

SUMMARY: The document below is a copy in Sir Christopher Hatton's letter book of a letter dated 28 July 1582 in which Lord Chancellor Thomas Bromley replies to Sir Christopher Hatton's letter of the previous day (see BL MS Add. 15891, f. 65v), giving his reasons for respiting Thomas Knyvet's request that his trial for killing Oxford's man Robert Breninges be by a privy sessions in the vacation time, and for refusing to redeliver the bond which Knyvet had posted with the court. In compliance with the Queen's request, Bromley also offers suggestions as to Knyvet's best course of action.

Harris suggests that the letters in BL Add. 15891 are copies made by Hatton's secretary, Samuel Cox. See Nicolas, Harris, *Memoirs of the Life and Times of Sir Christopher Hatton* (London: Richard Bentley, 1847), pp. vi-v [sic], 258-61 at:

<https://archive.org/stream/memoirsoflifetim00nicouoft#page/n15>

and:

<https://archive.org/stream/memoirsoflifetim00nicouoft#page/258>

Good Mr Vice-chamberlain, I received this 28th of July your letters dated the 27th of the same, by the which I do perceive that Mr Knyvet hath informed her Majesty of his desire to have his cause of *se defendendo* determined by a privy sessions in this vacation time, and that he found me not to like of this manner of proceeding, and therefore that I refused to grant forth the commission. True it is that I misliked of his suit, but that I did expressly refuse to grant the commission, that is not so. Marry, not finding his suit in my opinion reasonable nor fit for me upon his bare request, being the party, to yield unto without further commandment, I asked him what counsel he had that so advised him; he answered me that Mr Recorder of London gave him that counsel. I prayed him, therefore, that he would cause Mr Recorder to come and confer with me, and that which in justice and conveniency I might do I would be ready to perform. Since which time I neither heard of Mr Recorder, nor of any other of his counsel, nor of himself, touching his cause.

It seemeth further that her Highness should be informed that Mr Knyvet's request should be a matter of ordinary course, and therefore marvelleth that I should deny unto her servant that which is usual, and every other subject may ask. This suggestion to her Majesty riseth, as I think, of ignorance; I will not say of untruth, though indeed the matter be not true. I never knew, nor I never heard, that any party supposed to be an offender might of ordinary course have a special commission at his proper suit; neither is it reason it should be so, for that were to open a gap to let offenders pass through without due punishment, for this commission being secretly awarded, haply to commissioners not indifferent, may sit, touching the execution of their commission, without the notice or knowledge of the adverse party, without which it is impossible to produce the proofs against the offender, and for lack of proof he must necessarily be acquitted. Indeed, in

case some great or notable robbery, murder or other offence be committed, at the suit of the parties that seek the punishment thereof, then upon advertisement from the justices of assize in the county where the fact is committed, or at the complaint of the justices of the country, or by commandment from higher authority, sometimes such commissions be granted for the speedy punishment of the offence. But at the suit of the party who is supposed the offender, I have not known any such commission granted, neither did I think it fit to be granted until I were further satisfied by his counsel, or were otherwise commanded, the rather for that I well knew I was greatly suspected by the adverse party and his friends of favour and friendship to Mr Knyvet, which whether I did bear and show unto him before the coroner's inquest gave up their verdict, or not, I leave to his own conscience and report, and to the testimony of others, his friends, who were travailers in his cause, the regard and respect whereof, lest I should incur some further note, made me the more advised and circumspect touching Mr Knyvet's desire. Lastly, in my own opinion, I could not understand how his suit for a special commission could in any wise have satisfied that which he sought for, to wit, the clearing of himself, because he standeth subject to the appeal which the brother of him that was slain may bring at any time within the year and day after the fact, notwithstanding any trial that might have ensued upon that special commission.

If Mr Knyvet were loath to be brought in public to plead his pardon, which he may have of course, touching the indictment before the coroner that findeth it *se defendendo*, that small matter I could have devised easily to have holpen without special commission. If he were afraid of any other indictment to have ensued by the procurement of his enemies, her Majesty's pardon, or else her warrant to her Attorney-General, would easily have cleared him of all those troubles which might have grown by any such indictment.

And thus I have briefly touched unto you the causes that moved me to defer and respite Mr Knyvet's suit.

Touching the granting of any special commission, far be it from me that I should so much forget myself as to deny any of her Majesty's servants that which is ordinary or of course for every common subject to ask; I should thereby leave my duty to her Highness, forget that which belongeth to my office, and be injurious to the party, which faults by the grace of God I will never willingly commit, and in this case now in question I am well assured I have not offended in any wise. It is happy that we serve and live under a prince of that wisdom and bounty of nature as is not easily carried with such surmises and suggestions; otherwise, the time were too miserable to serve in.

For this clearing of the state of the gentleman against all that may seek his peril in this matter, I see no other way but to quit himself, and to expect whether the brother of the party slain will commence his appeal within the year and day, which I think in respect of the verdict already given before the coroner, and the truth of the case, he never will. If he do not, then, to be out of all danger of malicious practices of his enemies, her Majesty's pardon shall be needful, though the matter of itself require it not. If the brother be disposed to sue his appeal, there is no device (to my understanding) to keep him from it; if Mr Knyvet's counsel know therein more than I do (as they easily may), I would gladly

confer with some of them, and be ready to do all the good for him that conveniently I may.

Concerning Mr Knyvet's bond, true it is he required me to deliver the same. I prayed him to content himself till the whole cause were ended, and I would in the meantime keep the bond from enrolment, as I still intend to do, whereby he should not fear any danger, which answer might well have contented him without troubling of her Majesty. It had been some rashness in me to have delivered his bond, the cause not ended.

And thus heartily praying you to acquaint her Majesty with this my answer, whom I would be loath to offend it the smallest point that may be, I commit you to God. From Weld Hall in Essex, the 28th of July 1582.

Your loving and assured friend in all I can,
T. Bromley, Cancellarium