

Synopsis of the Title to the House, Homestead, Orchard
and Close of Land at Wheatley in the Parish of Buddesdon
in the County of Oxford containing 16. 0. 11, contracted to be
purchased at the sum of £1200 for the site of "the Oxford
Diocesan Training School" and proposed to be conveyed by
Messrs Sloghton and Kinderley the present Trustees of the Will
of James Whalley Smythe Gardiner Esquire deceased, - to the Lord
Bishop of the Diocese, and the Archdeacon of Oxford, Berks
and Buckingham and their several successors.

By the Settlement (dated 3rd July 1787) executed on the
marriage of Sir John Whalley Smythe Gardiner Baronet, with
Miss Martha Newcome, the Estates of Sir John (of which the
premises in question formed a part) were conveyed unto George
Gostling and Henry Newcome and their heirs to the use of Sir
John until the marriage; and, after the marriage, to the use of
Sir John for life; and, after his death, (to the intent that
Lady Gardiner should receive an annual Rent-charge of £800
for her jointure); - To the use of Gostling and Newcome for 99 years,
to commence at decease of Sir John, for the purpose of securing the
rent-charge. - Remainder to the use of Sir John his heirs and
assigns for ever.

By Deed of 2nd June 1789 Sir John mortgaged his
Estates to Edward Duke of Somerset for securing £8000. -
Sir John died in 1797 - Lady Gardiner surviving, but there was
no issue of the marriage. - And, by his Will (dated 13th April
1795) he gave to his Widow an Annuity of £200 for life, in
addition to her jointure of £800. And he charged the Annuity
upon his Estates. - And, subject thereto, the Testator devised his
Estates to Sir William Henry Ashurst Knight Upon trust, by
Sale or mortgage, to raise a sufficient sum for the payment of his
Debts and Funeral Expences; - And then to convey and settle
the Estates to the use of Testator's first and other Sons in tail
mail - Remainder to the use of his Daughters as Tenants in
Common in tail general; - Remainder to the use of his Brother

Remainder to the use of said Brother's Son James Whalley for life;—
James Whalley for life;— Remainder to Trustees during the lives of
James Whalley the Father and James the Son in trust to
preserve contingent remainders.— Remainder to the use of the first
and other Sons of James Whalley the Son in tail male.

By a Deed dated 19th February 1819 the Estates were
conveyed by Edward Adolphus Duke of Somerset the Heir at Law
of said Edward Duke of Somerset (deceased) unto ^{said} Sir William
Henry Ashurst as Trustee under the said Will, — exonerated from
the mortgage of £8000 and interest.

Upon Sir John Gardiner's decease his Brother and Heir
at Law James Whalley succeeded to the Baronetcy and assumed
the additional Surname of Smythe Gardiner.— This Baronet
died in August 1805, leaving James his eldest Son and Heir
at Law, who thereupon succeeded to the Estates and is the present
Baronet.—

This latter Sir James Whalley Smythe Gardiner
(being Tenant in tail in possession) by Deed dated 20th
January 1807 and a Recovery consequently suffered, — barred his
Estate tail and limited the Estates to his own proper use and
behoof.— He married Miss Frances Mosley (an Infant Ward
of the Court of Chancery) and by the marriage Settlement, made
by order of the Court and dated the 31st July 1807, — Sir James
conveyed the Estates, subject to the jointure of Dame Martha
Gardiner, to Thomas Lister Parker Esquire and Steyningham
Master, Clerk, to the use of Sir James until the marriage;
and, afterwards, to the use of Sir James for life;— Remainder
to the use of said Trustees during the life of Sir James in
trust to support contingent uses;— Remainder to the use of
the 1st, 2nd and all other Sons of the marriage in tail male;—
and, in default of Issue, to the intent that a Frances Lady
Gardiner should receive a Rent charge of £800; And, subject
thereto, to the use of Sir Oswald Mosley Baronet and John
Peplow Mosley for 500^o years, after decease of Sir James, in
trust for securing the rent charge.— Remainder to the use of
William Ashton and George Smith for 1000 years, after decease
of Sir James, — upon trust if there should be no Son to raise

portions for Daughters; — Remainder to the use of the eight heirs of Sir James for ever.

By Deed of 8th April 1809, William Henry Ashurst Esquire (the eldest Son and Heir at Law of said Sir William Henry Ashurst, then deceased) - conveyed the legal Estate in the properties unto said Parker and Masters upon the Trusts of the Settlement of 1807. —

By Deed dated the 22nd June 1834 and enrolled in Chancery, — James Whalley Smythe Gardiner Esquire, the eldest Son of the present Sir James (having attained his majority) in conjunction with his Father Sir James, — barred the estate tail in the property and limited the same to the use of James Whalley Smythe Gardiner (the Son) his heir and assigns for ever.

By Indenture of 11th July 1834 James Whalley Smythe Gardiner Esquire mortgaged the remainder in fee simple & effectant on the decease of Sir James (his Father) to Messrs Henry Syres Lander and George Kinderley for securing £10,000 and interest; And, by a Deed of Further Charge, of 14th January 1835, a further loan of £2000 was secured.

By Indenture of 31st July 1835 James Whalley Smythe Gardiner Esquire mortgaged his reversion in the property (subject to the Mortgages for £10,000 and £2000) unto Messrs William Henry Ashurst and George Kinderley for securing £6,867. 18. 7. —

In October 1837 Mr. James Whalley Smythe Gardiner died; having, by his Will dated 1st February 1837, devised all his real Estates to the use of said William Henry Ashurst and William Anthony Greatorex for 1000 years for securing to his Mother, the present Lady Gardiner, a Residence at Roche Court in Hampshire (part of the Estates) — And, subject thereto,

to the use of Testator's Brother John Brocas Whalley Suny the Gardiner for life; Remainder to the use of the first and every other Son of his said Brother in tail male; - with remainders over. - The Will contains an authority to Messrs Ashurst and Greatorex to sell any part of the Estates; and by Deed to revoke the uses and trusts - declared in Testator's Will, and to appoint any new uses, and to give valid receipts for purchase money.

By Deed of 11th July 1845 (endorsed on the Mortgage of 31st July 1835) said George Kinderley, as second mortgagee, in order to vest the legal Estate in Mr William Henry Ashurst alone, devised and leased unto him all the estate and interest then vested in Kinderley jointly with Ashurst, in the hereditaments comprised in the Indenture of 31st July 1835.

By Deed Poll of 12th July 1835 Messrs Ashurst and Kinderley released and discharged all the Estates situate in the County of Oxford comprised in the Mortgage of 31st July 1835 from the Mortgage Debt of £6 8s 6d. 18. 7 and interest; - but it was declared that the Release should not extend to any other Estates comprised in the Mortgage.

By Deed of 21st October 1845 Mr George Herbert Kinderley was, upon the designation of Greatorex, appointed a Trustee under the Will of Mr James Whalley Suny the Gardiner in conjunction with Mr Ashurst and the Estates were conveyed accordingly. -

By Indenture of 26th June 1834 Sir James (the present Baronet) conveyed his life interest in the Estates to his Son Mr James Whalley Suny the Gardiner for -

securing £20,000. And, by Indenture indorsed on this Deed, Mr. James Gardiner assigned the Mortgage Debt of £20,000 to Mr. Henry Denton upon trust for Messrs Landor and Kinderley, the Mortgagors of the £40,000, - for better securing the latter sum.

By Deed of 9th February 1846, the life estate of Sir James Whalley Smythe Gardiner was conveyed to said Ashurst and George Herbert Kinderley in consideration of £2,550 upon the trusts declared by the Will of Mr. James Whalley Smythe Gardiner concerning his freehold hereditaments.

By Deed of 19th June 1846 Henry Houghton Esquire was appointed a Trustee under the Will of Mr. Jas. W. S. Gardiner in the room of Mr. W. A. Ashurst then deceased, and in conjunction with Mr. George Herbert Kinderley; and the estates were conveyed to Houghton and Kinderley accordingly.

In 1840 Dame Martha Gardiner (the jointress) died.

In 1846 the Mortgage Debt of £40,000 and the further charge of £2000 owing to Messrs Landor and Kinderley, were paid off.

John M. Davenport
Solicitor for the Purchaser.

Oxford,
21st August 1850.