April Term 1869

You have spoken of litigation between you and Polk, did Polk ever bring a suit against you?

24 X Answer

No Sir.

Twenty fifth Cross Interrogatory

Did you bring suit against the tenants of Polk claiming them as your tenants

25 X Answer:

I distrained on the effects in the two houses belonging to the tenants that I let the premises to previous to the tax sale the said tenants had paid me rent which is in the account as agent of Mr Blitz

Twenty Sixth Cross Interrogatory

Were the goods replevied by the tenants?

26 X Answer

"Yes Sir."

Twenty seventh Cross Interrogatory

Were the replevin suits tried

27 X Answer

"Yes Sir.

Twenty Eighth Cross Interrogatory

Who gained them?

28 X Answer

"The tenants"

Twenty ninth Cross Interrogatory

Were those tenants in possession of this property at the time of your assignment of this property to Father Mr. Reynolds?

29 X Answer

They were not.

Thirtieth Cross Interrogatory

Were other tenants in possession of the property put there by Polk or his Wife?

30 X Answer:

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"I dont know I put other tenants into possession and received rent from them."

Thirty first Cross Interrogatory

Was or was not the possession and right of possession a matter of dispute between you and Polk at the time of the assignment of said mortgage?

31 X Answer

"I never acknowledged Mr Polk to be in possession."

Thirty Second Cross Interrogatory

Did you not very frequently as many as four times distrain upon his tenants and upon taking the right of distress to the Court was it not decided against you?

32 X Answer

"I distrained upon Mr Hosmer and Mr Olmstead the tenants that occupied and rented the houses from me before Mr Polk purchased at the tax sale. They replevied and the cases were tried before the Court of Common Pleas and Judge King rendered Judgment in my favor; afterwards Mr Hosmer and Mr Olmsted having paid the rent to Polk and Mr Polk not being present at the trial as I understood from one of the tenants Mr Price counsel for Mr Polk filed a petition for a new trial which was granted, and the case were tried and decision were rendered in favor of the tenants they having paid their rent to Mr Polk."

Thirty third Cross Interrogatory

Did the said Hosmer and Olmstead claim to be tenants of Polk?

33 X Answer

"Mr Olmsted told me that he believed Mr Polk gave some inducement to Hosmer to get him to sign an agreement to pay rent to him and that Mr Hosmer persuaded him to do the same, but that he would never do so again."

Thirty fourth Interrogatory