

Ans. I never <sup>had</sup> time to claim any interest therein  
Qust Did you ever know W. A. Blair to  
appropriate any money or process of said  
Blair to his own use being in his every right  
to do so with Mary E. Blair and while he  
was guardian of Saie J. Bloom

Ans. I have no knowledge of anything of the kind.  
Crop examined by the Plaintiffs attorney

Question were the Said Wm J. Bloom &  
Mary E. Bloom wife of Said Blair the  
only children of Said John Bloom  
reft. if not were there any other  
children of Said John Bloom living  
except the Said Wm J. Bloom at the  
death of Said Mary E. Blair

Ans. There were other children but none living  
at the time of Mary E. Blairs death. Wm J.  
Bloom & Mary E. was the only living  
Child at the time. ( objected by defts  
Attorney as not proper on Crop examination )

Question did you ever hear the Said  
W. A. Blair disclaiming any interest in the  
lands in controversy  
Ans. I never heard him say any thing  
about it

Question at the time Said Lane was  
sold by Said Bloom to Said Tomblison  
do you know anything of the whereabouts  
of Said Blair

Ans. From the best of my knowledge he was  
in the United States service, but of this I  
have nothing but hearsay.

Aminda Davis

( 17 )

Also William S. Vance of lawful age, being  
duly sworn as herein after certified as follows  
Qust What is your name, age and where  
and where do you reside  
Ans. My names is William S. Vance, my  
residence is in Winchester township, my  
age is 29 years.

Qust Are you acquainted with the parties  
to this suit and also with Wm J. Bloom  
Ans. I am well acquainted with all  
of them

Qust Did you ever know of Mr. Blair  
claiming any interest in land in Adams  
County Pennsylvania sold by Wm J. Bloom  
to T. Tomblison

Ans. I never heard him claiming or disclaim-  
ing any interest wherein

Mr. S. Vance

Also William J. Bloom of lawful age, being  
duly sworn as herein after certified as follows.

Qust By ~~Refugee~~ What

What is your name, age &  
where do you reside

Ans. My names is William J. Bloom  
my age is 22 years past, my residence  
is in Winchester township

Qust State if you sell the land in controver-  
sy to T. Tomblison and if so how you came  
in possession of Said lands

Ans. I did. I inherited it from my father.  
My Brothers and Sisters being all dead  
and leaving no issue, my mother being  
dead also.

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I State if Wm A Blair ever pretended to have  
any claim or right in Said land or told  
you to Sell it to Mr. Tumbleton in the State of  
~~Penns~~ & Adams County Pa.  
Ans. He never said any thing to me about  
claiming any rights or interest in said  
land.

Qust State Who controlled and had the  
care of Said lands from the time your  
father died up to the time that you didn't  
Ans. James Mc Davis was first appointed Guardian  
of my two sisters and myself and continued  
as Guardian until my eldest sister married  
William A Blair my youngest sister having  
in the mean time died, William A. Blair  
was then appointed my Guardian and  
acted as such until I arrived at an  
age to choose my own Guardian, when  
I chose S. S. Baldridge who acted in that  
capacity until I arrived at majority.  
During the time of my minority those  
several Guardians exercised a control over  
said land.

Qust State Whether or not Wm A. Blair  
while he was your guardian ever retained  
any of the proceeds of Said land in his own  
right or right of his wife. or whether Baldridge  
as your guardian ever paid any of the proceeds  
to W. A. Blair.

Ans. I have heard that Blair received forty five  
dollars for rent for said land, he at the time  
acting as my Guardian, I don't know  
what became of the money. Mr Baldridge  
never paid Mr Blair any thing as the

as the proceeds of said land.  
Qust State whether or not you ever  
had any conversation or correspondence  
and if so whether or not he claimed or  
disclaimed having any right, power  
or interest in said lands since your  
majority and before you sold it  
Ans. Never till after the land was sold  
But I have had any correspondence with  
Mr Blair since you sold it and if so  
can he claim or disclaim interest in  
said land.

Ans. My Uncle in Indiana wrote to me in  
reference to rent stating that Mr Tumbleton claimed  
the rent and wishing me to write to  
Mr Blair in reference to it, I then wrote  
to Blair, and Blair wrote to me that he  
had had nothing to do with the land for  
some time (dictated and letter demanded.)  
Qust State if you were frequently at your  
sister during her marriage with Blair  
and if so whether or not there were ever  
any births other than those mentioned  
by yourselves.

Ans. I was frequently there, but there was  
never any spoken of but them.

Qust Did you ever have knowledge that Mr  
Blair claimed an interest in said land  
before you sold it to Tumbleton

Ans. Never did.

Cross examined by Plaintiff's attorney  
Qust State whether Mrs. J. Blair

was your Sister, and if so whether she had any children living at her death, and whether you had any other Brother or Sister living at her death.  
Ans. She was my sister, she had none child living I had never other Brother or Sister living at her death.

Inqrs. Was she an equal heir with you during her life, in the lands you sold to Tumbleston in Indiana.

Ans. She was as far as I know, (objecting to be defendant, counsel on the ground of incompetency.)

Question. State whether you and Mr. Blair had any agreement with each other before you sold the lands to Tumbleston, whereby to defraud Said Tumbleston, and to divide Said Money between you.

Ans. Never had.

Inqrs. Was Mr. Tumbleston well acquainted with you and the family before he purchased Said Land.

Ans. He was well acquainted with me as for the family I can't tell.

Inqrs. State whether he approached you first in reference to Said Land or whether you first spoke to him.

Ans. He was at Mrs Davis where I then made my home, but I do not now remember which made the first overture.

Question. Were you frequently in company with Mr. Blair after your Sisters death and State also if you can where Mr. Blair was at the time you sold Said Land.

Ans. I was not very often in company and as to where he was when I sold the land from what I can learn he was in the United States service in some hospital.

Inqrs. State whether you ever paid Mr. Blair any of the consideration money of Said Land or any money whatever as a consideration for his interest in Said Land.

Ans. I did not.

Inqrs. State whether you were not warned against selling Said Land without first securing Blairs interest and if so by whom.

Ans. I never was by any one.

Inqrs. Did your Guardian Mr. Baldridge advise you to sell Said Land to Tumbleston.

Ans. He did not.

Inqrs. Did you ever have any conversation with him about Said Land and if so what was the nature of Said conversation and what was his advice to you.

Ans. His advice was for me to go out to see the place before I parted with it.

Inqrs. What was the state of your information as to Blairs receiving for five dollars per acre of Said Land spoken of in your examination in chief.

Ans. I can't say it was last Tuesday I heard a letter and from my uncle It was last Tuesday

Ques. Please State how you know that Blair was acting as your Guardian at the time he received said Money Ans. The letter that my uncle got <sup>from</sup> said so.

Ans. Then all you know about is from the letter spoken of

Ans. Yes sir

Ques. State when said letter was written

Ans. I can't state that

Ques. State whether you can read inty

Ans. I can't

Ques. State whether either you received said information it was your understanding that said Blair had retained said Money and had failed or refused to give you any part of it

Ans. I did not understand what he done with it, whether he kept all of it or whether I got part of it

Ques. State whether you know any thing about the transactions of your several Guardians, or about their several Settlement with the court of your own personal knowledge

Ans. No sir, I don't

Ques. State if your Sister Mary E Blair is dead

Ans. She is

Ques. You stated in your examination in chief that Mr Baldridge <sup>ever</sup> ~~never~~ paid Mr Blair any part of the proceeds of said Land. Please State how you know the fact to be so

Ans. I heard Mr Baldridge say so

Ques. State whether, when you answered the question referred to in my last question above, you were controlled by what Mr Baldridge said, or was the answer to the first question prompted by a suggestion made by Mr Blight all for Grumbleson

Ans. From what Mr Baldridge told me

Ques. When did Mr Baldridge tell you that he never paid Blair any of the proceeds of said Land

Ans. He told me when he settled up with me can't tell the date, some time this winter or in the fall

Ques. What was the nature of your settlement with Baldridge, was it in reference to the land in Indiana, and if so did you receive any money and receipt a bill for the same

Ans. Settled up his Guardianship with me, in reference to my business I knowed about where. I received no money but the same as money, I had land rented from him I gave him no receipts that I know of

William J. Brown

Also John B. Davis of lawful age being  
first duly sworn as herein after certificated  
as follows

Q. What acquaintances have you with Blair's  
place & Leavitt's left  
Ans. I can state how long I have been  
acquainted with both for several years  
Q. Did you ever hear Mr. Blair say  
anything about having an interest  
in the lands in controversy and  
if so what was it  
Ans. I never heard him say anything  
about it.

John B. Davis

from the time I saw her, which was about  
four hours before her delivery, she was  
ultimately delivered with the use of Female  
Forceps. The children never breathed nor would  
it have been possible to resuscitate them.

Cross Examined by Plaintiff's Attorney

Ques. State of your please while are  
the means of testing the viability of a  
child in such cases

Ans. By the use of the Stethoscope, before the birth.  
Question state if such an instrument  
was used on the occasion above referred  
to

Ans. No. I did not see it used. I did not  
think it necessary in this case

Ques. Are not the perfections of the  
wombs and the tremulous motions of  
the child immediately upon delivery  
& means of testing its viability

Ans. Yes, some of the means, but there was no  
tremulous motion in these children after  
their birth

Ques. Please state whether death does  
not sometimes ensue <sup>to the child</sup> in the delivery - and  
whether or not air might pass into its  
lungs before entirely delivered

Ans. Yes, in natural deliveries, in head presentations

Ques. In the case above referred to, was the  
presentation natural

Ans. They were

Ques. Were the children above referred to

had time to get the depositions of  
said witnesses and that he  
used due diligence and that  
he believes he can procure the said  
testimony by the next term of  
this court and that he cannot  
prove the said facts by any other  
witness whose testimony can as  
readily be procured at Sunbury

Subscribed & sworn to this 12<sup>th</sup> day of January 1864.  
John M. Conner Clerk