

"And whereas the said plan (as by the same appears) has the consent of the patrons of the Upper Mediety of the said benefice of Malpas, and of the patron of the Lower Mediety of the same benefice and also has the consent of the rector or incumbent of the said Upper Mediety and of the rector or incumbent of the said Lower Mediety which said two rectors are (as by the said plan appears) joint patrons as such of the said cure of the Holy Trinity Bickerton and of the said cure of Saint Chad Tushingham.

"And whereas the said plan is in the words and figures following that is to say:—

"To the Ecclesiastical Commissioners for England.

"I William Lord Bishop of Chester under and by virtue of the Act of the third and fourth years of Her present Majesty chapter 113 have, with the consent (testified as hereinafter is mentioned) of the Most Honourable William Henry Hugh Marquess of Cholmondeley and Thomas Tyrwhitt Drake of Shardeloes in the county of Buckingham Esquire alternate patrons of the Upper Mediety of the benefice and rectory of Malpas situate partly in the county of Chester and partly in the county of Flint and wholly in my diocese of Chester and of the said Thomas Tyrwhitt Drake patron of the Lower Mediety of the said benefice, framed the following plan for constituting the said two medieties into separate benefices and for making other arrangements such as I judge likely to promote the efficient discharge of pastoral duties in the ancient parish of Malpas that is to say both in that portion of the said ancient parish of Malpas wherein the two rectors of the same parish still jointly possess exclusive cure of souls and also in those portions of the same ancient parish of Malpas which have been formed into separate ecclesiastical districts and which are now become new parishes for ecclesiastical purposes which said plan being a plan framed so as not to prejudice the interests of any existing incumbent I do hereby submit for consideration by you the said Ecclesiastical Commissioners for England and request that the same may be carried into effect as in the said Act is provided whereas the said benefice of Malpas hath from time immemorial been divided into and is now held in two medieties being the said Upper and Lower Medieties hereinbefore referred to and the rector of each mediety hath from time immemorial had joint cure of souls in and over the said parish of Malpas with the rector of the other mediety and whereas the said parish of Malpas contains two churches one being the parish church of the said parish of Malpas and the other being a chapel of ease thereto situated at Whitewell in the township of Iscoyd in that part of the said ancient parish of Malpas which is situate in the county of Flint aforesaid which said chapel of ease was consecrated in the year one thousand eight hundred and twenty-two by the name of 'The Church of Saint Mary Whitewell' and is distant from the said parish church five miles and upwards. And whereas the said church of Saint Mary Whitewell hath a churchyard or burial ground adjoining or belonging thereto which hath been duly consecrated as a churchyard or place of Christian burial of the dead. And whereas the endowments of the said Upper Mediety of the benefice of Malpas consist of a glebe house and glebe lands situate at Malpas aforesaid comprising altogether ninety-four acres two roods and thirty-seven perches, and one moiety of a commuted tithe rent-charge of one thousand eight hundred and twenty-one pounds

twelve shillings and ten pence a year exclusively charged upon specific lands in the ancient parish of Malpas and of one half of the surplice fees at the said parish church and at the said chapel of Whitewell which fees upon an average of the last three years have together amounted to the sum of nine pounds two shillings and four pence and two-thirds of one penny per annum. And whereas the endowments of the said Lower Mediety of the benefice of Malpas consist of a glebe house and glebe lands also situate at Malpas aforesaid comprising altogether thirty-two acres three roods and twelve perches and of the other moiety of the said commuted tithe rent-charge of one thousand eight hundred and twenty-one pounds twelve shillings and ten pence a year and one half of the said surplice fees and whereas the concurrent jurisdiction of the said rectors of the said Upper and Lower Medieties of the benefice of Malpas over the said parish of Malpas hath for a long time been found to be most inconvenient and it is desirable that each of the said two medieties shall be constituted a separate benefice with separate and exclusive cure of souls and whereas part of ancient parish of Malpas aforesaid was in the year one thousand eight hundred and forty-three assigned as a particular district to the church of the Holy Trinity Bickerton within the said ancient parish and the said particular district hath since become a new parish for ecclesiastical purposes and whereas other part of the said ancient parish of Malpas was in the year one thousand eight hundred and sixty formed into a district chapelry by the title of 'The District Chapelry of Saint Chad Malpas' and the same district chapelry has since become a new parish for ecclesiastical purposes and is commonly known as and is hereinafter alternatively called by the name of 'Saint Chad Tushingham' the church of the same new parish and benefice being situate in the township of Tushingham and whereas it is desirable to make better provision for the spiritual duties of the said new parishes of the Holy Trinity Bickerton and of Saint Chad Malpas otherwise Saint Chad Tushingham which said new parishes respectively contain a large population and are ill endowed and whereas the said rectors of the said Upper and Lower Medieties of the said benefice of Malpas are jointly as such rectors the patrons of the said new parishes and of the benefices thereof and they have with the consent of the said William Henry Hugh Marquess of Cholmondeley and with my consent agreed with the said Thomas Tyrwhitt Drake that the patronage of the said new parishes shall in consideration of the better provision hereinafter proposed for their endowment out of that portion of the tithes of the said parish of Malpas which belongs to the said Lower Mediety be vested in the said Thomas Tyrwhitt Drake in manner hereinafter expressed and whereas it is proposed that this present plan shall not take effect until the said next avoidance of the Lower Mediety of Malpas of which the Reverend Charles William Cox Clerk in Holy Orders is now the rector or existing incumbent and he and the Honourable and Reverend William Trevor Kenyon Clerk in Holy Orders the rector or existing incumbent of the Upper Mediety of Malpas aforesaid are satisfied and admit by their signing and sealing this plan that the same will not prejudice or affect the interests of such existing incumbents respectively.

"Now I the said William Bishop of Chester with the consent as well of the said William Henry Hugh Marquess of Cholmondeley and Thomas Tyrwhitt Drake testified by their respectively signing and sealing this present plan as of the said