fence, by **David Witts** and over the River at Miller’s ford into the Cove Road at the Hill Called Stoney Batter, and Report the Conveniences and Inconveniences thereof to this Court.”⁵⁹

1 MAY 1780

AMHERST COUNTY, VA

“A Grand Jury of Inquest for the Body of this County, to wit, William Spencer Foreman, Charles Christian, John Tinsley, Richard Powell, Noell Johnson, Levy Baldock, Joell Campbell, Joshua Hudson, Johnson Bean, **John Witt**, Nicholas Moran, John Bennett, Thomas Hawkins, John Montgomery, Lee Harris, Robert Wright, John Cartwright, and William Horrell who being Sworn Received their Charge and withdrew, and in a short time Returned with the following presentments ...”⁶⁰

1 NOVEMBER 1781

AMHERST COUNTY, VA

“On the motion of **John Witt Jun.** a License is granted him to keep and [*sic*] Ordinary at his House in this County and the said Witt with Thomas Eades his Security Entered into & acknowledged Bond agreeable to Law.”⁶¹

4 MARCH 1782

AMHERST COUNTY, VA

“A Deed Indented with the Receipt thereon Indorsed from Benjamin Carpenter to James Littrell was proved by the Oath of **Abner Witt**, Charles Eades, and **John Witt Jun.** Witnesses thereto and Ordered to be Recorded.”⁶²

“The Last Will and Testament of **John Witt** Deceased was presented in Court by **John Witt**, one of the Executors therein Named and proved by the Oath of **Abner Witt**, **David Witt**, and **William Witt** witnesses thereto; and the said Executor with **Abner Witt** his Security Entered into and Acknowledged this Bond in the Penalty of Three hundred pounds with the Condition required by Law, and the said Executor took the Oath Required by Law, and the said Will and Bond was ordered to be Recorded.”⁶³

COMMENT:

This is the first reference I’ve found to Amherst’s **William Witt** as an adult.

⁵⁸ Amherst Co., Order Book, 1773–1782, p. 397; imaged *Family Search* digital film 7856348 > image 88.

⁵⁹ Amherst Co., Order Book, 1773–1782, p. 411; imaged *Family Search* digital film 7856348 > image 95.

⁶⁰ Amherst Co., Order Book, 1773–1782, p. 412; imaged, *Family Search* digital film 7856348 > image 95.

⁶¹ Amherst Co., Order Book, 1773–1782, p. 458; imaged *Family Search* digital film 7856348 > image 118.

⁶² Amherst Co., Order Book, 1773–1782, p. 464; imaged *Family Search* digital film 7856348 > image 121.

⁶³ Amherst Co., Order Book, 1773–1782, p. 469; imaged *Family Search* digital film 7856348 > image 124.

“Alexander Reid Jun., William Barnett, Joseph Roberts & Samuel Lackey (or any three of them) they being first Sworn are appointed to Appraise in Current Money the Slaves and personal Estate of **John Witt Decd.** and Return and [sic] Inventory and Appraisement thereof to this Court.”⁶⁴

2 APRIL 1782

AMHERST COUNTY, VA

Extensive payments were ordered to claimants who provided goods and services during the war, including:

- To **John Witt** for 300# Beef pr Cert. 4 Octr. 1781. Provision law 2.10.0
- To Ditto for 15# Bacon & half a Bushel of Corn Meal pr Cert. 11 June 1781, Augusta Militia 0.13.0
- To Ditto for ¾ Bushel of Corn pr Cert. 10 Feby 1781 (Whit___ Dragoons) 0.1.3
- To Ditto for Pasturage Seventeen Waggon Horses, one Night pr Cert. 14 June 1781. Publick Service 0.4.3.⁶⁵

6 MAY 1782

AMHERST COUNTY, VA

“Josiah Jopling, **Abner Witt**, Lee? Harris & William Barnett (or any three of them) they being first Sworn are Appointed to Appraise in Current money the Slaves and personal Estate of Charles Tuley Dec’d and Return an Inventory and Appraisement thereof to this Court.”⁶⁶

3 JUNE 1782

AMHERST COUNTY, VA

“On the Motion of **Lewis Witt** he is Exempted from paying Tax on his Slave Jubitor.”

“On the Motion of **Abner Witt** he is Exempted from paying Tax on his Slave Mack.”⁶⁷

6 AUGUST 1782

AMHERST COUNTY, VA

“The Action of Trespass on the Case brought by Samuel Woods against **Abner Witt**, abates by the Plaintifs Death.”

The Action of the Case brought by Esther Small against **Abner Witt** abates by the Plaintifs Death.”⁶⁸

2 SEPTEMBER 1782

AMHERST COUNTY, VA

“The Last Will and Testament of Benjamin Clark Deceased was further proved by the oath of David Clark, and Nathaniel Clark the Executor therein named with **John Witt** [formerly John Jr.] his Security Entered into and Acknowledged their Bond in the penalty of Two hundred pounds, with the Condition Required by Law and the said Executor took the oath Required by Law, and the said Will and Bond was ordered to be Recorded.”

“An Inventory and appraisement of the Estate of John Witt Dec’d [John Sr.] was this day Returned and ordered to be Recorded.”⁶⁹

⁶⁴ Amherst Co., Order Book, 1773–1782, p. 469; imaged *Family Search* digital film 7856348 > image 124.

⁶⁵ Amherst Co., Order Book, 1773–1782, p. 478; imaged *Family Search* digital film 7856348 > image 129.

⁶⁶ Amherst Co., Order Book, 1773–1782, p. 501; imaged *Family Search* digital film 7856348 > image 143.

⁶⁷ Amherst Co., Order Book, 1773–1782, p. 509; imaged *Family Search* digital film 7856348 > image 129.

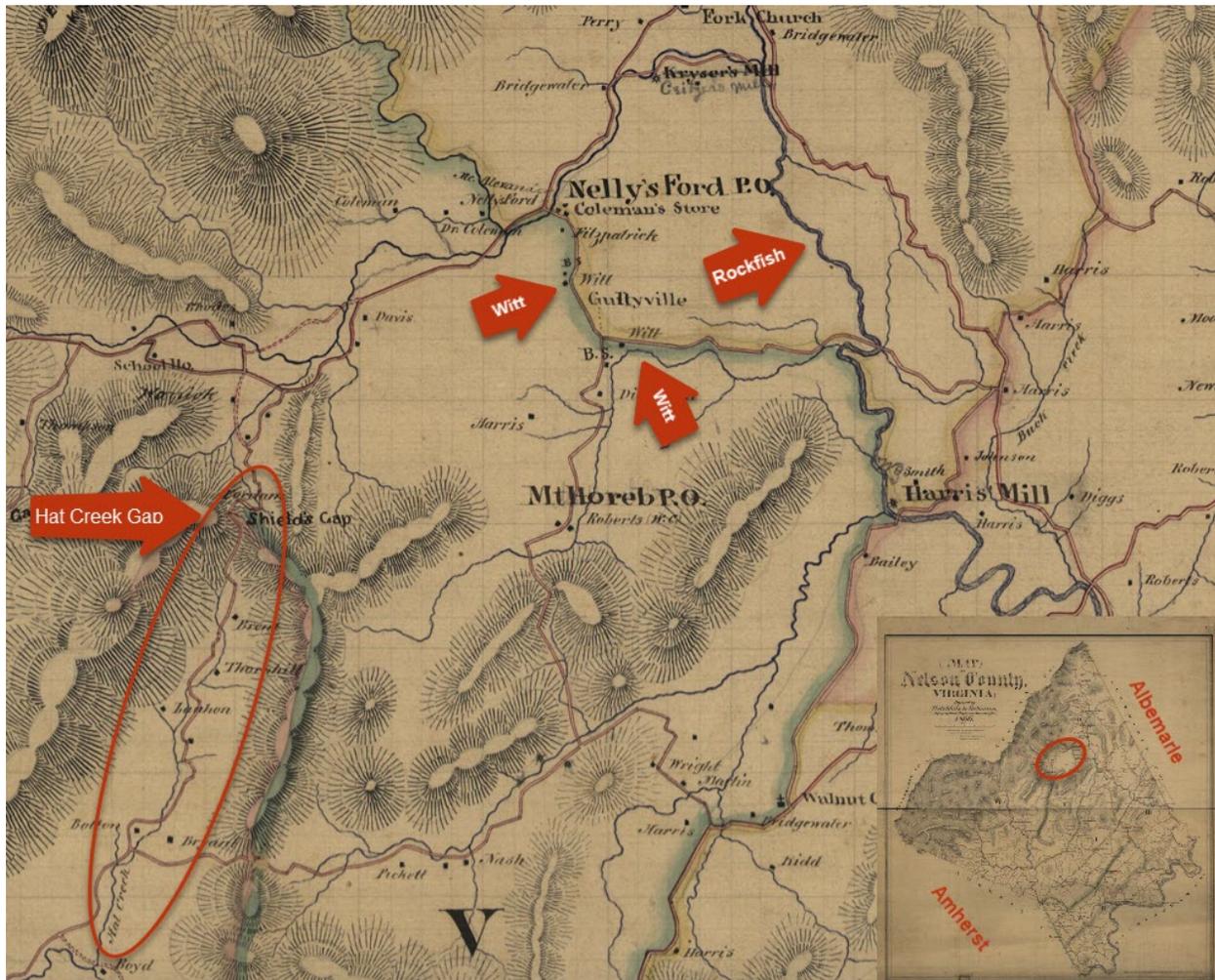
⁶⁸ Amherst Co., Order Book, 1782–1784, pp. 11, 15; imaged *Family Search* digital film 7856348 > images 179, 181.

⁶⁹ Amherst Co., Order Book, 1782–1784, p. 18; imaged *Family Search* digital film 7856348 > image 183.

7 OCTOBER 1782

AMHERST COUNTY, VA

“John Shields is appointed Surveyor of the Road from the Fork of the Road below Robert Barnetts over Hatt Creek Gap into the Road by Alexander Reids, and its Ordered that he do Open the Sd Road with the following Gang, Viz^t Col^o Pope’s Gang from **John Witts** to Rockfish River, John Murrells from Merriwether’s Branch to Rockfish River, all **John Witts Gang** (Except Luke Hambleton & **John Witt**), Alexander Reid, his son Alexander, Thomas Adams, John Herd ...”⁷⁰



4 MARCH 1783

AMHERST COUNTY, VA

“**James Nevil Gent.**, a Member of this Court having Expressed a Desire of Travelling to Some other and perhaps Distant States, We Cannot in Justice to that Gentleman’s Merit forbear to say of him that his Character is Unexceptionable. He has been a great many years a Magistrate in this County and has filled the place with much Credit. In private as well as public Life, he Deserves the highest Esteem, punctuality

⁷⁰ Amherst Co., Order Book, 1782–1784, p. 27; imaged Family Search digital film 7856348 > image 188. The map is snipped from Hotchkiss & Robinson, Map of Nelson County, Virginia (1866); imaged, Library of Congress (<https://www.loc.gov>) > item > 2005625185.

and Integrity. Justice and Uprightness have ever be[en] Considered Qualitys he is justly Entitled to.”⁷¹

5 MARCH 1783

AMHERST COUNTY, VA

“Joseph Roberts, William Barnett, **Abner Witt** & Alexander Reid Jr. (or any three of them) they being first Sworn are Appointed to appraise in Current money the Slaves and personal Estate of John Lackey Decd and Return an Inventory and Appraisement thereof to this court.”⁷²

5 AUGUST 1783

AMHERST COUNTY, VA

“The Action of Trespass on the Case for Slander Brought by **Abner Witt** against Richard Luttrell is Dismiss’d the Writ not being Returned.”⁷³

“The Action on the Case brought by **David Witt** against June Graves is Dismiss’d the Writ not being Returned.”⁷⁴

6 OCTOBER 1783

AMHERST COUNTY, VA

“**Abner Witt** Acknowledged his Deed Indented to **John Witt** to be his Act and Deed and ordered to be Recorded.”⁷⁵

3 MAY 1784

AMHERST COUNTY, VA

“**William Witt** Acknowledged his Deed Indented with the Receipt thereon Indorsed to **Littleberry Witt** to be his Act and Deed, and ordered to be Recorded.

“**Abner Witt** Acknowledged his Deed Indented with the Receipt thereon Indorsed to **William Witt** to be his Act and Deed, and ordered to be Recorded.”

“**William Witt** acknowledged his Deed Indented with the Receipt thereon Indorsed to **David Witt** to be his Act and Deed, and ordered to be Recorded.”⁷⁶

“A Deed Indented with the Receipt thereon Indorsed from William Horrell to **Abner Witt** was proved by the Oath of **Littleberry Witt, Lewis Witt, and William Witt** Witnesses thereto, and Ordered to be Recorded.”⁷⁷

“William Clark Pltf against Bartlett Eades and **Abner Witt** Defts. In Debt. Came the Plaintiff by James Reid his Attorney, whereupon Robert Handy personally appeared in Court and undertook for the said Defendants ... they Cannot deny the Pltfs Action but that it is Just, whereupon Judgment is granted the Pltf against the said Defendants for the Sum of Twenty Six pounds and also for his Costs by him on this behalf Expended.”⁷⁸

⁷¹ Amherst Co., Order Book, 1782–1784, p. 93; imaged *Family Search* digital film 7856348 > image 221.

⁷² Amherst Co., Order Book, 1782–1784, p. 112; imaged *Family Search* digital film 7856348 > image 231.

⁷³ Amherst Co., Order Book, 1782–1784, p. 167; imaged *Family Search* digital film 7856348 > image 259.

⁷⁴ Amherst Co., Order Book, 1782–1784, p. 167; imaged *Family Search* digital film 7856348 > image 259.

⁷⁵ Amherst Co., Order Book, 1782–1784, p. 187; imaged *Family Search* digital film 7856348 > image 269.

⁷⁶ Amherst Co., Order Book, 1782–1784, p. 218; imaged *Family Search* digital film 7856348 > image 285.

⁷⁷ Amherst Co., Order Book, 1782–1784, p. 219; imaged *Family Search* digital film 7856348 > image 285.

⁷⁸ Amherst Co., Order Book, 1782–1784, p. 227; imaged *Family Search* digital film 7856348 > image 289.

Abner Witt [Witt] is jury foreman; also serving: Tilman Walton.⁷⁹

COMMENT:

The clerk of this era frequently wrote his “tt” in a manner that appeared to be “ll.”

4 MAY 1784

AMHERST COUNTY, VA

“**Abner Witt** Pltff against John Pope Deft. In Debt. The Defendant being Arrested & Solemnly Called, failing to appear, On the Motion of the Pltf by James Reid Gent his Attorney It is Considered that Judgment be Entered for the Pltf against the said Defendant and John Williamson his Common Bail for the Debt in the Declaration mentioned unless the said Deft shall appear at the Next Court and plead to Issue.”⁸⁰

“Richard Morriss & George Dabney Exors of John Hawkins Deceased, pltfs. against **Abner Witt** Deft. In Debt. “Came the Plaintiffs by William Crawford Gent. their Attorney whereupon **Robert Hardy** personally appeared and undertook for the said Defendant ... whereupon the said Deft. by Thomas Miller Gent. his Attorney Saving to himself all advantage as well to the Writ Declaration &c, prays and has Leave till Next Court to plead.”⁸¹

“James Brooks Exor of Samuel woods Decd Pltf against **James Littrell & John Hardy** Deft. In Debt. Came the Plaintiff by Thomas Miller Gent. his Attorney, whereupon **Abner Witt** personally appeared, and undertook for the Defendant ... whereupon the sd. Defendant Littrell by James Reid Gent., his Attorney, Saving to himself all advantage as well to the Writ Declaration &c, prays & has Leave till the next Court to plead, And this Suit abates as to the Defendant Hardy by the Sheriffs Return.”⁸²

“Samuel Furguson Pltf against **Abner Witt** Deft. In Debt. Came the Pltf by Thomas Miller Gent. his Attorney, Whereupon **Robert Hardy** personally appeared in Court and undertook for the said Defendant ... whereupon the said Defendant by James Reid Gent. his Attorney Saving to himself all advantage of Exception prays and has Leave till the Next Court to plead.”⁸³

“**Lewis Witt** Pltf against John Morrison Deft. Detinue. The Defendant being Duly Arrested and Solemnly Called failing to Appear, On the Motion of the Pltf by James Reid Gent. his Attorney It is Considered that Judgment be Entered for the Pltf against the said Defendt. and **Joseph Morris** his Common Bail, for what Damages the Pltf hath Sustained by occasion of the Deft’s Detaining from him the Bond in the Declaration mentioned, to be Ascertained by an Enquiry thereof by a Jury, unless the said Defendant shall appear at the next Court and plead to Issue.”⁸⁴

“**Abner Witt** Assee of James Bell [Ball?] Pltf against William Clack Executor of his own Rong? of Thomas Carpenter Deceased Deft. In Debt. Came as well the Plaintiff by James Reid Gent. his Attorney as the deft. in his proper person and by Consent of the parties this Suit is Dismis’d at the Defts. Costs.”⁸⁵

6 JUNE 1784

AMHERST COUNTY, VA

“**John Witt** acknowledged his Deed Indented with the Receipt thereon Indorsed to **Elisha Witt** to be his

⁷⁹ Amherst Co., Order Book, 1782–1784, p. 232; imaged *Family Search* digital film 7856348 > image 292.

⁸⁰ Amherst Co., Order Book, 1782–1784, p. 242; imaged *Family Search* digital film 7856348 > image 297.

⁸¹ Amherst Co., Order Book, 1782–1784, p. 248; imaged *Family Search* digital film 7856348 > image 300.

⁸² Amherst Co., Order Book, 1782–1784, p. 252; imaged *Family Search* digital film 7856348 > image 302.

⁸³ Amherst Co., Order Book, 1782–1784, p. 254; imaged *Family Search* digital film 7856348 > image 303.

⁸⁴ Amherst Co., Order Book, 1782–1784, p. 256; imaged *Family Search* digital film 7856348 > image 304.

⁸⁵ Amherst Co., Order Book, 1782–1784, p. 267; imaged *Family Search* digital film 7856348 > image 310.

Act and Deed and Ordered to be Recorded.”⁸⁶

“On the Motion of **John Witt** he is Exempted from paying Tax on his Slave Jane through Age and Infirmity.”⁸⁷

8 JUNE 1784

AMHERST COUNTY, VA

Abner Witt Pltf against John Pope Deft. In Debt. Came the Plaintiff by James Reid Gent. his Attorney whereupon **Samuel Allen** undertook for the said Defendant ... whereupon the said Defendant by William Crawford Gent. his Attorney saith that he hath paid the Debt in the Declaration mentioned, and puts himself on his Country and the Plaintiff doth likewise; therefore the Trial of the Issues Referred till the Next Court.”⁸⁸

2 AUGUST 1784

AMHERST COUNTY, VA

“Elias Wells Pltf against **Abner Witt** Deft. In Case. Came the Plaintiff by Thomas Miller Gent. his Attorney whereupon **Benjamin Carpenter** undertook for the said Defendant ... whereupon the said Defendant by James Reid his attorney saveing to himself all advantage of Exception as well to the Writ Declaration &c, prays and has Leave till the Next Court to plead.”⁸⁹

“James Brooks Exr of Samuel Woods Deced Pltf. against John Morrison Mun? & Abraham Strange Defts. In Debt. ... **Abner Witt** undertook for the said Defendants...”⁹⁰

3 AUGUST 1784

AMHERST COUNTY, VA

“**Lewis Witt** Pltf against John Morrison Deft. In Detinue. The Defendant being again Solemnly Called failing to appear, On the Motion of the Plaintiff by James Reid Gent. his Attorney, It is Considered that Judgment be Entered for the Plaintiff against the said Defendant and his Common Bail for his Damages which he hath Sustained by Reason of the said Defts. Detaining the Bond in the Declaration mentioned to be Ascertained by an Enquiry thereto by a Jury at the Next Court.”⁹¹

4 OCTOBER 1784

AMHERST COUNTY, VA

“On the Motion of **Abner Witt**, Satisfactory proof is made that the said Abner Witt is Heir at Law to **Charles Witt** Dec’d a Continental Soldier that Died in the Army.”⁹²

“The Scire facias Brought by Thomas Lomax against William Loving as Common Bail for **John Craghead** at the Suit of the said Lomax is Dismissed.”⁹³

COMMENT:

16 June 1794, Jas. Littrell, acting as attorney for **Abner Witt** “of Knox Co. and territory South of Ohio River” [Knox Co., TN] to Jos. Roberts for £70, N branch Davis. 1) 99 acres formerly that of

⁸⁶ Amherst Co., Order Book, 1782–1784, p. 276; imaged *Family Search* digital film 7856348 > image 314.

⁸⁷ Amherst Co., Order Book, 1782–1784, p. 276; imaged *Family Search* digital film 7856348 > image 314.

⁸⁸ Amherst Co., Order Book, 1782–1784, p. 325; imaged *Family Search* digital film 7856348 > image 342.

⁸⁹ Amherst Co., Order Book, 1782–1784, p. 357; imaged *Family Search* digital film 7856348 > image 359.

⁹⁰ Amherst Co., Order Book, 1782–1784, p. 358; imaged *Family Search* digital film 7856348 > image 360.

⁹¹ Amherst Co., Order Book, 1782–1784, p. 388; imaged *Family Search* digital film 7856348 > image 375.

⁹² Amherst Co., Order Book, 1782–1784, p. 403; imaged *Family Search* digital film 7856348 > image 382.

⁹³ Amherst Co., Order Book, 1782–1784, p. 453; imaged *Family Search* digital film 7856348 > image 408.

Jno. Key. Lines: his own. 2) Formerly that of Jno. Craighead 35 acres. Lines his own. Wit: Bartlett Eades, Jas. Turner.”⁹⁴

Craighead had bought 141 acres (in two tracts) from John Key Jr. and wife Agnes on 5 March 1770, land patented to Henry Key. On 6 December 1773 John Craighead and wife Jenny sold his land (4 surveys of 309 acres) to John Boles, including the Key land on Lackey’s Mountain, Corbin Creek, and Davis Creek. ⁹⁵

According to *FamilySearch FamilyTree*, John C. Craighead (L67T-WR4) m. Jane Elizabeth Leodicea Maxey (LR78-N5R). His sister Mary Elizabeth “Polly” Craighead (LV64-PHP) married “John Thomas” Kemp and was the mother of Robert Kemp whose daughter Drucilla, in 1815 Franklin County, married the parentless William Mills who carried a Witt Y.

In other words, when the propertyless William Mills emerged in Franklin County and married the daughter of the third-highest taxpayer in the county, he married into a family who had been Witt neighbors in Amherst.

At the time Craighead resided in Amherst, the Abner Witt land was in the possession of Abner’s father John³ Witt (aka “John Sr.”). Abner’s younger brother William⁴ Witt, a potential father for William Mills-Witt, was a young child at that time.

“Samuel Farguson Pltf against **Abner Witt** Deft. In Debt. Judgment for Plaintiff: 2,150 pounds of Inspected Crop Tobacco with interest from 11 March 1783 until paid, plus costs.”⁹⁶

3 NOVEMBER 1784
AMHERST COUNTY, VA

William Walton and **Abner Witt** served on the two juries this day.

6 DECEMBER 1784
AMHERST COUNTY

“James Hopkins Gent is Appointed in the first hundred in this County to Take a List from Each person within the same, of the Number of White persons in Each family therein and the Number of Buildings Distinguishing Dwelling Houses from other Buildings, and shall on or **before the first Day of March Next** deliver to the Clerk of this County a fair List ...”⁹⁷

COMMENT:

- Similar appointments were made in the other hundreds, with same deadline.
- If this time frame was applied in other years, then it helps us to date each annual tax roll.

2 MAY 1785
AMHERST COUNTY, VIRGINIA

“The Action of Trespass on the Case brought by **Lewis Witt** against George Blaine is Continued till the Next Court.”⁹⁸

MAY TERM 1785

⁹⁴ Davis, *Deeds of Amherst County, VA. (1762–1852) & Albemarle County, VA. (1748–1807)*, 286; citing Deed Book G: 385.

⁹⁵ *Ibid.*, 118–19 citing Deed Book C: 37; *ibid.*, 152–53, citing Deed Book D: 104.

⁹⁶ Amherst Co., Order Book, 1782–1784, p. 491; imaged *Family Search* digital film 7856348 > image 428.

⁹⁷ Amherst Co., Order Book, 1784–1787, p. 47; imaged *Family Search* digital film 7856349 > image 54.

⁹⁸ Amherst Co., Order Book, 1784–1787, p. 150; imaged *Family Search* digital film 7856349 > image 111.

AMHERST COUNTY, VA

“**Lewis Witt** against George Blaine. By Consent of the parties by their Attorneys this Suit is Dismissed at the Defendants Costs.”⁹⁹

COMMENT:

This is not the Lewis Witt who married Anne Mills (daughter of William and sister of Jesse). The two Lewises are part of the same Amherst and Bedford family, but the older Lewis, husband of Anne, has died by this point.

4 MAY 1786

AMHERST COUNTY, VA

“Cammeron & Matthews Plaintiff against **Abner Witt** Defendant. In Debt. The Defendant not Being arrested, on the motion of the Plaintiff by James Reed Gent his Attorney an Attachment is award[ed] them against the sd. Defendants Estate for the Sum of [blank] returnable to the next Term.”¹⁰⁰

4 MAY 1785

AMHERST COUNTY, VA

“Richard Morriss and George Dabney Exors of John Hawkin’s Deceased Pltf against **Abner Witt** Deft. In Debt. Came the parties by their Attorneys aforesaid, whereupon Came a Jury ... who being Sworn to try the issue between the parties, upon their Oath do say that the Pltf [Defendant] hath not paid the Debt in the Declaration, therefore It is Considered that the Pltf Recover against Defendant the Sum of Thirty three pounds Six Shillings and Eight pence and also their Costs by them in this behalf Expended; But this Judgment the Costs Excepted is to be Discharged by the payment of Sixteen pounds thirteen Shillings and four pence with legal Interest thereon from the Sixteenth Day of September One thousand Seven hundred and Sixty Nine [1769], till paid.”¹⁰¹

4 MAY 1785

AMHERST COUNTY, VA

“The Action on the Case Brought by Elias Wills against **Abner Witt** is Continued till the Next Court.”¹⁰²

“**Lewis Witt** Pltf against George Blaine, Deft. In Case. By Consent of the parties by their Attorneys this Suit is Dismis’d at the Defendants Costs.”

“Ordered that James Littrell pay to **Abner Witt** Two hundred pounds of Grose Tobacco for his Attendance at this Court Eight Days as a Witness for him at the Suit of James Woods Executor of Samuel Woods Decd, Woods Exor pays one of these Days Attendance.”¹⁰³

“**Abner Witt** Pltf against Samuel Farguson Deft. On a Motion of the Pltf for Leave to file a Bill of Injunction to Stay further proceedings in the Suit in Common Law the said Farguson against the said Abner Witt. On hearing the parties by their Attorneys the said motion is Rejected and it is Considered that the Defendant Recover against the Pltf his Costs by him about his Defence in this behalf Expended.”¹⁰⁴

⁹⁹ Amherst Co., Court Order Book 1784–1787, p. 191; imaged *Family Search* digital film 7856349 > image 132.

¹⁰⁰ Amherst Co., (County Court) Rule Order Book 1786–1789, p. 18; imaged, *FamilySearch* digital film 8737605 > image 21.

¹⁰¹ Amherst Co., Order Book, 1784–1787, p. 167; imaged *Family Search* digital film 7856349 > image 119.

¹⁰² Amherst Co., Order Book, 1784–1787, p. 184; imaged *Family Search* digital film 7856349 > image 128.

¹⁰³ Amherst Co., Order Book, 1784–1787, p. 191; imaged *Family Search* digital film 7856349 > image 132.

¹⁰⁴ Amherst Co., Order Book, 1784–1787, p. 192; imaged *Family Search* digital film 7856349 > image 132.

6 JUNE 1785

AMHERST COUNTY, VA

“**Lewis Witt**, Pltf. Against John Morrison, Deft. In Detinue This Suit abated by the Defendant’s Death.”¹⁰⁵

1 AUGUST 1785

AMHERST COUNTY, VA

“**Abner Witt** Acknowledged his Deed Indented to Robert Hardie to be his Act and Deed, and Ordered to be Recorded.”¹⁰⁶

5 SEPTEMBER 1785

AMHERST COUNTY, VA

“Samuel Farguson Pltf against **Abner Witt** and Benjamin Carpenter Deft. On a Replivy Bond. It appearing that the Defendants hath had Legal notice on the Motion of the Plaintiff by Thomas Miller Gent. his attorney, judgment is granted him against the said Defendants for the Sum of Four Thousand eight hundred and Ninety two pounds of Crop Tobacco and Two pounds Twelve Shillings and four pence and Costs, But this Judgment the Costs Excepted is to be Discharged by the payment of Three hundred and forty Six Pounds of the aforesaid Tobacco and Two pounds Twelve Shillings and four pence with Legal Interest on Two thousand four hundred and forty Six pounds of Tobacco & 52/4 from the fourth Day of April 1785 to the fifth Day of September following, also Interest on the aforesaid three hundred and forty Six pounds of Tobacco and Two pounds Twelve Shillings and four pence from the fifth Day of September 1785 till paid.”¹⁰⁷

7 NOVEMBER 1785

AMHERST COUNTY, VA

“On the Petition of James McAlexander &c, James Wright, Charles Statham, Samuel Merian and Robert Wright or any three of them, they being first Sworn are appointed to View a way for a Road from the fork of the Road between **Abner Witts** and the Widow Burtons into the Road on the Top of the Hill by David Sheltons Prize, and Report to this Court the Conveniences and Inconveniences thereof.”¹⁰⁸

COMMENT:

The Widow Burton should be the widow of William Burton (nee Cobbs), mother of Jesse, William, Philip Farrar Burton. Her husband’s natural soon William married Elizabeth Mills, daughter of Jesse (and sister of Sarah Mills who bore William Mills of the Witt Y).

8 NOVEMBER 1785

AMHERST COUNTY, VA

“The Action on the Case Brought by **Elias Wills** against **Abner Witt** is Continued till the Next Court at the Deft’s Costs.”¹⁰⁹

9 NOVEMBER 1785

AMHERST COUNTY, VA

On the Motion of **Elisha Witt**, It is Ordered that James Littrell pay to the said Witt One hundred and twenty five pounds of Grose Tobacco for his attendance at court five Days as a Witness for him against

¹⁰⁵ Amherst Co., Court Order Book 1784–1787, p. 208; imaged, FamilySearch digital film 7856349 > image 141.

¹⁰⁶ Amherst Co., Court Order Book 1784–1787, p. 242; imaged, FamilySearch digital film 7856349 > image 158.

¹⁰⁷ Amherst Co., Court Order Book 1784–1787, p. 249; imaged, FamilySearch digital film 7856349 > image 162.

¹⁰⁸ Amherst Co., Court Order Book 1784–1787, p. 320; imaged, FamilySearch digital film 7586349 > image 198.

¹⁰⁹ Amherst Co., Court Order Book 1784–1787, p. 358; imaged, FamilySearch digital film 7586349 > image 218.

John Gilmer.”¹¹⁰

6 MARCH 1786
AMHERST COUNTY, VA

“James Woods Executor of James Woods Dec’d Pltf against **Abner Witt** Deft. In Debt. Came the Plaintiff by James Reid Gent. his Attorney whereupon **Benjamin Carpenter** personally appeared and became Special Bail for the Defendant, whereupon the Defendant in his proper person saith that he Cannot Deny the Plaintiffs Action but that he is justly Indebted to the Plaintiff the Debt in the Declaration mentioned, therefore It is Considered that the Plaintiff Recover against the said Defendant the Sum of One Thousand pounds of Nett Inspected Crop Tobacco at Richmond Warehouse with Legal Interest thereon from [1 January 1785], till paid. Memo.: The Plaintiff agreed to Stay Execution on this Judgment till June Next.”

“James Woods Executor of James Woods Dec’d Pltf against **James Littrell** and **Abner Witt** Defts. In Debt. Came the Plaintiff by James Reid Gent. his Attorney, whereupon **Benjamin Carpenter** personally appeared and became Special Bail for the Defts, whereupon the Defts in their proper person saith that they Cannot Deny the Pltfs Action but that they are Justly Indebted to him the Debt in the Declaration mentioned, therefore It is Considered that the Pltf Recover against the said Defendants the Sum of fifteen hundred and fifty pounds of Nett Crop Tobacco of the Richmond Inspection and Costs, But this Judgment the Costs Excepted is to be Discharged by the payment of Seven hundred and Seventy five pounds of the aforesaid tobacco with Legal Interest thereon from [1 January 1786] till paid. Memo.: The Plaintiff agreed to Stay Execution on this Judgment till June next.”¹¹¹

“James Woods Pltf against **Abner Witt & James Littrell** Defts. In Debt. Comes the Plaintiff by James Reid Gent. his Attorney, whereupon **Benjamin Carpenter** personally appeared and became Special Bail for the Defts. whereupon the Defts in their proper person saith that they Cannot Deny the Pltfs Action but that they are Justly Indebted to him the Debt in the Declaration mentioned, therefore, It is Considered that the Plaintiff Recover against the said Defendants the sum of Thirty Seven hundred pounds of Crop Tobacco of the Richmond Inspection and Costs, But this Judgment (the Costs Excepted) is to be Discharged by the payment of Eighteen hundred and fifty pounds of the aforesaid Tobacco with legal Interest thereon from [1 January 1785] till paid. Memo: The Plaintiff agreed to Stay Execution on this Judgment till June Next.”¹¹²

“On the Motion of Charles Tate, **Abner Witt**, James Wright, John Harriss and William Harris (Son of John) or any three of them they being first Sworn are appointed to view a way for a Road from the said Tates into the main Road by **Abner Witts** and Report to this Court the Conveniences and Inconveniences that may attend the said Road.”¹¹³

7 MARCH 1786
AMHERST COUNTY, VA

“John Farrar and John Waumock Exors of John Lynn Decd Pltfs against **Abner Witt** Deft. On a Rep’y Bond. It appearing On Affidavit that the Defendant hath had Legal Notice, On the Motion of the Plaintiffs by Thomas Miller Gent. their Attorney, judgment is granted them against the said Defendt. for the Sum of Eleven pounds Nine Shillings and three pence and also for their Costs by them in this behalf

¹¹⁰ Amherst Co., Court Order Book 1784–1787, p. 390; imaged, FamilySearch digital film 7586349 > image 238.

¹¹¹ Amherst Co., Court Order Book 1784–1787, p. 413; imaged, FamilySearch digital film 7586349 > image 250.

¹¹² Amherst Co., Court Order Book 1784–1787, p. 414; imaged, FamilySearch digital film 7586349 > image 251.

¹¹³ Amherst Co., Court Order Book 1784–1787, p. 415; imaged, FamilySearch digital film 7586349 > image 251.

Expended, But this Judgment (the Costs Excepted) is to be Discharged by the payment of five pounds fourteen shillings and Seven pence half penny with legal interest thereon from [3 November 1785] till paid.”¹¹⁴

“Elizabeth Hall Pltf against William Hambleton & **John Witt** Defts. On a Replivey Bond. It appearing On Affidavit that the Defts. hath had Legal Notice, On the Motion of the Plaintiff by William Crawford Gent. her Attorney, Judgement is granted her against the said Defts for the Sum of Eight Pounds one Shilling and Ten pence and also for her Costs in this behalf Expended, But this Judgment (the Costs Excepted) is to be Discharged by the payment of four pounds and eleven pence half penny with legal Interest thereon from [7 September 1785] till paid.”¹¹⁵

4 JULY 1786

AMHERST COUNTY, VA

“William Fontain Plaintiff against William Horrell Defendant. Upon an Attachment. A Summons is awarded the Plaintiff to Have **Abner Witt** Summoned to the Next Term as a Garnishee.”

“William Fontain Plaintiff against William Horrell Defendant. Upon an Attachment. A Summons is awarded the Plaintiff to Have **Abner Witt** Summoned to the Next Term as a Garnishee.”¹¹⁶

COMMENT:

Yes. Two separate, identical orders.

7 AUGUST 1786

AMHERST COUNTY, VA

“**George Witt** Ass[ignee] against John Hight, Ozborn [page torn]. In Debt. Came the Plaintiff [page torn] William Coffey personall [page torn] Coffey.”¹¹⁷

“William Martin Assee of Mary Woody who was Assignee of William Horrell Jun. Pltf against **Lewis Will** [Witt] and **Abner Witt** Defts. Petition by Note. This Suit abates as to the Deft. Lewis by the Sheriff’s Return, and by Consent of the Parties in their proper persons this Suit is Dismissed at the Defts Costs.”

“William Martin Assee of Mary Woody Pltf against **Abner Witt** and John Harris Deft. In Debt. By Consent of the parties in their proper persons this Suit is Dismissed at the Defendants Costs.”¹¹⁸

“**Littleberry Witt** [page torn] against **Abner Witt** [page torn. Came the parties [page torn] Dismis’d.”¹¹⁹

“Samuel Bridgewater and David Simpson Pltfs against **Abner Witt** Deft. Upon an Attachment. By Consent of the Parties in their proper persons this Suit is Dismis’d.”

“Andrew Hart Pltf against **Abner Witt** Deft. Upon an Attachment. Came the Plaintiff by William Crawford Gent. his Attorney, whereupon **John Witt** and **Littleberry Witt** personally appeared and became Special Bail for Deft.”¹²⁰

“John Jones Assignee of William Horrell Pltf against **Abner Witt, Mathew Harriss & John Griffin Defts.** In Debt. Came the Plaintiff by James Reid Gent. his Attorney, whereupon William Harris & **William Witt**

¹¹⁴ Amherst Co., Court Order Book 1784–1787, p. 446; imaged, FamilySearch digital film 7586349 > image 269.

¹¹⁵ Amherst Co., Court Order Book 1784–1787, p. 448; imaged, FamilySearch digital film 7586349 > image 270.

¹¹⁶ Amherst Co., Rule Order Book 1786–1789, p. 28; imaged, FamilySearch digital film 8737605 > image 27.

¹¹⁷ Amherst Co., Court Order Book 1784–1787, p. 525; imaged, FamilySearch digital film 7586349 > image 320.

¹¹⁸ Amherst Co., Court Order Book 1784–1787, p. 526; imaged, FamilySearch digital film 7586349 > image 320.

¹¹⁹ Amherst Co., Court Order Book 1784–1787, p. 533; imaged, FamilySearch digital film 7586349 > image 327.

¹²⁰ Amherst Co., Court Order Book 1784–1787, p. 534; imaged, FamilySearch digital film 7586349 > image 327.

personally appeared and undertook the said William Harriss for the Defts Harris and Griffin and **William Witt** for the Defendt. Witt, that in Case they the said Defts should be Cast in this Action that the Defts. should pay the Costs and Condemnation of the Court or Render their Bodys to prison on Discharge thereof, or that the said Wm. Harriss will pay the Costs & condemnation for the Defts. Harriss and Griffin & **William Witt** will pay the Costs and Condemnation for the Deft. Witt, whereupon the Defts being Solemnly Called failing to Appear, nor doth they Say any thing in Barr of the Plaintifs whereupon on the Motion of the Plaintiff Judgment is granted him against the said Defendants for the Sum of Two hundred and Sixty pounds the debt in the Declaration mentioned and also for his Costs by him in this behalf Expended, But this Judgment (the Costs Excepted) is to be Discharged by the payment of Eighty Nine Pounds with Legal Interest on Twenty four pounds from [1 December 1784] to [1 December 1785] also Interest on the aforesaid Sum of Eighty Nine pounds from the aforesaid [1 December 1784] till paid. Memo.: the Pltf agreed to stay Execution on this Judgment till Christmas Next."¹²¹

9 AUGUST 1786

AMHERST COUNTY, VA

"**George Witt** Pltf against John Lamaster Deft. Petition by Note. The Defendant being Duly warned and Solemly Called failling to appear, On the motion of the Plaintiff by James Reid Gent. his Attorney, Judgment is granted the Pltf against the said Deft. for the Sum of One? pound fifteen Shillings with legal interest thereon from the Last day of November [1785] until paid."¹²²

Thomas Hy. Talbert & **John Witt** Pltfs against Thomas Williamson Deft. Petition by Account. The Deft. being warned and Solemnly Called failing to appear, on the motion of Pltfs by James Reid Gent. their Attorney, and an Acknowledgment of the Justice of the Account being proved, Judgment is granted the Pltfs against the said Deft. for the Sum of four pounds Two Shillings and Costs."¹²³

"John Griffin Assignee of **Abner Witt** Pltf against Robert Hardy Deft. In Debt." James Turner, special bail for Hardy. Debt of 50pd 12s.¹²⁴

"William Fortune Pltf against William Horrell Deft. Upon an Attachment. Came the Plaintiff by James Reid Gent. his attorney, whereupon the Deft. altho solumnly Called failing to appear, whereupon **Abner Witt** being Sworn a Garnishee declares that he is Indebted to the Defendant by Bond to the Amount of One hundred and thirty pounds, but that he hath paid to the said Defendant the Sum of forty one pounds in part of the said Bond, whereupon Judgment is granted the Plaintiff against the said Defendant for the Sum of One hundred and thirteen pounds, Seven Shillings and also for his Costs by him in this behalf Expended. But this Judgment (the Costs Excepted) is to be Discharged by the payment of fifty Six pounds thirteen Shillings and Six pence, with Legal Interest thereon from [15 December 1784] until paid; and It is Ordered that **Abner Witt** the Garnishee, after paying to John Jones, a Garnishee, the sum of Sixty pounds Two Shillings, which it appears the said Horrell is Indebted to him, pay to the Plaintiff the Balance that shall then Remain in his hands towards that Judgment & Costs."¹²⁵

"On the Motion of **Abner Witt**, It is Ordered that Israel Davis pay to the said **Witt** fifty pounds of Grose Tobacco for his Attendance at this Court Two Days as a Witness for him in the Suit of John Johnson."¹²⁶

¹²¹ Amherst Co., Court Order Book 1784–1787, p. 535; imaged, FamilySearch digital film 7586349 > image 228.

¹²² Amherst Co., Court Order Book 1784–1787, p. 537; imaged, FamilySearch digital film 7586349 > image 330.

¹²³ Amherst Co., Court Order Book 1784–1787, p. 540; imaged, FamilySearch digital film 7586349 > image 332.

¹²⁴ Amherst Co., Court Order Book 1784–1787, p. 546; imaged, FamilySearch digital film 7586349 > image 338.

¹²⁵ Amherst Co., Court Order Book 1784–1787, p. 548; imaged, FamilySearch digital film 7586349 > image 344.

¹²⁶ Amherst Co., Court Order Book 1784–1787, p. 551; imaged, FamilySearch digital film 7586349 > image 269.

10 AUGUST 1786

AMHERST COUNTY, VA

“**George Witt** Assene [Assignee] of Richard Thompson Pltf against John Hight, Ozborn Coffey [&] William Hambleton Deft. In Debt. The Defendant Hight and Hambleton being duly arrested and failing to Appear, on the motion of the Plaintiff by James Reid Gent his Attorney, Judgment is granted him against the said Defendants Hight & Hambleton & Luke Hambleton & Patrick Hight their Common Bails for the Debt in the Declaration mentioned, unless the said Defendants Hight & Hambleton shall appear at the next rule & plead to Issue. And on the motion of the Defendant Coffee time is given him till the next Rule to plead.”¹²⁷

“**John Witt** Plaintiff against John Hall Junr. Defendant. In Debt. The Defendant not being arrested and on the motion of the Plaintiff by James Reed Gent his Attorney, an Alias Capias is awarded him against the said Defendant returnable to the next Term.”¹²⁸

“Robert Wright Plaintiff against **Lewis Witt** and **Joseph Roberts** Defendants. In Debt. The Defendant Roberts Being duley [*sic*] arrested and failing to Appear on the Motion of the Plaintiff by James Reed Gent. his Attorney Judgment is granted him against the said Defendant Roberts and Joell Davis his Common Bail for the Debt in the Declaration mentioned unless the said Defendant Roberts shall appear at the next rule & plead to Issue And this suit abates as to the **Defendant Witt** by the Sheriff’s return.”¹²⁹

“John Bowles Plaintiff against **Joseph Roberts & Abner Witt**. In Debt. The Defendants being duley Arrested and failing to Appear, on the motion of the Plaintiff William Crawford Gent his attorney, Judgment is Granted him against the said Defendants and **George Witt** and William Barnett their Common Bail for the Debt in the Declaration mentioned unless the said Defendants shall appear at the next rule & plead to Issue.”¹³⁰

“Josiah Atkinson Assee of John Bowles Pltf against **Joseph Roberts & Abner Witt** Defts. In Debt. The Defendant[s] Being duley arrested and failing to appear, on the motion of the Plaintiff by John Brackenridge Gent his Attorney, Judgment is granted him against the said Defendants and **George Witt & William Barnett** their Common Bailes for the Debt in the Declaration mentioned unless the said Defendants shall appear at the next rule & plead to Issue.”¹³¹

“Andrew Hart Plaintiff against **Abner Witt** Defendant. Upon an Attachment. Came as well the Plaintiff by Wiliam Crawford Gent his Attorney as the Defendant by John Brackenridge Gent his Attorney whereupon the Defendant prays & has leave till the next Rule to plead.”¹³²

“Cammeron & Mathews Plaintiffs against **Abner Witt** Defendant. In Debt. The Sheriff having returned on the Attachment awarded in this Suit that he had levied it on one Spoon and the Defendant failing to appear on the motion of the Plaintiffs by James Reed Gent their Attorney, Judgment is granted them against the said Deft. for the Sum of Twenty-five pounds fifteen Shillings and ten pence & Costs which Judgment the Costs Excepted is to be Discharged by the payment of Twelve pounds Seventeen Shillings and Eleven pence with legal Interest thereon from [5 May 1785] until paid.”¹³³

¹²⁷ Amherst Co., Rule Order Book 1786–1789, p. 46; imaged, FamilySearch digital film 8737605 > image 38.

¹²⁸ Amherst Co., Rule Order Book 1786–1789, p. 46; imaged, FamilySearch digital film 8737605 > image 38.

¹²⁹ Amherst Co., Rule Order Book 1786–1789, p. 48; imaged, FamilySearch digital film 8737605 > image 39.

¹³⁰ Amherst Co., Rule Order Book 1786–1789, p. 50; imaged, FamilySearch digital film 8737605 > image 40.

¹³¹ Amherst Co., Rule Order Book 1786–1789, p. 54; imaged, FamilySearch digital film 8737605 > image 42.

¹³² Amherst Co., Rule Order Book 1786–1789, p. 61; imaged, FamilySearch digital film 8737605 > image 45.

¹³³ Amherst Co., Rule Order Book 1786–1789, p. 66; imaged, FamilySearch digital film 8737605 > image 48.

5 SEPTEMBER 1786

AMHERST COUNTY, VA

“John Bowles Plaintiff against **Joseph Roberts & Abner Witt** Defendants. In Debt. The Defendants again failing to Appear, On the motion of the Pltf by William Crawford Gent his Attorney, It’s Considered that the order of the Tenth of August last is confirmed and that Plaintiff recover against the said Defendants and **George Witt** and William Barnett their Common Bail the Sum of four pounds & Costs to be Dischg’d. Except the Costs by the payment of Seventeen pounds four Shillings with legal Interst on Twenty two pounds from [25 December 1784] to [2 February 1785], also Interest on the aforesaid Seventeen pounds four Shillings from the said [2 February 1785] until paid.”¹³⁴

“Josiah Atkinson Assee of John Bowles Plaintiff against **Joseph Roberts & Abner Witt** Defendants. In Debt. The defendants against failing to Appear on the motion of the Plaintiff by John Brackenridge Gent his Attorney it’s considered that the order of the Tenth of August last be confirmed and that the Plaintiff recover against the said Defendant[s] and **George Witt & William Barnett** their Comon Bail for the sum [of] One Hundred pounds & Costs to be Discharged Except the Costs by the payment of Fifty pounds with legal Interest thereon from [25 December 1785] till paid.”¹³⁵

“Andrew Hart Pltf against **Abner Witt** Deft. Upon an Attachment. Came as well the Plaintiff by William Crawford Gent his Attorney as the Defendant by John Brackenridge Gent. his Attorney whereupon the Defendant saith that he hath paid the Debt which the Plaintiff against him hath Complained for. And of that he puts himself upon his Country & the Plaintiff doth the same therefore the trial of the Issue Between them is referred till the Next Term.”¹³⁶

2 OCTOBER 1786

AMHERST COUNTY, VA

“**Abner Witt** acknowledged his two Deeds Indented with the Receipt thereon Indorsed to Joseph Roberts to be his Act and Deed, and ordered to be Recorded.”

COMMENT:

Abner Witt has previously assigned notes due to him (which would have been done at a discount) in order to raise money to pay his debts. He’s now selling two pieces of land. Possibly it’s a conditional sale to secure Roberts who is being sued with him in the next term of court. Working the deeds will shed more light on this issue.

6 NOVEMBER 1786

AMHERST COUNTY, VA

“John Bowles Pltf against **Joseph Roberds & Abner Witt** Deft. In Debt. Came the Plaintiff by William Crawford Gent. his Attorney. Whereupon William Barnett personally appeared and undertook for the Defendants that in Case they Should be Cast in this Suit that they the said Joseph Roberts & **Abner Witt** Should pay the Costs and Consideration of the Court or Render their Bodies to prison in Discha [Almost all the rest of the document is torn.]

“Israil Davis Pltf against **Joseph Roberts** Deft. In Debt.” William Barnett also appeared to serve as special bail for Roberts in this case.

“Joseph Dejarnett Pltf against **Joseph Roberts**, Saml. Lackey & John Williamson Defts. In Debt.” Again, William Barnett undertook for Joseph and the other defendants.

¹³⁴ Amherst Co., Rule Order Book 1786–1789, p. 76; imaged, FamilySearch digital film 8737605 > image 53.

¹³⁵ Amherst Co., Rule Order Book 1786–1789, p. 80; imaged, FamilySearch digital film 8737605 > image 55.

¹³⁶ Amherst Co., Rule Order Book 1786–1789, p. 88; imaged, FamilySearch digital film 8737605 > image 59.

“Thomas Powell (Taylor) Pltf against **Joseph Roberts** Deft. In Debt. Again, **William Barnett** appeared to undertake for Roberts.¹³⁷

“Elias Wills Pltf against **Abner Witt** Deft. In Case. This Suit is Dismissed at the Plaintiffs Costs by Order of the Plaintiffs Attorney.”

“On the Motion of John Hardee its Ordered that **Abner Witt** pay to the Said Hardie Three Hundred pounds of Loose Tobacco for his Attendance at this Court Four Days and for Traveling Twice Twenty Five miles from Buckenham County as a witness for him at the Suit of Elias Wills.”¹³⁸

9 NOVEMBER 1786

AMHERST COUNTY, VA

“**George Witt** Assee of Richard F____, Pltf. against John Hight, Ozborn Coffee & William Hambleton Defts. In Debt. Came the Parties by their Attorneys ... whereupon the Defts. Attorney waves his plea ... & saith that he is not Further Informed ... Therefore [judgment for plaintiff.]¹³⁹

10 NOVEMBER 1786

AMHERST COUNTY, VA

“**John Witt** Plaintiff against John Hall Junr. Defendant. In Debt. The Defendant Being duly Arrested and failing to appear, on the motion of the Plaintiff by James Reid Gent. Judgment is granted him against the said Defendant and John Hall Senr. his Common Bail for the Debt in the Declaration mentioned unless the same Defendant shall appear at the Next rule and Plead to Issue.”¹⁴⁰

“William Russell Assee of David Crawford, Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt** and **Benjamin Carpenter** Defts. In Debt. The Defendants not being Arrested, on the Motion of the Plaintiff by James Reed Gent. his Attorney, an Alias Capias is awarded him against the Said Defendants Returnable to the Next Term.”¹⁴¹

“James Woods Executor of James Woods Deceased, Assee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt** and **Benjamin Carpenter** Defts. In Debt. The Defendants not being Arrested on the motion of the Plaintiff by James Reed Gent. his Attorney, an Alias Capias is awarded him against the Said Defendants returnable to the Next Term.”¹⁴²

“John Bowles Pltf against **Joseph Roberts** and **Abner Witt** Defts. In Debt. Came as Well the Plaintiff by William Crawford Gent his Attorney as the Defendants by James Reed Gentleman their Attorney, whereupon the Judgment of the Fifth of September Last is Set aside. And the Defendants Saith that they have paid the Debt in the Declaration mentioned and of that they put themselves upon their Country and the Plaintiff doth the same. Therefore the Trial of the Issue between them is referred till the Next Term.¹⁴³

“Josiah Atkinson Assee of John Bowls Pltf against **Joseph Roberts** and **Abner Witt** Defts. In Debt.” Ditto the details of the Bowles case above.¹⁴⁴

¹³⁷ Amherst Co., Court Order Book 1784–1787, pp. 569–70; imaged, FamilySearch digital film 7586349 > image 362.

¹³⁸ Amherst Co., Court Order Book 1784–1787, p. 589; imaged, FamilySearch digital film 7586349 > image 382.

¹³⁹ Amherst Co., Court Order Book 1784–1787, p. 608; imaged, *FamilySearch* digital film 7586349 > image 399.

¹⁴⁰ Amherst Co., Rule Order Book 1786–1789, pp. 102–3; imaged, FamilySearch digital film 8737605 > image 66.

¹⁴¹ Amherst Co., Rule Order Book 1786–1789, p. 133; imaged, FamilySearch digital film 8737605 > image 81.

¹⁴² Amherst Co., Rule Order Book 1786–1789, p. 133; imaged, FamilySearch digital film 8737605 > image 81.

¹⁴³ Amherst Co., Rule Order Book 1786–1789, p. 137; imaged, FamilySearch digital film 8737605 > image 83.

¹⁴⁴ Amherst Co., Rule Order Book 1786–1789, p. 137; imaged, FamilySearch digital film 8737605 > image 83.

1 JANUARY 1787

AMHERST COUNTY, VA

“A Deed Indented with the Receipt thereon Indorsed, from **William Witt** to **Littleberry Witt** was proved by the oaths of Zacharias Bu [torn] **Abney** [sic] **Witt** and Da [torn] Witt, Witnesses thereto. Ordered to be Recorded.”¹⁴⁵

COMMENT:

There did exist an Abney Whitney in the county, but the fact that two other Witt’s appear in this document suggests that Abner Witt was intended.

“A Deed of Trust from **Abner Witt** to **John Witt**, Benjamin Carpenter, **Littleberry Witt** and **William Witt** was proved by the Oath of **David Witt** and Alexander McAlexander And Ordered to be Recorded.”¹⁴⁶

2 JANUARY 1787

AMHERST COUNTY, VA

“**John Witt** Pltf against John Hall Jun. Deft. In Debt.” Judgment of last 10 November confirmed. Debt for 24 pounds, 10 shillings & costs, to be discharged (costs excepted) by payment of 6 pounds 1 shilling 4 pence with legal interest on 12 pounds 5 shillings from 25 December 1784 ...¹⁴⁷

8 MARCH 1787

AMHERST COUNTY, VA

“James Brooks Exor of Samuel Woods Dec’d Pltf against Joseas Dodd & **Abner Witt** Deft. In Debt. The Defendant not Being arrested, on the motion of the Pltf by James Reed Gent his Atty an Alias Capias is awarded him against the said Defts Returnable to the Next Term.”¹⁴⁸

“William Russell Assee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt, and Benjamin Carpenter** Defts. In Debt. The Defendants not Being arrested, on the Motion of the Plaintiff by James Reid Gent his Attorney, an Attachment is awarded him against the said Defendants Estate for the Sum of Three Hundred and Ninety three pounds fifteen Shillings and Ten pence & Costs Returnable to the Next Term.”

“James Woods, Exr. of James Woods Decd. Assee of David Crawford Sheriff of Amherst County, Pltf. against **Abner Witt, John Witt, Littleberry Witt, William Witt, and Benjamin Carpenter** Defts. In Debt. The Defendants not being arrested ...” Same attorney. Same result. Levy against the Witts for 2,260 pounds of Richmond Inspected Crop Tobacco and 2 pounds 6 shillings 6 pence currency, plus costs, returnable to the next term.¹⁴⁹

10 MAY 1787

AMHERST COUNTY, VIRGINIA

“William Russell Assee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt & Benjamin Carpenter**, Deft. In Debt. Came the Plaintiff by James Reid his Attorney And the Sheriff haveing Returned on the Attachment awarded in this Suit that he had Levied it on one Negroe Boy, Two Horses, and about Four Hundred Pounds of Loose Tobacco, the Property of the Defendant Benjamin Carpenter & One Spoon, the property of the Defendant **John Witt** and that the

¹⁴⁵ Amherst Co., Court Order Book 1784–1787, p. 626; imaged, FamilySearch digital film 7586349 > image 411.

¹⁴⁶ Amherst Co., Court Order Book 1784–1787, p. 628; imaged, FamilySearch digital film 7586349 > image 412.

¹⁴⁷ Amherst Co., Rule Order Book 1786–1789, pp. 162–63; imaged, FamilySearch digital film 8737605 > images 95–96.

¹⁴⁸ Amherst Co., Rule Order Book 1786–1789, p. 181; imaged, FamilySearch digital film 8737605 > image106.

¹⁴⁹ Amherst Co., Rule Order Book 1786–1789, p. 200; imaged, FamilySearch digital film 8737605 > image115.

other Defendants had no goods & chattles within his Bailiwick whereof he could Levy the said Attachments. And the Defendants Benjamin Carpenter and **John Witt** failing to appear on the motion of the Plaintiff by his Attorney aforesaid Judgment is granted him against the said Defts. for the Sum of” 393£ 15s 10p and Costs. “But this Judgment the Costs Excepted) is to be Discharged by the payment of” 196£ 17s & 11p with Legal Interest from 7 July 1786 until paid. “And It is Ordered that the Sheriff Expose to public Sale for Ready Money the aforesaid Attachd. Effects And out of the Money arrissing from the Sale thereof to pay to the Plaintiff the aforesaid Judgment And the Ballance if any remaining to Retain in his hands. And On the Motion of the Plaintiff by his Attorney aforesaid an alias Attachment is awarded him against the Defts. **Abner Witt, Littlebery Witt & William Witts** Estates for the Sum of” 393£ 15s 10p and costs, returnable to the next term.

“James Woods Executor of James Woods Deceased, Assee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt John Witt Littleberry Witt William Witt & Benjamin Carpenter** Deft. In Debt. Came the Plaintiff by James Reed Gent his Attorney, And the Sheriff haveing Returned in the Attachment awarded in this Suit that he had Levied it on One Negro Boy, Two Horses, and about Four Hundred pounds of Loose Tobacco, the property of the Defendant Benjamin Carpenter, and one Spoon the property of the Defendant **John Witt** And that the Other Defendants had no goods & Chattle within his bailiwick ...” Same issues as above. Debt for 2264£ Richmond Inspected Crop Tobacco and 2£ 3s 3p. Debt to be discharged by paying half, etc., all the provisions above.¹⁵⁰

“Richard Perkins Assee of **William Witt** Pltf against Henry Smith & John Watkins Defts. In Debt.¹⁵¹

COMMENT:

William Witt would have been holding a note against Smith, which he apparently assigned to Perkins (i.e., sold at discount in order to get cash to pay his bills or else gave to Perkins in lieu of money he owed Perkins).

“Benjamin Carpenter Assee of **Abner Witt** Pltf against William Forbes Deft. On a Petition. The Defendant not being Warned, On the Motion of the Plaintiff an alias summons is awarded him against the said defendant returnable to the Next Term.¹⁵²

COMMENT:

Again, one of the Witts has signed over to a debtor, a note or account they are holding against someone else.

6 AUGUST 1787

AMHERST COUNTY, VA

“William Russell Assee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt** and **Benjamin Carpenter** Defts. In Debt. Came the Plaintiff by James Reed Gent his Attorney, Whereupon **George Witt**, John Clarke, Thomas H. Tolbot, Moses Hughs, and Davie Clarke personally appeared in court and undertook for the Defendants that in Case they should be Cast in this Action [etc].”¹⁵³

7 AUGUST 1787

AMHERST COUNTY, VA

¹⁵⁰ Amherst Co., Rule Order Book 1786–1789, pp. 242–43; imaged, FamilySearch digital film 8737605 > images 138–39.

¹⁵¹ Amherst Co., Rule Order Book 1786–1789, p. 253; imaged, FamilySearch digital film 8737605 > image 144.

¹⁵² Amherst Co., Rule Order Book 1786–1789, p. 264; imaged, FamilySearch digital film 8737605 > image 150.

¹⁵³ Amherst Co., Court Order Book 1787–1790, p. 58; imaged, FamilySearch digital film 007856350 > image 37.

“Andrew Hart Pltff against **Abner Witt** Deft. Upon an Attachment. This Attachment is Dismissed at the Defendant’s Costs by Consent of Parties.”¹⁵⁴

“John Bowles Pltf against Joseph Roberds & **Abner Witt**. In Debt. Came the parties by their Attorneys aforesaid whereupon the Defendants’ Attorney waves his plea by him heretofore pled and saith that he is not further informed What Defence to make, Therefore It is Considered that the Plaintiff Recover against the said Defendants the Sum of Forty four Pounds and also for his Costs by him about his Suit in this Behalf Expended. But this judgment the Costs Excepted is to be Discharged by the payment of Seventeen Pounds four Shillings with Legal Interest on Twenty two Pounds from [21 December 1784] to [22 February 1785] also Interest on the aforesaid Sum of Seventeen Pounds four Shillings from the aforesaid [2 February 1785] till paid.”¹⁵⁵

9 AUGUST 1787

AMHERST COUNTY, VA

“William Russell Assee of David Crawford, Sheriff of Amherst County, Plaintiff, against **Abner Witt, John Witt, Littleberry Witt, William Witt** and **Benjamin Carpenter**. Came as well the Plaintiff by James Reid Gent. his Attorney as the Defendants in their proper persons whereupon the Defendants says [*sic*] they have paid the Debt in the Declaration mentioned and of that they puts [*sic*] themselves upon their Country and the Plaintiff doth the same, therefore the Trial of the Issue between them is refered till the next Term.”¹⁵⁶

“John Guerrant Pltf against **John Witt** and Thomas Talbot Deft. In Debt. The Defendant **Witt** being arrested and failing to appear, on the motion of the Plaintiff by John Nicholas Gent his Attorney, Judgment is granted him against the said Defendant Witt and **Elisha Will** his Common Bail for the Debt in the Declaration mentioned unless the said Defendant shall appear at the next Rule and Plead to Issue. The Defendant Talbot not being arrested, on the motion of the Plaintiff by his Attorney aforesd. an Alias Capias is awarded him against the said Defendant Talbert Returnable to the next Term.”¹⁵⁷

4 SEPTEMBER 1787

AMHERST COUNTY, VIRGINIA

“John Guerrant Pltf against **John Witt** Deft. In Debt. The Defendant again failing to appear, On the motion of the Plaintiff by John Nicholas Gent his Attorney, The Order of the Ninth of August last is Confirmed and that the Plaintiff recover against the said Defendant and **Elisha Will** his Common Bail the Sum of Twelve pounds.”¹⁵⁸

1 OCTOBER 1787

AMHERST COUNTY, VA

“**Joseph Roberts** Acknowledged his Deed Indented to Clough Skelton to be his Act and Deed and Ordered to be Recorded.”¹⁵⁹

NOVEMBER 1787

AMHERST COUNTY, VA

“James Woods Exor of James Woods Dec’d, Assee of David Crawford Sheriff of Amherst County Pltf

¹⁵⁴ Amherst Co., Court Order Book 1787–1790, p. 79; imaged, *FamilySearch* digital film 007856350 > image 48.

¹⁵⁵ Amherst Co., Court Order Book 1787–1790, p. 86; imaged, *FamilySearch* digital film 007856350 > image 52.

¹⁵⁶ Amherst Co., Rule Order Book 1786–1789, p. 289; imaged, *FamilySearch* digital film 8737605 > image 165.

¹⁵⁷ Amherst Co., Rule Order Book 1786–1789, p. 302; imaged, *FamilySearch* digital film 8737605 > image 172.

¹⁵⁸ Amherst Co., Rule Order Book 1786–1789, p. 341; imaged, *FamilySearch* digital film 8737605 > image 194.

¹⁵⁹ Amherst Co., Court Order Book 1787–1790, p. 122; imaged, *FamilySearch* digital film 007856350 > image 72.

against **Abner Witt, John Witt, Littleberry Witt, William Witt** and **Benjamin Carpenter** Defts. In Debt. Came the Plaintiff by James Reid Gent his Attorney, Whereupon the Judgment of the Tenth of May last is set aside and to be tried by a Jury and the Shriff haveing returned on the Alias Attachment awarded in this Suit against **Abner Witt, Littleberry Witt & William Witt** that he had Levyed it on one Spoon, the Goods & Chattles of **Littleberry Witt**. Whereupon Judgment is granted the Plaintiff against the said Defendant Littleberry the Debt in the Declaration mentioned to be Assertained by a Jury at the next Term. And a Plurias Attach is awarded the Plaintiff against the said Defendants **Abner & William** for the Sum of [2260] pounds of Richmond Inspected Crop Tobacco & two pounds six Shillings & Six pence & Costs returnable to the next Term."¹⁶⁰

4 MARCH 1788
AMHERST COUNTY, VA

"**George Witt** Pltf against John Lancaster and John Campbell Wag^r [waggoner] Deft. On a Replevey Bond. It appearing on Affidavit that the Deft. hath had Legal notice, on the motion of the Pltf by James Reid Gent. his Attorney Execution is awarded him against the said Defts for the Sum of Six pounds five Shillings and Eleven pence, and Costs, to be Discharged by the payment of Three pounds two shillings and Eleven pence with legal Interest thereon from [21 February 1787] till paid."¹⁶¹

5 MARCH 1788
AMHERST COUNTY, VA

"**William Witt** Pltf against John Clarkson Junr. Deft. In Case. Came the Plaintiff by John Breckenridge Gent. his Attorney. The Defendant not being arrested, a Plurias Capias is awarded the Plaintiff against the said Defendant Returnable to the next Term."¹⁶²

"James Woods Exor James Woods Dec'd, Assee David Crawford Sheriff Pltf against **Abner Witt & William Witt**. In Debt. Came the Plaintiff by James Reid Gent. his Attorney. The Sheriff's having Return'd on the Plurias Attachment awarded in this Suit that he had Levyed it on the Goods and Chattles of **William Witt, Aber [sic] Witt** no Inhabitant. Judgment is granted the Plaintiff against the said Defendant **William Witt** for the Debt in the Decleration mentioned To be Assertain'd by an Enquiry thereof by a Jury at the next Term."¹⁶³

COMMENT:

- This record dates the removal of Abner Witt [Jr.] from the county between 9 August 1787 (when he and the other Witts appeared in court "in their proper persons" for the case Russell v. Witt) and this day 5 March 1788.
- It is likely that the move occurred about October 1787, when the Sheriff levied on John Witt and stated the others had nothing to levy upon (see 8 November 1787 hearing, Woods vs. Witt). The sheriff did not state then, as he does now, that Abner was "no inhabitant."
- By 16 June 1794, **Abner Witt** had settled in "Knox Co. and territory South of Ohio River" (Tennessee) when Jas. Littrell, acting as attorney for Abner, sold Jos. Roberts three tracts of land: one on N branch Davis, a second of 99 acres formerly that of Jno. Key, joining himself; and a third of 35 acres, formerly that of Jno. Craighead.¹⁶⁴

¹⁶⁰ Amherst Co., Rule Order Book 1786–1789, p. 367; imaged, FamilySearch digital film 8737605 > image 208.

¹⁶¹ Amherst Co., Court Order Book 1787–1790, p. 191; imaged, *FamilySearch* digital film 007856350 > image109.

¹⁶² Amherst Co., Rule Order Book 1786–1789, p. 436; imaged, FamilySearch digital film 8737605 > image 249.

¹⁶³ Amherst Co., Rule Order Book 1786–1789, p. 438; imaged, FamilySearch digital film 8737605 > image 250.

¹⁶⁴ Davis, *Deeds of Amherst County, VA.*, 286; citing Amherst Co., Deed Book G: 385.

7 APRIL 1788

AMHERST COUNTY, VA

“On the Petition of Samuel Reid, James Woods, **John Witt**, Thomas Henley Talbert and Nathaniel Clark or any three of them they being first Sworn are appointed to View the Old and present Road from the River below Mrs. Ayres’s to the River below Samuel Reids and to View a new way for a Road from and to the same place, and Report to this County Court the Conveniences and Inconveniencies that may attend the said Roads, and the proprietors names of the Land thro which the new Road may Run, and whether they Consent the new Road may Run they [their] way you shall View and mark.”¹⁶⁵

9 APRIL 1788

AMHERST COUNTY, VA

“David Simpson Pltf against David Clark Deft. In Debt. Came the Plaintiff by James Reid Gent. his Attorney, and the Defendant again failing to appear, the Order of the fifth of March Last is Confirmed and that the Plaintiff recover against the said Deft. and **John Witt**, his Common Bail the Sum of Eight pounds Sixteen Shillings and Eight pence and Costs, to be Discharged (Except the Costs) by the payment of four pounds, Eighteen Shillings and one penny with Legal Interest thereon from [12 April 1787], till paid.”¹⁶⁶

5 MAY 1788

AMHERST COUNTY, VA

David Witt and **Littleberry Witt** were among 50 or so men charged by the Grand Jury with not attending the election and not voting.¹⁶⁷

7 MAY 1788

AMHERST COUNTY, VA

“James Brooks Executor of Samuel Woods Dec’d Pltf against Joseas Dodd & **Abner Witt** Defts. In Debt. Came as well the Plaintiff by James Reed Gent. his attorney, as the Defts by John Breckenridge Gent. their Attorney, Whereupon the Defendants Attorney waves his plea by him heretofore plead, and saith that he is not further iformed [*sic*] what Defence to make. Therefore it is Considered that the Plaintiff recovered [*sic*] against the said Defendants the Sum of One Hundred and Twenty pounds the Debt in the Declaration mentioned and also his Costs in this behalf Expended, But this Judgment (the Costs excepted) is to be Discharged by the payment of Sixty pounds with Legal Interest thereon from [2 January 1786] till paid.”¹⁶⁸

8 MAY 1788

AMHERST COUNTY, VA

“James Litterell Pltf against **Abner Witt** Deft. On an Attachment. This Suit is Continued till the next Term for the Garnishee [Witt].”

“Richard Perkins Assignee of **William Witt** Pltf against Richard Litterell and **John Witt** Defts. On a Petition by Note. The Defendants being dully Warned and failing to appear, On the Motion of the Plaintiff by James Reed Gent. his Attorney, Judgment is granted him against the said Defendants for the Sum of Three pounds ten Shillings and Costs. But this Judgment (the Costs Excepted) is to be Discharged by the payment of One pound fifteen Shillings with legal Interest thereon from [6 October 1786] till

¹⁶⁵ Amherst Co., Court Order Book 1787–1790, p. 197; imaged, *FamilySearch* digital film 007856350 > image 112.

¹⁶⁶ Amherst Co., Rule Order Book 1786–1789, p. 456; imaged, *FamilySearch* digital film 8737605 > image 260.

¹⁶⁷ Amherst Co., Court Order Book 1787–1790, pp. 205–6; imaged, *FamilySearch* digital film 007856350 > image 116

¹⁶⁸ Amherst Co., Court Order Book 1787–1790, p. 240; imaged, *FamilySearch* digital film 7856350 > image 133.

paid.”¹⁶⁹

“The Petition brought by Benjamin Carpenter, Assignee [of] **Abner Witt** against William Forbes is Continued between the Parties till the next Term.”¹⁷⁰

MAY TERM 1788

AMHERST COUNTY, VA

William Walton is appointed foreman of the grand jury that charges about 50 men in the county with “not attending the Election and Voting According to Law.” All are summoned to appear at the next term of court. Among those charged are **Littleberry Witt**, Colonel Christian, John and Isaac Tinsley, Smith Tandy.¹⁷¹

8 JULY 1788

AMHERST COUNTY, VA

“**William Witt** Pltf against John Clarkson Deft. In Case. Came the Plaintiff by John Breckenridge Gent. his Attorney, and the Defendant not being arrested, a Plurias Capias is awarded him against the said Deft. Returnable to the next Term.”¹⁷²

4 AUGUST 1788

AMHERST COUNTY, VA

“James Woods, Exor of James Woods Dec’d, Assignee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt** and Benjamin Carpenter, Defts. In Debt. This Suit is Dismissed at the Defendants Costs.”¹⁷³

“William Russell Assignee of David Crawford sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt** and Benjamin Carpenter, Defts. In Debt. This Suit is Continued till the next Term, between the Parties.”¹⁷⁴

7 AUGUST 1788

AMHERST COUNTY, VA

“Robert Hart Surviving Partner of Hart and Marshall Pltf against John Hall, Bartlett Fitzjarrell & Osbon Coffee Defts. In Debt. Came the Plaintiff by William Crawford Gent. his Attorney, and the Defts. Hall and Coffee being duly arrested and failing to appear, order is granted the Pltfs against the said Defendants Holland Coffee and William Coffee Bail for Coffee and **John Witt** Common Bail for Hall for the Debt in the Declaration mentioned, Unless the said Defendants shall appear at the next rule and Plead to Issue. And the Defendant Fitzjarrell not being arrested an Alias Capias is awarded the Plaintiff against the said Defendant Fitzjarrell returnable to the next Term.”¹⁷⁵

COMMENT:

Judgment 2 September 1788 against defendants John Hall, Osbon Coffee, and their common bails William Coffee and **John Witt**, none of whom appeared in court. 44 pounds.¹⁷⁶

¹⁶⁹ Amherst Co., Court Order Book 1787–1790, pp. 250, 254; imaged, *FamilySearch* digital film 7856350 > images 138–39.

¹⁷⁰ Amherst Co., Court Order Book 1787–1790, p. 256; imaged, *FamilySearch* digital film 7856350 > image 140.

¹⁷¹ Amherst Co., Court Order Book 1787–1790, pp. 205–6; imaged, *FamilySearch* digital film 007856350 > image 116.

¹⁷² Amherst Co., Rule Order Book 1786–1789, p. 492; imaged, *FamilySearch* digital film 8737605 > image 281.

¹⁷³ Amherst Co., Court Order Book 1787–1790, p. 289; imaged, *FamilySearch* digital film 7856350 > image 157.

¹⁷⁴ Amherst Co., Court Order Book 1787–1790, p. 305; imaged, *FamilySearch* digital film 7856350 > image 165.

¹⁷⁵ Amherst Co., Rule Order Book 1786–1789, p. 507; imaged, *FamilySearch* digital film 8737605 > image 289.

¹⁷⁶ Amherst Co., Rule Order Book 1786–1789, p. 516; imaged, *FamilySearch* digital film 8737605 > image 293.

“Irving Galt & Compy Pltfs against **Richard Litterell** Deft. In Debt. Came the Plaintiffs by William Crawford Gent. their Attorney And the Defendant being duly Arrested and failing to appear, Order is granted the Plaintiffs against the said Defendant and **John Witt** his Common Bail for the Debt in the Declaration mentioned, Unless the said Defendant shall appear at the next rule and plead to Issue.”¹⁷⁷

COMMENT:

Judgment 2 September 1788 against Litterell/Litterall and **John Witt**, after Litterall failed to appear in court. 55pds. 13s, 11p, plus costs. To be discharged (costs excepted) by payment of 27pds 16s 11p with legal interest from 1 January 1787 till paid.¹⁷⁸

Richard Litterell (like Joseph Roberts, another co-signer for the Witts) also did business with, the mercantile firm Thompson & Teas—a firm in the neighborhood of the Waltons and Lavenders. In September court 1788, amid T&T’s suits against former customers, Richard Litterell deeded land to the firm.¹⁷⁹

“**William Witt** Pltf against John Clarkson Deft. In Case. This Suit is Dismissed being agreed, by the note from the Plaintiff.”¹⁸⁰

5 NOVEMBER 1788
AMHERST COUNTY, VA

“James Woods Exor James Woods Dec’d Assee David Crawford Sheriff of Amherst County, Pltf. against **William Witt** Deft. In Debt. By Consent of Parties this Suit is Continued till the next Term.”¹⁸¹

NOVEMBER 1788—MARCH 1789
AMHERST COUNTY, VA

Court action

“References from November 1788 to March Court 1789. ... Daniel Harvie vs. George Lee & **John Witt** Debt. Com. Order vs. Defts & Bail / Same for Spy & Costs.”¹⁸²

2 MARCH 1789
AMHERST COUNTY, VA

“Commonwealth Pltf against **John Witt**. Presentment of the Grand Jury for not keeping of the Road in repair. Came the Plaintiff by William Crawford Gent. his Attorney Whereupon the Defendant not being Summoned an Alias Summons is awarded him [the plaintiff] against the said Defendant returnable to the next Term.”¹⁸³

3 MARCH 1789
AMHERST COUNTY, VA

“Benjamin Carpenter Assee [of] **Abner Witt** Pltf against Edward Houchin Deft. On a Petition by Note. The Defendant being duly warned, and failing to appear, On the Motion of the Plaintiff by James Reed Gent. his attorney, judgment is granted him against the said Defendant for the Sum of Two pounds five Shillings with Legal Interest thereon from [1 November 1786] till paid. And also his Costs by him in this

¹⁷⁷ Amherst Co., Rule Order Book 1786–1789, p. 515; imaged, FamilySearch digital film 8737605 > image 293.

¹⁷⁸ Amherst Co., Rule Order Book 1786–1789, p. 540; imaged, FamilySearch digital film 8737605 > image 305.

¹⁷⁹ Amherst Co., Court Order Book 1787–1790, p. 348; imaged, FamilySearch digital film 7856350 > image 186.

¹⁸⁰ Amherst Co., Rule Order Book 1786–1789, p. 536; imaged, FamilySearch digital film 8737605 > image 303.

¹⁸¹ Amherst Co., Court Order Book 1787–1790, p. 399; imaged, FamilySearch digital film 7856350 > image 212.

¹⁸² Amherst Co., Rule Order Book 1786–1789, p. 562; imaged, FamilySearch digital film 8737605 > image 323.

¹⁸³ Amherst Co., Court Order Book 1787–1790, p. 417; imaged, FamilySearch digital film 7856350 > image 221.

behalf expended.”¹⁸⁴

4 MAY 1789

AMHERST COUNTY, VA

“The Presentment of the Grand Jury against the Surveyor of the Road from Doak’s Gap to **John Witts** is Dismissed.”¹⁸⁵

COMMENT:

John Witt Jr. is still in the county as a landowner.

“James Woods Exor of James Woods Dec’d Assee of David Crawford sheriff of Amherst County Pltf against **William Witt** Deft. In Debt. By Consent of parties this Suit is dismissed at the Defendants Costs.”¹⁸⁶

MAY-AUGUST 1789

AMHERST COUNTY, VA

“From May to August Court 1789 ... Richard Perkins Assee **William Witt** vs. Henry Smith. Debt. Ruled to plead. Judgment for want of a plea.”¹⁸⁷

COMMENT:

No further Witts in this volume. No further volume in this rule-book series until well into the 1800s.

1 JUNE 1789

AMHERST COUNTY, VA

“A Deed Indented from John Herd & Mary Heard [sic] his Wife to **George Witt, John Witt**, and Josiah Dodd and the Receipt thereon Indorsed was proved by the Oath of William Litterell, Jessee Baber, and John Litterell Witnesses thereto, and Ordered to be Recorded.”¹⁸⁸

“**John Witt** acknowledged his Deed Indented to Clough Shelton to be his Act and Deed, and Ordered to be Recorded.”¹⁸⁹

3 AUGUST 1789

AMHERST COUNTY, VA

“Irving Gatt & Compy Pltfs against Josiah Dodd Deft. In Debt. Came the Plaintiffs by William Crawford Gent. their Attorney, Whereupon **Elisha Witt** personally appeared in Court and Undertook for the Defendant that in Case he should be Cast in the said Action that he the said Defendant should pay the Costs and Condemnation of the Court or render his Body to prison in Discharge thereof or that he the said Elisha Witt would pay the Costs and Condemnation for him.”

Elisha Witt and **John Witt** served on the petit jury this term.¹⁹⁰

6 OCTOBER 1789

AMHERST COUNTY, VA

¹⁸⁴ Amherst Co., Court Order Book 1787–1790, p. 435; imaged, *FamilySearch* digital film 7856350 > image 230.

¹⁸⁵ Amherst Co., Court Order Book 1787–1790, p. 471; imaged, *FamilySearch* digital film 7856350 > image 248.

¹⁸⁶ Amherst Co., Court Order Book 1787–1790, p. 474; imaged, *FamilySearch* digital film 7856350 > image 249.

¹⁸⁷ Amherst Co., Rule Order Book 1786–1789, p. 573; imaged, *FamilySearch* digital film 8737605 > image 331.

¹⁸⁸ Amherst Co., Court Order Book 1787–1790, p. 484; imaged, *FamilySearch* digital film 7856350 > image 254.

¹⁸⁹ Amherst Co., Court Order Book 1787–1790, p. 496; imaged, *FamilySearch* digital film 7856350 > image 267.

¹⁹⁰ Amherst Co., Court Order Book 1787–1790, pp. 503–4; imaged, *FamilySearch* digital film 7856350 > image 271.

“**George Witt** Pltf against David Clark Deft. On a Petition by Penal Bill. The Defendant being duly Warn’d and failing to appear, On the motion of the Plaintiff by James Reed Gent. his attorney, Judgement is granted him against the said Defendant for the Sum of Three pounds four Shillings and Costs, To be Discharged (Except the Costs) by the payment of One Pound twelve Shillings with Legal Interest thereon from [1 October 1785] till paid.”¹⁹¹

“James Litterell Pltf against **Abner Witt** Deft. Upon an Attachment. This Suit is Continued between the parties till the next Term.”

“Benjamin Carpenter Assee of **Abner Witt** Pltf against William Forbus, Deft. On a petition by Note. The Defendant being duly Warn’d and failing to appear, On the Motion of the Plaintiff by James Reed Gent. his Attorney, Judgment is granted him against the said Defendant for the Sum of Four hundred pounds of Good sound Leaf Tobacco with Legal Interest thereon from” 1 November 1786 ‘till paid. And also his Costs by him about his Suit in this behalf expended.”¹⁹²

3 NOVEMBER 1789
AMHERST COUNTY, VA

“William Russell Assignee of David Crawford Sheriff of Amherst County Pltf against **Abner Witt, John Witt, Littleberry Witt, William Witt**, and Benjamin Carpenter, Defts. In Debt. By Consent of Parties this Suit is Dismissed at the Defendants’ Costs.”¹⁹³

1 MARCH 1790
AMHERST COUNTY, VA

David Witt and **Littleberry Witt** serve on petit jury.

5 APRIL 1790
AMHERST COUNTY, VA

“**John Witt** Acknowledged his Deed Indented to **William Witt** also the Receipt thereon Indorsed to be his Act and Deed and Ordered to be Recorded.”

“**John Witt** Acknowledged his Deed Indented to William Abney, also the Receipt thereon Indorsed to be his Act and Deed, and Ordered to be Recorded.”¹⁹⁴

7 JUNE 1790
AMHERST COUNTY, VA

“**John Witt** Acknowledged his Deed Indented to Clough Shelton also the Memorandum and receipt thereon Indorsed to be his Act and Deed, and ordered to be Recorded.”¹⁹⁵

1 NOVEMBER 1790
AMHERST COUNTY, VA

“A Grand jury for the Body of the County, to wit, William Walton, Foreman, Joseph Penn ... **John Witt** ... returned with the following Presentments.” Items include: “Philip Thurmond Junr for living in Adultery with Virgin [sic] Taylor within two months last past on the information of Unity Evans.”¹⁹⁶

¹⁹¹ Amherst Co., Court Order Book 1787–1790, p. 546; imaged, *FamilySearch* digital film 7856350 > image 293.

¹⁹² Amherst Co., Court Order Book 1787–1790, p. 551; imaged, *FamilySearch* digital film 7856350 > image 296.

¹⁹³ Amherst Co., Court Order Book 1787–1790, p. 574; imaged, *FamilySearch* digital film 7856350 > image 307.

¹⁹⁴ Amherst Co., Court Order Book 1787–1790, p. 629; imaged, *FamilySearch* digital film 7856350 > image 337.

¹⁹⁵ Amherst Co., Court Order Book 1787–1790, p.673; imaged, *FamilySearch* digital film 7856350 > image 361.

¹⁹⁶ Amherst Co., Court Order Book 1790–1794, p. 26; imaged, *FamilySearch* digital film 78563650 > image 414.

3 NOVEMBER 1790

AMHERST COUNTY, VA

“On the Motion of **Littleberry Witt**, Its Ordered that **James Litterell** pay to the said Witt Seventy five pounds of Grose Tobacco for his Attendance at this County Court three Days as a Witness for him at the Suit of Irving Galt & Co.”

“On the Motion of **Benjamin Carpenter**, It’s Ordered that **James Litterell** pay to the said Carpenter Seventy five pounds of Groce Tobacco for his Attendance at this County Court three Days as a Witness for him at the Suit of Irving Galt & Co.”

“On the Motion of **David Witt**, It’s Ordered that **James Literell** pay to the said Witt Seventy five pounds of Groce Tobacco for his Attendance at this County Court three Days as a Witness for him at the Suit of Irving Gatt & Compy.”¹⁹⁷

“On the Motion of **William Litterell**, It’s Ordered that **James Literell** pay to the said William Litterell Seventy five pounds of Groce Tobacco for his Attendance at this County Court three Days as a Witness for him at the Suit of Irving Gatt & Compy.”¹⁹⁸

7 FEBRUARY 1791

AMHERST COUNTY, VA

“James Brooks Acknowledged his Deed Indented to **David Witt** to be his Act and Deed, and Ordered to be Recorded.”¹⁹⁹

“A Deed Indented from James Hambleton to William Litterell was proved by the Oath of **John Witt**, William Litterell, and John Litterell Witnesses thereto, and the same is Ordered to be Recorded.”²⁰⁰

8 FEBRUARY 1791

AMHERST COUNTY, VA

“James Litterell Pltf against **Abner Witt** Deft. Upon an Attachment. This Suit is Continued between the Parties till the next Court.”²⁰¹

7 MARCH 1791

AMHERST COUNTY, VA

John Witt served on grand jury.²⁰²

8 MARCH 1791

AMHERST COUNTY, VA

“On the Motion of **David Witt** Its Ordered that James Litterell pay to the said Witt fifty pounds of Gross Tobacco for his attendance at this County Court two Days as a Witness for him at the Suit of Irving Galt & Company.”

“On the Motion of **Littleberry Witt** Its Ordered that James Litterell pay to the said Witt fifty pounds of Gross Tobacco for his attendance at this County Court two Days as a Witness for him at the Suit of Irving

¹⁹⁷ Amherst Co., Court Order Book 1790–1794, p. 53; imaged, *FamilySearch* digital film 7856350 > image 427.

¹⁹⁸ Amherst Co., Court Order Book 1790–1794, p. 54; imaged, *FamilySearch* digital film 7856350 > image 428.

¹⁹⁹ Amherst Co., Court Order Book 1790–1794, p. 62; imaged, *FamilySearch* digital film 7856350 > image 432.

²⁰⁰ Amherst Co., Court Order Book 1790–1794, p. 68; imaged, *FamilySearch* digital film 7856350 > image 435.

²⁰¹ Amherst Co., Court Order Book 1790–1794, p. 76; imaged, *FamilySearch* digital film 7856350 > image 439.

²⁰² Amherst Co., Court Order Book 1790–1794, p. 103; imaged, *FamilySearch* digital film 7856350 > image 452.

Galt & Company.”²⁰³

COMMENT:

Same orders for William Litterell and Benjamin Carpenter who, like the Witts, were supposed to have been already paid.

3 AUGUST 1791

AMHERST COUNTY, VA

Court order

“James Litterell Pltf against **Abner Witt** Deft. Upon an Attachment. This Suit is Dismissed for the want of further prosecuting.”²⁰⁴

3 OCTOBER 1791

AMHERST COUNTY, VA

“A Deed Poll from **William Witt** to Robert Grant and the Receipt thereon Endorsed was proved by the Oath of James Vegus, Bartholomew Merren and Thomas Elliot Crutchfield, witnesses thereto, and the same is Ordered to be Recorded.”²⁰⁵

5 DECEMBER 1791

AMHERST COUNTY, VA

“Robert Hardy is appointed Surveyor of the Road in the room of **Joseph Roberts**, and it is Ordered that he do with the Usual Gang keep the said Road in repair according to Law.”²⁰⁶

18 JUNE 1792

AMHERST COUNTY, VA

Marriage. **Samuel Fitzpatrick** to marry Ann Sparks. Permission of **David Witt** “father of Ann Sparks.” Bondsman: **Dennett Witt**. Witnesses: Ezekiel Campbell; Jesse Oglesby.²⁰⁷

16 JULY 1792

AMHERST COUNTY, VA

Court order

“George & Susannah Perry to **David Witt** a bill of Sale proven by the oath of **Dennett Witt** a witness thereto and ordered to lie for further proof.”

17 SEPTEMBER 1792

AMHERST COUNTY, VA

“**George Witt** and **Betsey** his wife, **John Witt** and **Elizabeth** his wife, Josiah Dodd and Mary his wife, the Betsy, Elizabeth, and Mary being first privily examined, acknowledge their deed indented with the receipt endorsed to Joseph Shirkland Senr. and the same is ordered to be recorded.”

“Robert Baber to **David Witt** a power of attorney proven by the oaths of **Littleberry Witt**, **Demmit Witt** and Bumpus Baber subscribing witnesses thereto and ordered to be recorded.”

²⁰³ Amherst Co., Court Order Book 1790–1794, p. 126; imaged, *FamilySearch* digital film 7856350 > image 464.

²⁰⁴ Amherst Co., Court Order Book 1790–1794, p. 264; imaged, *FamilySearch* digital film 8248729 > image 46. This order book is split across two different rolls of film.

²⁰⁵ Amherst Co., Court Order Book 1790–1794, p. 290; imaged, *FamilySearch* digital film 8248729 > image 54.

²⁰⁶ Amherst Co., Court Order Book 1790–1794, p. 364; imaged, *FamilySearch* digital film 8248729 > image 98.

²⁰⁷ Amherst Co. Marriage Book 1: 49; imaged, Amherst Reel 37, Library of Virginia.

“Robert Baber to **Dennit Witt** a deed indented proven by the oaths of Ezekiel Campbell, **David Witt** and Bumpus Baber subscribing witnesses thereto and ordered to be recorded.”

“**David Witt** to **Littleberry Witt** a deed indented with the receipt endorsed acknowledged in open Court and ordered to be recorded.”

“David Phillips and Mary his wife to **Joseph Roberts**, a deed indented with a memorandum endorsed proven by the oath of John Thomas, a Subscribing witness thereto and the same is ordered to lie for further proof.”²⁰⁸

15 OCTOBER 1792

AMHERST COUNTY, VA

“Susanna Perry and George Perry to **David Witt** a bill of Sale further proven by the oath of Ezekiel Campbell and ordered to be recorded.”²⁰⁹

21 JANUARY 1793

AMHERST COUNTY, VA

“**William Witt** [“Will”] to William Wood, a deed indented with a receipt endorsed acknowledged in open Court and ordered to be recorded.”²¹⁰

18 MARCH 1793

AMHERST COUNTY, VA

David Witt served on jury in case of Irving Galt & Co. vs. James Lain.²¹¹

20 MARCH 1793

AMHERST COUNTY, VA

“On the motion of **Littleberry Witt** and **David Witt** it is ordered that James Littrell pay each of them fifty pounds of Gros Tobacco for their respective attendances at this Court two days as witness for him at the Suit of Irving Galt & Co.”²¹²

18 JUNE 1793

AMHERST COUNTY, VA

“**John Witt** (“Will”) Pltf vs. John Moore Dft. “In Petition for debt. ... Dismissed, the pltfs not prosecuting.”²¹³

17 FEBRUARY 1794

AMHERST COUNTY, VA

“An Indenture of Bargain and Sale between **William Walton** of the one part and **Joseph Roberts** of the other part together with the Receipt thereon endorsed was proven by the oaths of Benjamin Henderson and Eddy Fortune witnesses thereto and ordered to lie for further proof.”²¹⁴

COMMENT:

²⁰⁸ Amherst Co., Court Order Book 1790–1794, p. 451; imaged, *FamilySearch* digital film 8248729 > image 145.

²⁰⁹ Amherst Co., Court Order Book 1790–1794, p. 454; imaged, *FamilySearch* digital film 8248729 > image 147.

²¹⁰ Amherst Co., Court Order Book 1790–1794, p. 496; imaged, *FamilySearch* digital film 8248729 > image 172.

²¹¹ Amherst Co., Court Order Book 1790–1794, p. 505; imaged, *FamilySearch* digital film 8248729 > image 176.

²¹² Amherst Co., Court Order Book 1790–1794, p. 511; imaged, *FamilySearch* digital film 8248729 > image 179.

²¹³ Amherst Co., Court Order Book 1790–1794, p. 557; imaged, *FamilySearch* digital film 8248729 > image 202.

²¹⁴ Amherst Co., Court Order Book 1790–1794, p. 705; imaged, *FamilySearch* digital film 8248729 > image 284.

Deed Book G: 565–66. Walton sold 3 tracts on N branch of Rucker’s Run & Ragged Mountain adj. Jno. Loving Jr., Col. Lomax, Jno. Tuggle, Lunsford Lomax Jr., Jno. Montgomery, Abraham Seay.
Check the deed books to see whether any of this adjoined Roberts.

COMMENT:

This order book ends on 21 February 1794. The next one (1799–1801) begins with a filmer’s note “March 1794 to May 1799 missing at time of microfilming.”

17 FEBRUARY 1800
AMHERST COUNTY, VA

Court order

“John Witt Plf. against **William Witt** & Joseph Roberts Defts. In Chancery. Dismissed, the Plt not further prosecuting.”²¹⁵

²¹⁵ Amherst Co., Court Order Book 1799–1801, p. 129; imaged, *FamilySearch* digital film 8247629 > image 390.