

Civil Case: William A. Blair vs Solomon Tumbleson - partition

| Name in Record | Reason for Being in Record | Date of Record |
|------------------------------|---|----------------|
| William A. Blair | Plaintiff | Jan. Term 1863 |
| Solomon Tumbleson | Defendant | |
| William A. Blair | Complaint: John Bloom d. 1845 seized of 140 acres | |
| Mary Elizabeth Bloom | Heir of John Bloom, deceased | |
| William J. Bloom | Heir of John Bloom, deceased | |
| William A. Blair | Married Mary Elizabeth Bloom Oct. 10, 1854 | |
| Mary Elizabeth (Bloom) Blair | Died July 5, 1856 | |
| William Blair | Owner in common of said 140 acres; wish partition | |
| Solomon Tumbleson | Owner in common of said 140 acres | |
| David Studabaker | Attorney for Plaintiff | |
| Solomon Tumbleson | Summoned to answer William Blair on complaint for partition | Dec. 9, 1863 |
| John M. McConnel | Clerk | |
| Solomon Tumbleson | Answer: Wishes to delay hearing so he can get depositions | Jan. 12, 1864 |
| Solomon Tumbleson | Oath: Blair had no interest in land and knew he purchased all of it | |
| John M. McConnel | Clerk | |
| William A. Blair | Plaintiff - denies allegations in answer of defendant | No date |
| Solomon Tumbleson | Defendant; | |
| David Studabaker | Attorney for plaintiff | |
| William A. Blair | Notified of plans to take deposition | No date |
| David Studabaker | Attorney for plaintiff; notified on plans to take deposition | |
| Turner Baldrige | Will be scheduled to give deposition | |
| J. R. Bobo | Attorney for defendant | |
| John McConnel | Clerk; Notice to John Frow to take depostion in Adams County, Ohio | Jan. 26, 1864 |
| John Frow | Notary Public to take depostions in Adams County, Ohio | |
| William A. Blair | Plaintiff | Feb. 16, 1864 |
| Solomon Tumbleson | Defendant | |
| John Frow | Notary Public for Adams County, State of Ohio | |
| William J. Bloom | Summoned to office of John Frow to testify on behalf of defendant | |
| Turner Baldrige | Summoned to office of John Frow to testify on behalf of defendant | |
| A. C. Lewis | Summoned to office of John Frow to testify on behalf of defendant | |
| W. S. Vance | Summoned to office of John Frow to testify on behalf of defendant | |
| Arminda Davis | Summoned to office of John Frow to testify on behalf of defendant | |
| John Davis | Summoned to office of John Frow to testify on behalf of defendant | |
| William A. Blair | Plaintiff | March 29, 1864 |
| Solomon Tumbleson | Defendant | |
| Henry Stacy | Summoned to testify on behalf of plaintiff | |
| John M. McConnel | Clerk | |
| William A. Blair | Plaintiff - is present with attorney for deposition of S. T. Baldrige | May Term 1864 |
| Solomon Tumbleson | Defendant - takes deposition of S. T. Baldrige with attorney present | |
| T. C. Downey | Attorney for plaintiff | |
| W. W. McKnight | Attorney for defendant | |
| S. T. Baldrige | Of Adams County, State of Ohio; gives deposition | |
| S. T. Baldrige | Deposes: Age 40; resident of Wayne Twp., Adams Co., Ohio | |
| S. T. Baldrige | Deposes; Has been acquainted with Mr. Tumbleson for 10 years | |
| S. T. Baldrige | Deposes; Met Mr. Blair in 1858 | |
| S. T. Baldrige | Became guardian for William J. Bloom in Mr. Blair's place in 1858 | |
| William J. Bloom | S. T. Baldrige became his guardian in 1858 | |
| William J. Bloom | Allegedly sold his land to Solomon Tumbleson | |
| S. T. Baldrige | Never heard of any claim of said land by William Blair | |
| S. T. Baldrige | Had authority of said land as guardian of W. Bloom (1858-1862) | |
| S. T. Baldrige | Used proceeds from land for taxes, repair of land and paying agent | |
| S. T. Baldrige | Received money from William Blair, former guardian, from land sale | |
| Mary Elizabeth Blair | Wife of William Blair, formerly Mary E. Bloom | |
| Mary Elizabeth Blair | First wife of William Blair; also sister to William J. Bloom | |
| John Bloom | Father of William Jesse Bloom & Mary Elizabeth (Bloom) Blair | |
| William Blair | Was in US Service when Bloom sold said land to Baldrige | |
| Mr. and Mrs. Stacy | Aunt & uncle of William Bloom | |

| | | |
|----------------------|--|---------------|
| William Bloom | Age 21 in Autumn of 1862 | |
| Armina Davis | Gives deposition; age 45; residence Adams County, State of Ohio | May Term 1864 |
| Armina Davis | Acquainted with William A. Blair since he was a small boy | |
| Armina Davis | Acquainted with Solomon Tumbleson for many years | |
| Armina Davis | William Bloom & Mary (Bloom) Blair were raised with her family | |
| Armina Davis | Says Wm Blair & Mary Bloom md in 1855; she d. July 1856; had twins | |
| Armina Davis | Says twins b. Wednesday and mother died following Saturday | |
| Armina Davis | Says twins were dead before Mary died | |
| Armina Davis | Says Mary (Bloom) Blair was age 20-21 at her death | |
| Armina Davis | Says William Bloom was only living child of John Bloom at Mary's death | |
| William S. Vance | Gives deposition; age 29; residence Adams County, State of Ohio | May Term 1864 |
| William S. Vance | Acquainted with all parties of this suit | |
| William J. Bloom | Gives deposition; age 22; resident of Adams County, State of Ohio | May Term 1864 |
| William J. Bloom | Says he sold said land to Solomon Tumbleson | |
| William J. Bloom | Inherited land from father; mother & siblings were deceased | |
| William J. Bloom | Says William Blair never claimed an interest in said land | |
| James M. Davis | Guardian of Wm. Bloom & 2 sisters when father died | |
| William Blair | Married Mary Bloom and became guardian of Wm Bloom | |
| Young daughter Bloom | Died before William Blair & Mary Bloom were married | |
| S. T. Baldrige | Was chosen by William Bloom to be his guardian | |
| William J. Bloom | Claimed Mr. Blair was in US Service in hospital when he sold land | |
| William J. Bloom | Never paid any consideration money to Mr. Blair from said land | |
| William J. Bloom | Claims he was never warned to confer with Blair before selling land | |
| William J. Bloom | Claims guardian did not advise him to sell land | |
| John B. Davis | Gives deposition; | May Term 1864 |
| John B. Davis | Acquainted with all for several years | |
| John B. Davis | Never heard Mr. Blair saying anything about having interest in said land | |
| Dr. A. C. Lewis | Gives deposition; Age 53; physician; residence Adams County, Ohio | May Term 1864 |
| Dr. A. C. Lewis | Knew Mary (Bloom) Blair before & during marriage to Wm. Blair | |
| Dr. A. C. Lewis | Mary (Bloom) Blair gave birth to stillborn twins on July 2, 1856 | |
| Dr. A. C. Lewis | Did not see Mary after delivery; she was in a dying condition as he left | |
| John Frow | Notary Public for Adams County, Ohio | May Term 1864 |
| John Frow | Oath of true depositions taken Feb 20-22, 1864 | |

Roll No 28 (33)

William A Blair

vs Partition

Solomon Trimblison

1865

Bt 15

The State of Indiana, to the Sheriff of Adams County.

You are hereby commanded to summon Henry Stacy

vs
Mr Henry Stacy and Josiah K. Kilmore

to appear in the Court of Common Pleas on the 10th day of May 1864.

to testify in an action wherein William A. Blair

is, plaintiff and Solomon Lamberson is

Defendant, on behalf of the Plaintiff

and of this summons make due return.

WITNESSE This 27th day of March 1864

John M. Council CLERK, C. C. P.

William A Blair
vs
Solomon Lamberson

Comes now
the plaintiff and denies each and
every allegation of the defendant
answer

Solomon Lamberson
Atty for Plaintiff

State of Ohio
Adams County } p

To William J. Bloom, Turner Baldridge

A. L. Lewis, N. S. Vance, Arminda Davis John
Davis

You are hereby
commanded to be and appear before me, a
Notary Public of the State of Ohio, in and for
said County, at my office in the town of Winchester
in the said County of Adams, on the twentieth day
day of February 1864 between the hours of 9 o'clock
A.M. and 6 o'clock P.M. of said day, then and
there to be examined and the truth to speak, in
behalf of the defendant in a certain cause now
pending in the Court of Common Pleas in the County
of Adams and State of Indiana, wherein William
A. Blair is Plaintiff and Solomon Lamberson is
Defendant. Given under my hand and official
seal, this 16th day of February A.D. 1864

John Frow
Notary Public

Depositions of witnesses taken in an action
pending in the Common Pleas Court ~~and~~ of Adams
County, State of Indiana, May Term, 1864.
William A. Blair)
vs.

Solomon Tumbleson. } And for said defendant,
at the time and place, hereinafter mentioned,
The Plaintiff and defendant, with their attorneys
being present, J. C. Downey on the part of the Plaintiff
and W. W. McKnight on the part of the Defendant,

J. T. Baldrige of the County of Adams and
State of Ohio, of lawful age being first duly
sworn by me, as hereinafter certified, deposes
as follows.

Examination by ~~Plaintiff~~ ^{Defendant}. What is your name
age and where do you reside

Ans. J. T. Baldrige, aged forty years, resides in
Wayne Township Adams County Ohio

Q What acquaintance have you with
Solomon Tumbleson Defendant & W. A.
Blair Plaintiff. I have had some acquaintance
with Solomon Tumbleson about ten years. I
became acquainted with William A. Blair in
1858 at which time I was appointed Guardian
of William Bloom in the place of Mr. Blair

Q What do you know concerning a Sale
of land ^{made} in Adams County, Indiana
by W. J. Bloom to Solomon Tumbleson

Ans. All I know about it is that Mr. Bloom
told me he had sold his land to Mr. Tumbleson
and I have heard the same thing from others
but know nothing about it of my own
knowledge. (excepted to by Plaintiff Attorney
because it is hearsay)

Ques. What right did William A Blair pretend to have in said lands of any
Ans. None so far as I know, he never spoke of any claim he had thereto to

Ques. State if you ever exercised any authority ⁱⁿ said lands and if so by what authority

Ans. I did as the Guardian of William J Bloom from the Autumn of 1838 to the Autumn of 1862

Ques. What did you do with the proceeds of said lands

Ans. The proceeds were appropriated to paying the taxes on the land and keeping the land in repair, and for paying an agent in coming to Ohio for W. J. Blooms benefit

Ques. State whether or not you charged your self as guardian of W. J. Bloom with the proceeds of said lands and used the tax receipts and amount paid for repair as vouchers against your wage in your settlement with the Probate Court of Adams County Ohio

Ans. My settlement with the Probate ^{County} I presented the statement of my Agent in Indiana of the proceeds and expenses showing that the expenditure consumed all the proceeds of said land including the expenses of an agent coming to the Ohio for Blooms benefit

Ques. Did you and ever have any money or other assets in your hands as Guardian of said Bloom and if so where and how did you get them

Ans. I have had some money, it was received from William A Blair, the former Guardian of said Wm J. Bloom and was partly the product of a sale of some land sold in Adams County Ohio upon the petition of W. A Blair as Guardian of William J. Bloom

Ques. Did or did not W. J. Blair, while guardian of W. J. Bloom retain in his own right or the right of his wife Mary E. Blair late Mary E. Bloom any money or other proceeds of said lands in Lawrence Co

Ans. I cant say, I dont know that he did
Ques. What relationship exists or ever did exist between W. J. Blair and W. J. Bloom

Ans. W. A Blair married W. J. Blooms sister Blairs first wife ~~was~~ wife (Blooms sister) was dead & he was married again before I was appointed Blooms Guardian Crop exmanated by Plaintiffs attorney

Ques. Were you acquainted with John Bloom the father of Sarah Jesse Bloom and his family and if so how many children had he living at the time of the death of Mary Elizabeth wife of said William A Blair

Ans. I was not acquainted with the family of John Bloom. My acquaintance with William J. Bloom commenced a short time before I was appointed his Guardian. I don't know how many children of John Bloom were living at the time of the death of Mrs Blair wife of the said Wm A Blair.

Ques. do you know of your own personal knowledge that Mary Elizabeth the wife of said Blair was a sister of said Wm J Bloom and daughter of said John Bloom. if so do you know at the time of her death whether she had any issue living.

Ans. From my personal knowledge I know nothing about Mary Elizabeth wife ~~of~~ ^{said} Wm A Blair or her issue.

Question did you ever advise the said Wm J. Bloom to sell said land in Indiana. or not to sell it. and if so state the reasons of your advice.

Ans. I did advise him not ^{to} sell, because I thought being a young man he would be likely to spend the money and that it would do him less good than the land.

Question did you ever have any conversation with Wm A. Blair in reference to any interest he might have in the estate of said John Bloom. or did you know that he had any interest in said estate.

5
by virtue of his marriage with said Mary E. Bloom.

Ans. No, I never had any conversation with him on the subject. nor know that he had ^{any} interest in said estate.

Question did Mr Tumbleson ever have any conversation with you in reference to the title of the land he purchased of said Bloom. in Indiana. and if so what was your advice to him in reference to Blooms right to make a good title to said land.

Ans. He never asked anything about Blooms ability to make a good title, but he wished to ^{know} ^{the title} whether it was good and I understood him to have reference to the original title, and I think he asked me something about the said Blooms age. I told Mr Tumbleson that I supposed Bloom was of age.

Question do you know where Wm Blair was when Bloom sold said land. if so state where he was.

Ans. I was informed that he was in the United States service.

Reexamined by the defendant
Quest. Did you not have authentic knowledge of the said William J. Blooms age by affidavit or otherwise? at the time you had the conversation referred to with Mr Tumbleson.

Ans. I had the affidavit of Mr Stacy & wife the uncle & aunt of the said

William J Bloom who claimed to have knowledge of his age, which affidavit stated that he was 21 years of age in the Autumn of 1862

S. B. Balmidge

Also Mrs Anninda Davis of lawful age being first duly sworn as herein after certified, deposeseth as follows.

Ques. By defendant Mr. What is your name age and where do you reside

Ans. My name is Anninda Davis, my age is forty five years, my residence is in Wayne township Adams county Ohio

Ques. What circumstances have you with Wm A Blair plaintiff & Solomon J. Jamblyson left James with Wm J Bloom and Mary C. Blair deceased late Mary C. Bloom and wife of Wm A Blair

Ans. I have been well acquainted with Wm A. Blair from the time that he was a small boy, I have been well acquainted with Solomon Jamblyson for many years, William J. Bloom and Mary C. Blair wife of said William A. Blair were raised in my family

Ques. State when Wm A. Blair and Mary C. Bloom were married and how long Mary C. lived after they were married and whether or not she had any issue during her marriage

Ans. I have a record of their marriage at home cannot state with precision but believe it was in the ^{year} 1855 Mary & lived a little over a year after their marriage, a short time before her death in the month of July 1856, she became the mother of twins, Blair & State how long Mary C. Bloom lived after she gave birth to those two children that you speak about and whether or not they were still born or born alive.

Ans. The children were born on Wednesday evening and the mother died on the Saturday following. I was not present at the birth of the children, don't know whether they were still born, only from hearsay

Ques. State how old she was when she died

Ans. I have the records at home, cannot state precisely but believe she was about 20 or 21 years old

Ques. State from personal knowledge whether Mary C. had any issue other than the twins that you speak about

Ans. She had none.

Ques. State whether the twins were living at the time that Mary C. died

Ans. The children were dead.

Ques. State whether or not Wm A. Blair ever claimed to have any right or interest in lands in the State of Indiana & Adams county sold by Wm J. Bloom to Solomon Jamblyson and that the land in controversy