

and fifty dollars as the difference in the value of the two tracts of land which the said Mellickin consented to do and with a view to the faithful performance of the agreement there mutually entered into between the said Mellickin and Woodard they mutually put each other in possession of the tracts of land so as aforesaid agreed to be exchanged and the said Woodard actually delivered to the said Mellickin the horse which he was to receive at the price aforesaid and in the further execution of the agreement aforesaid the said Woodard paid to the said Mellickin the sum of thirty seven dollars and twenty five Cents leaving a balance of thirty two dollars and seventy five Cents only due to the said Mellickin on account of the value of said lands the agreement between the parties being thus faithfully carried into execution nothing was wanting to its completion but that passing of deeds of conveyance to each other and a day for that purpose was set apart by the parties that before that day arrived the said Woodard was seized with a disease which very suddenly terminated his life and the said James being advised by council learned in the laws of this land that the only remedy in a court of equity where matters of this sort are only proper cognizable, he therefore instituted his suit in Chancery in the County Court of Southampton which was decided by Consent of parties and assent of the Court and came on to be heard upon the bills and answer and arguments of Counsel whereupon and upon due consideration thereof he was ordered adjudged and decreed that the legal estate in fee simple to the tracts of land of which the said Woodard was put in possession in his life time by the said James Mellickin in virtue of said exchange he be and he be the infant heirs of William Woodard and residing now in this life to Elizabeth Woodard the widow of said Woodard dec'd and her down right in the same and it was also decreed that the said James Mellickin make a good and sufficient deed of conveyance in fee simple to the aforesaid tract of land to the before mentioned infant heirs of the said William Woodard and defending the title to the same against all and every person whatsoever and that the legal estate in fee simple to the tract of land of which the said James Mellickin was put in possession by the said Woodard in his life time in virtue of said