

The deposition of Jane Payne taken before
me D. S. Brongnie a Commissioner in Chancery
for the Circuit Court of Frederick County - Virginia
on Tuesday the 25th day of August 1885 at the
residence of Mrs Jane Payne pursuant to Order
hereto Annexed between the hour of 6 Am and
and 6 Pm. to be read as evidence on behalf
of Hugh M. Merrill in the Heabur Cooper Case
now pending in the County Court of Frederick in which
Hugh M. Merrill is petitioner and Jacob Summey and
others are defendants

Present - R. E. Byrd of Counsel for Petitioner

Mrs Jane Payne a witness of lawful age
being duly sworn before and Says by
1st Question

What is your age and residence

Ans: I am 85 years of age. I live and have
lived in the same town for sixty years in
Berkeley County - West Virginia near the Frederick
line about one mile from Rest in Frederick County
2nd Question

State whether or not you are related to
Lelia Payne: Belle Payne and Mrs Mary
Summey

Ans: For Sir. I am their Grand Mother. their

Mother was my daughter.

3 Question. State whether you are related to
Bernie McCrell.

Ans. for Sir I am her Grand Mother

4th Question. State what are the relations now
existing between Bernie McCrell and Leticia Payne
Belle Payne and Mrs Mary Summley

Ans. No one that I know of has any care
of Bernie McCrell except Leticia Payne
Belle Payne and Mary Summley

5th Question. Did Leticia Payne ever make
any admission to you concerning her sex, if
so when, where, and in what terms

Ans. She told me that she was a male she told
me that last October during her mother's sickness
that was the last time I was in the house

6th Question. Does Leticia Payne dress
and comport her self as a woman, and is
she so regarded by the Community at large

Ans. She dresses herself as a woman, as
to the sex I don't know any thing about. I say
from she is generally regarded as a woman

7 Question

Do you know whether on any occasion, Leticia Payne occupied the same sleeping apartment and bed with Bessie McEnette.

Ans. I was there about five years ago and she did sleep with her then. Since then I do not know any thing about it. I never have stayed there over night since

of the question. As far as you know has Bessie McEnette been regarded by Belle and Leticia Payne as a member of the family and treated as such

Ans. for six. She has she has been as kindly and tenderly cared as any child

of the question
Did or did not Belle & Payne ^{and the person now called Lavonia Reynolds} Leticia Payne

and Bessie McEnette, all live together as members of the same household during the life time of Bessie McEnette. Grand Mother Sarah Ann Payne

Ans. They all lived together except Lavonia Reynolds Payne who lived there, with the exception of four or five years

And further facts not
James Payne

State of Virginia }
Frederick County } to wit -

J D H Payne is a Commissioner in