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1
Plead at the Court House of Putaski County, before the
Judge of the Circuit Superior Court of Law and Chancery for said
County on Thursday the 21st day of April 1842

Be it remembered that heretofore to wit, on the 2nd day of
April 1842, came John A. Howe by his Attorney and sued
out of the Clerk's office of the said Circuit Superior Court of Law
and Chancery a writ of Subpoena against Daniel Hoge,
James Hoge and Lynch A. Cummin, which writ with the return
sent thereto, made, is in the words and figures following:
The Commonwealth of Virginia, To the Sheriff of Putaski Coun-
ty Greeting: You are hereby commanded to summon dan-
iel Hoge, James Hoge and Lynch A. Cummin to appear at the
Clerk's Office of the Circuit Superior Court of Law and Chancery
hither for Putaski County at the Court House on the first next
day on which next, to answer a bill in Chancery exhibited
against them by John A. Howe, and unless they shall answer
the said bill within four months thereafter, the Court will
take the same for confessed, and decree accordingly. And this
they shall in no wise omit, under the penalty of \$100, And
have them there this writ, Witness My Hand, D^o Charleston Clerk
of our said Court at Putaski Court House, the 26th day of April
1842, in the 10th year of the Commonwealth.

April 3 (Charleston Clk.)

Return, executed on the defendants and delivered them Office
Copies

Joseph Hickham & for Ransoph Fugate & Co.
And at another day to wit, At Rules held in the Clerk's Office of
the said Circuit Superior Court of Law and Chancery on the
day of October 1842, came the plaintiff by his attorney and
filed his bill against the defendants, which bill is in these words,

"To the Honorable James E. Brown Judge of the Circuit Superior Court
of Law and Chancery for Putaski County. The Bill of Complaint of
your Orator John A. Howe, would most respectfully represent to your
Honor, that at a sale of delinquent lands, made on the 4th day
of March 1841, by Lynch A. Cummin Commissioner of delinquent
and forfeited lands for the County of Putaski, a tract of three thou-
sand acres, lying on the waters of Salt Creek on the said County
adjourning the lands of your Complainant, James Hoge, and others
returned delinquent on the name of Daniel McCreaw, and known
as McCreaw's survey No 3, was put up for sale, one Joseph S. Graham
acting as agent for the said Commissioner, your Orator and one
Daniel Hoge, being the principal, of not the only bidders therefor,
which they by repeated bids were up to the sum of \$1000, which
was, as your Orator thought, about the real value of the land,
At this stage of the sale your Orator resigned the cause, the said
Graham to discontinue the sale. By a firm movement, which he
did, when your Orator sought an interview with the said