

then being then faithfully carried into execution nothing was wanting
to its completion but the passing of deeds of conveyance to each other and a
proof that purpose was set apart by the parties but before that was
made the said Woodard was seized with a disease which very suddenly
terminated his life and the said James being advised by Counsel learned in
law that his only remedy was in a court of Chancery where matters of this sort
are only properly cognizable he therefore instituted his suit in Chancery
on the County Court of Southampton ^{which} was decided by a court of Masters and
a part of the Court came on to be heard on the bill and answer and arguments
of Counsel whereupon and upon due Consideration thereof it was ordered
decreed and decreed that the legal estate in fee simple to the tract of
land of which the said William Woodard was put into possession in his
lifetime by the said James Mellickin in virtue of said exchange of
lands to the infant heirs of William Woodard and dec^d reserving never-
theless to Elizabeth Woodard the widow of the said William Woodard
and her dower 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 warranting 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 into possession by the said Woodard in his
lifetime in virtue of said exchange heretofore made between them
be vested in the said James Mellickin and that the said Elizabeth
Woodard widow of the said William Woodard make a deed of Conveyance
relinquishing her dower claim on the said land to the said James
Mellickin and the aforesaid infant children and heirs of William
Woodard deceased by John Bechell their guardian and next friend
appointed by the County Court of Southampton do also make a good
and sufficient deed of Conveyance in fee simple to the aforesaid tract
of land to the said James Mellickin warranting and defending the
title to the same against the claim of all and every person whatsoever
that the claim which the said Mellickin hath yet unsatisfied
amounting to the sum of sixty two dollars and seventy five Cents
the balance of the difference in the exchange of lands should remain
as an equitable lien upon the tract decreed by him to be conveyed by him
to the heirs of said William Woodard deceased