

Original Documents.

Communicated by the Rev. A. R. MADDISON.

BREVE AD INQUIRENDUM DE BASTARDIA ET NON BASTARDIA DOMINÆ KATERINÆ HEBDEN.

This Brief is one of a series contained in a parchment volume lately found in the Exchequer Gate at Lincoln and entitled "Brevia Regia." They were addressed to John Buckingham, Bishop of Lincoln 1363-1398. The subject matter is not usually very interesting, but the Brief here printed throws some light on a genealogical question which has vexed several minds, viz. how to account for the representation of the Hebden and Rye families. As so often happens in such cases authorities differ. One thing is now plain. Dame Katherine Hebden became by default of issue from her aunts, sole heiress of the Rye family. We may fairly assume that William de Wyhom, her father, came from the parish of Wyham cum Cadeby on the Lincolnshire wolds. In Banks' *Baronia Anglicæ Concentrata*, Vol. ii, p. 127 we find that Nicholas de Rye held the manor of Gosberkirk with Surfleet, Pinchbeck, Quadring, WYHUM, and Donington in 1342, and that his wife's name was Juliana. We may assume with some reason that he is identical with either the first or second Nicholas in the pedigree here given.

The representation of the Hebden family became vested in the Tempests and Dymokes eventually.

Sir Piers Tempest (a hero of Agincourt) married Dorothy daughter and heir of Nicholas Hebden (vide Burke's Peerage and Baronetage for 1286).

Sir Thomas Dymoke married Elizabeth daughter and heir of Sir Richard Hebden by the daughter and heir of Rye. (Vide Burke's Landed Gentry, sub. Dymoke of Scrivelsby).

In the Visitation of Yorkshire 1563-4, the Tempest marriage is given thus, "Sir Piers Tempest married daughter and heir of Sir Nycolas Rye." In a note to the Pedigree we are informed that the manor of Barropar (Breaurepaire) came into the Tempest family.

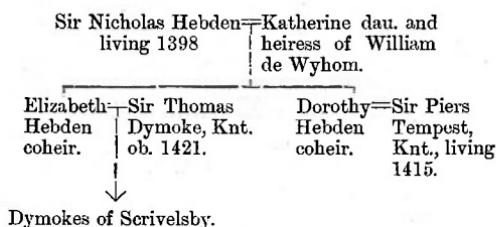
The Dymokes unquestionably inherited estates in Gosborkirk, Quadring, Surfleet and Donington from their intermarriage with the Hebdens.

May we not fairly assume that Sir Nicholas and Dame Katherine Hebden had two daughters, coheiresses; that one married a Tempest and brought with her the manor of Beaurepaire, which is known, from an Inq. Post Mortem, to have belonged to the Tempests in later times;

while the other marrying a Dymoke carried into that family the Gosberkirk and other estates?

Where the manor of Beaurepaire (called "Bealraper" in an Inq. Post Mortem of the 15th century) was situated is not known. No such manor is to be found in Lincolnshire.

CONJECTURAL PEDIGREE.



Ricardus dei gratia Rex Angliae et ffranciae et dominus hiberniae venerabiili in Christo patri J. eadem gratia Episcopo Lincoln. salutem. Cum Johannes la Warr miles in curia nostra coram dilectis et fidelibus nostris Will'mo Thirnyng et Ricardo Sydenham justiciariis nostris ad ass'ias in com Lincoln' capiendas apud Lincoln' arrainayit quandam ass'iam novae diss'eiae versus Nicholaum Hebden et Katerinam uxorem ejus et Johannem Verdon de Gosberkyrk juniorem de libero tenemento suo in Gosberkirk, Surflet, Quadring, Donyngton, Pynchebek et Swyneshede et questus est se diss'eiri de manerio Beaurepaire quatuor messuagiis centum acris terræ quaterviginti acris prati quinquaginta acris pasturiæ et decem libratis redditus cum pertinentibus iidemque Nicholas et Katerine quo ad unam medietatem manerii terrarum tenementorum et redditus prædictorum et tricesimam partem alterius medietatis manerii prædicti cum pertinentibus excepta tricesima parte medietatis duorum messuagiorum et decem libratarum redditus prædictæ tricesimæ partis cum pertinentibus, placitaverunt in barram ass'iae prædictæ prout in recordo prædicto liquet manufeste. Et quo ad totum residuum manerii terrarum tenementorum et redditus prædictorum placitando allegaverunt quod quidam Will'mus de Cressy chivaler fuit inde seisis in dominico suo ut de feodo et sic inde seisis residuum illud dedit et concessit quibusdam Nicholao filio Nicholai de Rye et Margaretae uxori ejus habendum eisdem Nicholao filio Nicholai et Margarete et heredibus de corporibus suis exeuntibus virtute cuius doni prædicti Nicholaus filius Nicholai et Margareta fuerunt inde seisis in dominico suo ut de feodo tallato et de tali statu inde obierunt seisis post quorum mortem residuum prædictum cum pertinentibus descendebat cuidam Edmundo ut filio et heredi eorum Nicholai filii Nicholai et Margaretae. Et de ipso Edmundo descendebat residuum prædictum cum pertinentibus cuidam Nicholao filio et heredi ejusdem Edmundi. Et de ipso Nicholao eo quod obiit sine herede de corpore suo exeunte descendebat residuum prædictum cum pertinentibus quibusdam Beatrici, Johannæ et Elizabethæ ut sororibus et heredibus ejusdem Nicholai filii Edmundi. Et de prædicta Elizabetha sorore Nicholai descendebat jus propartis sua residui prædicti cum pertinentibus cuidam Georgio ut filio et heredi ejusdem Elizabethæ. Et de prædicta Johannæ eo quod obiit sine herede de corpore suo exeunte descendebat

juspropartis suæ residui prædicti cum pertinentibus præfatæ Beatrixi ut sorori et uni heredum ejusdem Johannaæ et præfato Georgio ut consanguineo et alteri heredum ejusdem Johannaæ sez filio Elizabethæ alterius sororis ejusdem Johannaæ. Et quod quidam Will'mus de Wyhom cepit in uxorem prædictam Beaticem et ipsam in ecclesia sanctæ trinitatis infra civitatem Lincoln bannis inter eos antea more debito proclamatis despontavit, qui quidem Willm'us de Wyhom et Beatrix post sponsalia prædicta inter eos celebrata habuerunt exitum præfatam Katerinam, et postea prædicti Willmus de Wyhom et Beatrix obierunt et prædictus Georgius obiit sine herede de corpore suo exeunte, post quorum decesum prædicta Katerina ut filia et heres dictorum Willm' de Wyhom et Beaticis et ut consanguinea et heres prædicti Georgii sez filia Beaticis sororis Elizabethæ matris ejusdem Georgii in residuum prædictum cum pertinentibus intravit. Et predictus Johannes la Warr supponendo prædictos Georgium et Beaticem obiisse sine herede clamando residuum prædictum cum pertinen ut escactam suam eo quod residuum illud cum pertinen de eo tenetur, residuum prædictum cum pertinen intrasse voluit, et prædicti Nicholaus et Katerina ipsum intrare non permiserunt petendo judicium si prædictus Johannes la Warr assiam in hoc parte versus eos manuteneret debeat. Ad quod prædictus Johannes la Warr replicando dixit quod ipse pro aliqua præallegata ab assia sua prædicta de residuo prædicto excludi non deberet quia dixit quod prædicta Katerina omnino est bastarda hoc pretendendo verificare. Et prædicti Nicholaus Hebden et Katerina ipsam Katerinam esse legitimam et non bastardam verificare similiter obtulerunt. Et quia hujus causæ cognitio mero jure ad forum spectat ecclesiasticum vobis mandamus quod convocatis coram vobis in hoc parte convocandis super præmissis diligenter faciatis inquisitionem. Et quid inde invenietis constare faciatis prefatis justiciariis nostris ad assia's in comitatu prædicto capiendas assignatus apud Lincoln die veneris prox' post festum Sancti Jacobi apostoli prox' futurum per literas vestras patentes et clausas sigillo vestro signatas hoc breve remittentes. Teste. W. Thirnyng apud Linc. tercio die Martii anno regni decimo nons.

Certificatorium Justiciarii domini Regis.

Venerabilibus viris domino Will'mo Thirnyng et Roberto Tirwhit Justiciariis domini nostri Regis ad ass'ias Co'm. Lincoln' capiendas assignatis Johannes permissione divina Lincoln' Episcopus salutem in omnium Salvatore. Breve dicti domini Regis presentibus literis nostris interclusum reverenter ut decuit recepimus in hæc verba, "Ricardus dei gratia" ut in proximo brevi de sicut pluries. Breve itaque predictum et nobis demandata in eodem debite exequentes super præmissis omnibus et singulis in dicto brevi contentis convocatis in hoc parte convocandis iuxta omnem vim formam et effectum brevis ejusdem de et super contentis in eodem diligentem fieri fecimus inquisitionem evidenter comperimus et nobis constat sufficlienter dominam Katerinam uxorem domini Nicholai Hebden militis in brevi prefato nominatam fuisse et esse legitimam et non bastardam. Que omnia et singula vobis significamus per has literas nostras patentes et clausas sigillo nostro consignatas. Datum apud Sleaford undecimo die mensis Julii Anno domini millesimo ccc^{mo} nonagesimo octavo. Et nostræ consecrationis tricesimo sexto.

PEDIGREE.

Nicholas de Rye = ...

Nicholas de Rye (to whom = Margaret.
William de Cressy granted
the lands in question.)

Edmund de Rye = ...

Nicholas de Rye, ob. s.p.	Johanna de Rye, coheir, ob. s.p.	Elizabeth, de Rye, coheir,	Beatrix de Rye, coheir, = William de Wyhom. married at Holy Trinity Church, Lincoln.
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George, ob. s.p.

Katherine de Wyhom, heiress, claimants - Nicholas Hebdon, Knt.
against John la Warr in 1398.