

Saye

States the within annexed on 15<sup>th</sup> day of March 1886  
Cyrina Sayre and Wm. H. Sayre by delimiting copies  
of the same to each of them this 3<sup>rd</sup> day  
of March 1886  
of which + annex to refer me this 6<sup>th</sup> day of March 1886  
Melissa & Wm. H. Sayre

Wetzel Co. Court  
Chancery &  
P. 518

In the Circuit Court of Wetzel County.

To the Hon. Thomas D. Staley, Judge of said Court.

The bill of complaint and petition of P. A. Stoy, devisee and only child and heir of Aminda Kelly, decd. against W. H. Sayre, W. H. Sayre, S. P. Sayre, A. H. Sayre, Cyrena Sayre, Melissa Brown formerly Vanduser, all brothers and sisters of Aminda Kelly decd, and Charles H. Stoy, Clifford M. Stoy, Florella H. Stoy, Elizabeth Stoy, Margaret A. Stoy, Anna E. Stoy and Edwin C. Stoy, minor children of P. A. Stoy.

Your complainant would show unto your Honor that her mother Aminda Kelly departed this life on or about the day of 1885, seized and possessed of valuable tracts or lots of real estate, to wit: Thirty five feet fronting on High Street, of the south side of Lot No. 111; Lot No. 118 with the exception of a small lot off of north-west corner

At Staley in Wetzel Co. W. Va. Mrs.

of same, fronting on Union Street fifty feet and on Jefferson Street one hundred feet, and fifty five feet fronting on Main Street, of the south side of Lot No. 28, as laid down on the plat of the town of New Martinsville, Va. and as will more fully appear by reference to Ex "D" filed herewith and prayed to be <sup>read</sup> as a part hereof, also a certain twenty-eight acre tract of land situate in Wetzel County, being the same land conveyed to said Annida Kelly by Isaac K. Wright and Sarah his wife by deed dated November 8<sup>th</sup> 1881, as will more fully appear by Ex "C" filed herewith and prayed to be read as part hereof, also a interest in Lot No. 50, and appurtenances as laid out on the plat of the town of New Martinsville, Va. which will more fully appear by exhibits "D" "E" and "F" respectively herewith exhibits and <sup>and prayed to be read as part hereof</sup> your complainant would further show unto your honor that the said Annida Kelly during her life-time, while yet in sound mind,

to pro' all in the cluse for  
of the county court of Wayne  
county on the 26<sup>th</sup> day of September 1880.

to-wit: on the 19<sup>th</sup> day of October 1872,  
made and published her last will  
and testament, <sup>#</sup> by which she gave all  
her property, real and personal, to  
your complainant, as will more fully  
appear by a copy of said will, marked  
Ex "G" and prayed to read as a  
part of this bill.

Your complainant  
would further show unto your  
Honor that by reason of the supposed  
vagueness of some of the expressions  
of the said will and by reason of  
various rumors and public state-  
ments to the effect that your com-  
plainant was not a full or good  
perfect and complete title in fee  
to any property of which her  
mother Aminda Kelly died seized,  
a cloud has been cast upon the  
title of your complainant to said  
realty, thereby depreciating its market  
value, very much to the injury of your  
complainant.

Inasmuch therefore as  
your complainant is remediless  
in a court of equity, she prays that  
the will heretofore set forth be con-

P. A. Stoy  
vs.  
Chas H Stoy et al

Bill

March Rules 1876  
Applicant filed as to the  
non resident defendants  
Order of Publication awarded  
ex parte them

April Rules 1886  
Went via as to  
Rob. Payne, A. P. Payne  
Byrona Payne & Wm  
Payne and all motions  
Carpenter & J. W. New-  
man is appointed Grand  
juror ad interim for the  
infant defendant &  
Order of Publication  
returned & sealed

May Rules 1886 Bill  
Latter day Judge said as to  
Rob. Payne & Judge Payne  
Judge & Payne & Payne

stated and interpreted and that  
her rights under the same be expressly  
decided and that such further ad-  
vance relief be granted your  
complaint as to equity seems  
met and the case requires and she  
will ever pray &c.

Wiley Hall  
J. P. I.

P. A. Stoy, devisee and only  
child and heir of Annida  
Kelly, deceased,

vs.

H. H. Sayre, R. H. Sayre, } JW  
A. H. Sayre, J. E. Sayre, } Chanery  
Cyrina Sayre, Melissa  
Brome formerly Vandette,  
Clifford M. - Florella A. - J. Elizabeth,  
Margaret A. - Anna E. - and  
Elihu C. Stoy; process duly served  
on the resident defendants more  
than thirty days before the present  
term of this court; and order of  
publication as to the non-resident

on this day to be toward upon the  
bill filed, the answer of J. H.  
Newman, guardian ad litem of  
the infant-defendants Charles H.  
Clifford M. - Florella A. - J. Elizabeth,  
Margaret A. - Anna E. - and  
Elihu C. Stoy; process duly served  
on the resident defendants more  
than thirty days before the present  
term of this court; and order of  
publication as to the non-resident

v. <sup>102</sup>total

defendants, A. H. Sayre, J. E. Sayre  
and Melissa Brown <sup>plaintiffs</sup> published  
according to laws, and exhibit files  
with complainants bill, and  
was argued by counsel, on con-  
sideration of whereof the court is  
of opinion, and doth adjudge  
and decree, that according to  
the true construction of the will  
of Aminda Kelly deceased the  
only daughter, P. A. Stoy has  
the fee simple estate of all  
the realty of which her mother  
Amanda Kelly deceased, devised  
and possessed. It is further ad-  
judged <sup>ordered</sup> and decreed that the plaintiff  
pay the costs of this proceeding. With-  
<sup>further</sup>ing remaining to be done in this  
cause is dropped from the docket.

P. A. Stoy

J. Deane

A. H. Sayre et al

*[Handwritten signature]*

03 07

Hold 0-18

J. M. Clark