No. 6075 Equity

Leander Barger a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined Viva Voce deposes and says as follows:-
My name is Leander Barger, my age is 55 years. I reside at Brunswick (formerly Berlin) in Frederick County, Md.
I am acquainted with the Plaintiff and also with the Executors of Joseph Wallman decd but not with the widow and children of Jonathan A. Wenner decd.
I am acquainted with lot No 71 in Berlin and described in the Exhibits Nos 4, 5 & 6 in these proceedings.
I in the first place bargained with Jonathan A. Wenner for said lot and agreed to pay him $200.00 for it which he agreed to accept. The two Executors (Montimer T. Wenner and W. W. Wenner Sr.) and Jonathan A. Wenner went up to Dr. Reid and had the deed prepared of which Exhibit No 4. is a Copy. They then came down to the office of Jordan and Graham where I was employed and I paid the money to the parties in the presence of all three of them and took the deed.
Jonathan A. Wenner is now dead: he died a number of years ago.
My wife and I subsequently conveyed said lot to Edwin M. Mellor, the Plaintiff, as is shown by Exhibit No 6, who paid the purchase money therefor.
To the Gen. Int by the Examiner.
Ans. Nothing more except that I lived in the property about a year before I bought it and paid Jonathan A. Wenner the rent for it at the rate of $50.00 per year

Leander Barger

(Adjourned to May 10, 1893)

William W. Wenner a witness of lawful age produced on the part of the plaintiff being duly sworn and Examined Viva Voce deposes and says
My name is William W. Wenner my age. I am 83 years of age and reside in Loudon County, Virginia. I was one of the Executors of Joseph Wallman decd. I was acquainted with Jonathan A. Wenner late of Frederick County, Md. He is dead. He died some 10 or 12 years ago. I do not recollect exactly. He left a widow named Mary E. Wenner and the following Children:-
1. Mary Ellen Heacock wife of Frank C. Heacock
2. Charlotte Shafer Wenner
3. Joseph Wallman Wenner
4. Annie Elizabeth Wenner
5. George Gray Wenner
6. David Floyd Pitts Wenner
7. Emma Lavinia Wenner all of whom are infants under 21 years of age except Mary Ellen Heacock and her husband and Charlotte Shafer Wenner who are over 21 years of age.
I have no recollection of the transaction of the sale of this lot to Barger although we sold the lot to Jonathan A. Wenner: but the purchase money must have been paid or else we would not have executed the deed to Barger and charged ourselves with it in our report in the Orphans Court.
To the Gen Int by the Examr.
Ans, I do not

W W Wenner