

William Trevor Kenyon and Charles William Cox also testified as aforesaid do propose:—

“That from and immediately after the next avoidance of the Lower Mediety of the said benefice of Malpas the same benefice (now held in medieties as aforesaid) shall be divided into two separate benefices and rectories. That one of such two benefices and rectories shall be called the benefice and rectory of Malpas and shall consist of all that part of the ancient parish of Malpas which is described in the first schedule hereunder written (all which part together with the boundaries thereof is delineated and set forth in the map or plan hereunto annexed and entitled ‘A map of the benefice and rectory of Malpas’ and is therein coloured green) and that the said parish church of Malpas shall be the parish church of the said intended benefice and rectory of Malpas in the same manner in all respects as it now is the parish church of the ancient parish of Malpas it being the intention of this plan that that part of the said ancient parish which as aforesaid is described in the said first schedule hereunder written shall so far as may be continue to be or to represent the same ancient parish of Malpas.

“That the other of the said two benefices and rectories shall be called the benefice and rectory of Whitewell and shall consist of all that part of the ancient parish of Malpas which is described in the second schedule hereunder written (all which part together with the boundaries thereof is delineated and set forth in the map or plan hereunto annexed and entitled ‘A map of the benefice and rectory of Whitewell’ and is therein coloured red, and that the said church of Saint Mary Whitewell shall be the parish church of the said intended benefice and rectory of Whitewell.

“That each of the said two separate benefices shall be deemed to be a benefice and a rectory and the spiritual persons serving the same respectively shall be rectors and shall have respectively exclusive cure of souls within the limits of their respective benefices and shall be subject to the laws, provisions, and regulations as to presentation and appointment and as to institution collation and induction (save as hereinafter is expressed and provided) and as to holding benefices and to all such jurisdiction of the bishop or other jurisdiction as are by law now applicable to the said two medieties of the said benefice of Malpas aforesaid.

“That the endowments of the said intended benefice and rectory of Malpas shall be the said glebe house and glebe lands, comprising altogether ninety-four acres two roods and thirty-seven perches, of the said Upper Mediety of Malpas and the commuted tithe-rent charges now payable out of the several townships in the ancient parish of Malpas to the rectors of Malpas mentioned and specified in the third schedule hereunder written amounting altogether to nine hundred and sixteen pounds sixteen shillings, and all the said endowments shall be held and enjoyed by the rector or incumbent for the time being of the said intended benefice and rectory of Malpas as fully and freely and with the same rights privileges and beneficial interest therein as the endowments of the said Upper Mediety of Malpas now are held and enjoyed by the said William Trevor Kenyon the present rector of the said Upper Mediety.

“That banns of matrimony shall be published and baptisms churchings marriages and burials shall as heretofore be performed and solemnized in the church of the said benefice and rectory of Malpas being the present parish church of Malpas and that the fees for all such offices performed and solemnized within the limits of that part of the said parish of Malpas which is des-

cribed in the said first schedule hereunder written and all ecclesiastical dues offerings and other emoluments arising from or in respect of the said intended benefice and rectory of Malpas and usually payable to the incumbent of a benefice shall belong to the rector of the said intended rectory and benefice of Malpas.

“That the advowson of or right of presentation of a minister or incumbent to the church of the said intended benefice and rectory of Malpas shall be vested in the said William Henry Marquess of Cholmondeley and Thomas Tyrwhitt Drake the alternate patrons of the said Upper Mediety of Malpas as aforesaid as alternate patrons thereof and their respective successors in title and assigns to be held and enjoyed in the same right and for the same estate and estates as the said advowson or right of presentation of the Upper Mediety of Malpas now is or would have been held if this plan had not been made and so that the said advowson of or right of presentation to the said intended benefice and rectory of Malpas shall be considered and taken to represent and be in place of the advowson or right of presentation to the said Upper Mediety of the rectory of Malpas to and for all intents and purposes whatsoever.

“That the said William Trevor Kenyon or other the rector for the time being of the said Upper Mediety of the benefice of Malpas shall immediately upon the next avoidance of the said Lower Mediety of the said benefice of Malpas being the date at which the division of the said benefice of Malpas into two benefices and rectories is intended to take effect as aforesaid become and be the first rector or incumbent of the said intended benefice and rectory of Malpas without any presentation admission institution or induction or process of law or other process whatsoever subject nevertheless to all engagements and liabilities (if any) affecting him as rector or incumbent of the Upper Mediety of the rectory and parish church of Malpas aforesaid which engagements and liabilities (if any) shall attach and belong to him as rector or incumbent of the said intended benefice and rectory of Malpas in like manner and as fully and effectually to all intents and purposes as if he had remained rector or incumbent of the said Upper Mediety of the said present benefice of Malpas.

“That the inhabitants of that part of the said parish of Malpas which is described in the said first schedule hereunder written shall be exonerated from all liability (if any) to repair the said church of Saint Mary Whitewell or any other church or chapel now or hereafter to be erected within that part of the said parish of Malpas which is described in the said second schedule hereunder written.

“That the endowments of the said intended benefice and rectory of Whitewell shall be the said glebe-house and glebe-lands, comprising altogether thirty-two acres three roods and twelve perches, of the said Lower Mediety of Malpas and the commuted tithe-rent-charges now payable out of the several townships in the ancient parish of Malpas to the rectors of Malpas mentioned and specified in the fourth schedule hereunder written amounting altogether to three hundred and ninety-nine pounds, and all the said last-mentioned endowments shall be held and enjoyed by the rector or incumbent for the time being of the said intended benefice and rectory of Whitewell as fully and freely and with the same rights privileges and beneficial interests therein as the endowments of the said Lower Mediety of Malpas now are held and enjoyed by the said Charles William Cox, the present rector of the said Lower Mediety of Malpas.