Evan T. Jones (ed.), ‘Bristol’s petition against the establishment of the Port of Gloucester, 1582’ (University of Bristol, ROSE, 2011)

Until the late-sixteenth century the Port of Bristol included within its jurisdiction all the Gloucestershire reaches of the River Severn and its tributaries as far as Worcester. In 1575, however, Burghley, the Lord Treasurer, turned Gloucester into a member port of Bristol, so that it began to account separately to the Exchequer. Following some intense lobbying from Gloucester, which included a number of gifts of silverware to Burghley and the grant of a personal lifetime pension of £5 per year, Gloucester was turned into a headport, receiving its royal patent on 20 June 1580. Bristol responded by petitioning the Queen and she ordered a commission to review the case. The following documents record Bristol’s petition against the establishment of the headport (fos. 68-72) and Gloucester’s answer (fos. 83-89). Bristol’s replication is also recorded, as marginal annotations written to the left of Gloucester’s answer. At the end of the document the date ‘July 1582’ is noted, followed by four names written in Burghley’s hand: Sir William Wyntar, Thomas Throgmarton, Richard Pate and Thomas Hannam. On 4 July 1582 these four men were charged with undertaking an Exchequer Commission to investigate the dispute. The main business of the commission took place in January 1583, when depositions in response to four sets of interrogatories were taken in Gloucestershire. Following this, a second commission was ordered on 12 February, charged with taking further depositions based on two additional sets of interrogatories. These depositions were taken in April 1583. The end result of the process was that it was decided that Gloucester would continue to be an independent head port, which it remained until modern times.

Bristol’s petition, Gloucester’s answer and Bristol’s replication are useful not just for the light that they throw on the immediate dispute, but also for what they reveal about the how the port of Bristol functioned before 1580, on the potential for smuggling in the region, and about the arguments as to whether the establishment of the Port of Gloucester would cut down on illicit trading. Beyond this, the documents say much about the nature of the rivalry between the two cities, about the way they saw themselves and about the manner in which they portrayed each other. Lastly, it is possible to infer from the arguments presented in the documents what the two cities believed would be the issues that were most likely to sway the Crown. Apart from the matter of smuggling, these included the likely impact on the economy of the region and the question of whether the establishment of the port would reduce the number of ‘serviceable’ ships and skilled mariners that would be available to the Crown during time of war.

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1 The National Archives: Public Record Office, UK [TNA:PRO], SP 46/17, fos. 68-73, 83-89. I would like to thank Margaret Condon (University of Bristol) for her assistance on the transcription of these documents and Peter Fleming (University of the West of England) for his comments on Bristol’s foundation myth – as expressed in the city’s replication (fo. 83). The following conventions were employed when transcribing the documents: the line spacing, spelling, capitalization, underlining, deletions and punctuation follow the manuscript; reconstructions of suspensions are in italics. Squared brackets indicate editorial additions.
2 Evan T. Jones (ed.), ‘Survey of the Port of Bristol, 1565’, (University of Bristol, ROSE, 2011); TNA:PRO, E159/350 Recorda. Hil., rot. 348, r. d, et seq.
4 TNA:PRO, SP46/32, fo. 250.
5 The collection also includes another version of Gloucester’s response (fos. 73-82), which excludes Bristol’s replication. This has not been reproduced, since the text is almost identical to the version given below.
6 TNA:PRO, E 134/25Eliz/Hil3.
7 TNA:PRO, E134/25Eliz/East14.
Bristol’s petition against Gloucester

68r.

1. Bristol was a verie ancient Towne and Countie untill of late that it became a Cytie,¹ Scituated in an Angle betwene the Counties of Somerset and Gloucester, and allwaies stooode and yet standeth upon the trade of marchaundize and makyng of Cullored Clothes for the Sea,⁹ which with their trade of marchaundize they have allwaies sufficiently served, aswell all the Countries adioyninge¹⁰ to the said Cytie, As also all Townes and Countries lyinge upon and nere about the Ryver of Severne and the Creekes¹¹ of the same, as farre Inwarde towarde the lande, as to the Towne of Shrewesburye. /

2. There lieth South and westwarde adjoyninge to the same Cytie, the Countie of Somerset, whose chiefe trade by reason of the porte of Bristol, is makyng of Cullored Clothes, merchauntable for the Sea, and mynynge for leade,¹² whereof there riseth greate store. Upon which trade of marchaundize and Cloth makyng dependeth the lyvinge and mayntenaunce of many thousands of Craftes men and their housholdes: As Spynners, Weavers, Tuckers,¹³ Dyers, Shermen¹⁴ Carpenters, Smythes and others, of which consisteth no smale parte of the Cytie of Bristol. /

3. There lythe northwarde upon the said Cytie the Countie of Gloucester, whose state and maytenaunce especially towards the saide Cytie standeth upon grasinge and husbandrye.¹⁵ /

4. There is belonginge to Bristol betwene Somerset and Gloucester Shiers an auncient and sufficient porte for shippes of all burthens¹⁶ to ride and fleete in,¹⁷ wherein hath ben buylded and mayneteyned from tyme to tyme, As many greate ~ Serviceable Shippes¹⁸ as in any porte in this her majesties domynyon (London excepted) And there hathe ben broughte and trayned up as many skilfull maryners as to suche Shippinge should belonge and more, which serve in dyvers other places.¹⁹ /

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¹ Bristol became a county in its own right in 1373 and was a cathedral city from 1542.
² ‘Cullored Clothes for the Sea’: coloured cloths for the sea – i.e. coloured woollen broadcloth for overseas markets. By this, the city would distinguish itself from London, which focused on the export of undyed cloth for the Netherlands market.
³ ‘Countries adioyninge’ – i.e. adjoining counties.
⁴ ‘Creekes’ – in the this sense of the word, lading places and havens that fell under the jurisdiction of a Head Port but where customs officers were not normally resident.
⁵ ‘mynynge for leade’: a reference to the Mendips’ lead mines.
⁶ ‘tuckers’ – i.e. fullers of woollen cloth.
⁷ ‘Shermen’: sheermen. Men who ‘sheered’ broadcloth following the dyeing.
⁸ ‘grasinge and husbandrye’: grazing and husbandry – i.e. pastoral and arable farming.
⁹ ‘burthens’: burdens. The size of merchant ships was determined by their ‘tons burden’ – i.e. the number of tuns of Bordeaux wine they could carry in their hold.
¹⁰ ‘fleete in’ – i.e. sail into.
¹¹ ‘Serviceable Shippes’ – i.e. ships deemed to be large enough to be capable of service in the navy when required. One hundred tons by naval measure (75 tons burden), was typically held to be the minimum size for such purposes: B. Dietz, ‘The royal bounty and English merchant shipping in the sixteenth and seventeenth centuries’ Mariner’s Mirror, LXXVII (1991), p. 6; ‘An Act for ‘The Maytenaunce of the Navye” (1540), Statutes of the Realm, III, pp.374-5, 760-63; ‘An Acte towching certayne Politique Constitutions made for the maintenance of the Navye” (1562/3), Statutes of the Realm, IV, pp. 422-8.
¹² The maintenance of a large pool of trained mariners, which could be called up to serve in the navy during war, was another enduring policy aim of the Crown, the importance of which had been reiterated the year before Bristol presented its petition: ‘An Acte for the encrease of mariners & for the mainte nance of Navigacon’ (1581), Statutes of the Realm, IV, pp. 668-9.
5. There have byn belongine to the said Cytie and porte of Bristol tyme out of mynde and allowed and confirmed aswell by dyvers actes of Parlyament, As also upon greate conference and deliberacion by the ordynaunces of the highe Courte of ~ Exchequier, All the Creekes which laye and lyen upon the Ryver of Severn Inwardes towards the lande, As Barkeley, Gatcombe, Newnam, Gloucester Tewkesbery, and all other the Creeks and pills extendinge as farr upwarde as wigorn, Oute of which Creekes, the said Cytie and Citizens had their cheife relief of Victuallinge for their mayntenaunce. / 

6. By and throughe the which Creekes the saide Cytie had the chiefeste vente of all manner of forreyne marchaundizes, As farr upwarde and Inwarde towarde the lande as Shrewesburye which served all other Countries thereunto adjoyninge. / 

68v.

7. Oute of which saide Cytie, by reason of the trade, porte, Creekes and ~ members of the same, the Queenes majestie receyveth yerely for fee farme ~ fifteenes, Customs, Subsidies, ympostes and other Duties greate somes of money./ All which Creekes, upon suggestion of some untryed matter ben of late taken from the saide Cytie and porte of Bristol, and are become severa portes of them selves, to the utter Immunent ruyn of the said Cytie, decaye of the shippinge and maryners, hinderance of the Queenes majesties Customs; duties and proffyttes, byringinge and raysinge of greate dearth and scarsytie, Incouranginge and increasinge of pirottes and other greate inconvenyences as by the profes and probable reasons hereafter expressed more at Large it will appeare. / 

69 r.

8. Gloucester is a greate throughare fare and standeth altogetheer upon ~ retailers Inne keepers, handycraftes men, maultmakers, Corne Jobbynge usage of husbandry, and is a a greate markett, Scituated in the harte of the Country, where greate concourse of people is, for twise A yere they have the assizes, besides quarter Sessions, and sundry other greate meetinges of the whole Countrie. By the means whereof, all ~ the aforesaide Citizens have and doe lyve plentifully. And the Cytie never in better case then nowe it is: There are no merchauntes there for there is but one free of that late incorporacion graunted by her majestie and he is no adventurer. They can mayneteyne no serviceable shippinge or fytt for good marchauntes, for none (but suche as are of twenty tonnes

20 ‘pilles’: pills – a Bristol Channel term for tidal creeks.
21 ‘wigorn’: Worcester.
22 In other words, it is asserted that it was through its creeks that Bristol sold most of its foreign merchandize.
23 ‘fee farme’: fee farm. The right to collect many taxes were farmed out to individuals or groups in return for a fixed rent.
24 ‘fifteenes’: The fifteenth. A tax granted by Parliament, equivalent to a fifteenth part of the nominal value of the taxpayer’s moveable assets.
25 ‘ympostes’: imposts – i.e. taxes on trade imposed by the Crown without parliamentary authority.
26 ‘untryed’: untried – i.e. unproven.
27 Gloucester was established as a separate Head Port in 1580, taking with it the creeks mentioned in Article 5.
28 ‘Corne Jobbynge’: corn jobbing – i.e. dealing in grain.
29 ‘Countrie’: country – i.e. county.
30 By ‘merchants’, the author means those who live solely from wholesale trade, as opposed to those who might also be involved in retail. An ‘adventurer’ or ‘merchant adventurer’ was one who lived solely off the profits of overseas trade. This was true of most of Bristol’s principal merchants and was, indeed, a requirement of those who wanted to become members of Bristol’s Society of Merchant Venturers, founded in 1552.
4.

or under) can come to that place, They make there no Cullored Clothes or Clothes for the Sea, Neither have they any tyme leade or other ~ kynde of marchaundize laufull / So that if they make any ~ adventure, It muste needes be of Corne and prohibited wares, \(^{31}\) Whereby not only the pore people of the same Countrye, but also ~ the Cytie of Bristol are sharply pynched, and the transporters onlye enryched thereby./

9. Gloucester standeth betwene Bristol and wigone, Warrick Coventrie and ~ Shrewesbury and all other places upp Severn where the merchauntes of Bristol did usually make their vent\(^{32}\) of suche Comodyties as they bringe from beyonde Seas./ And Gloucester it selfe also is a place where they have utterd muche merchaundize/ but nowe if the same continuwe a porte It is like they will not only serve them selves, but also those other Countryes and townes about them, And so the trade in Bristol (when the vente of their Comodytes is taken from them) muste needes be hindered and decayed thereby./

10. If trade of marchaundize be setled in Gloucester, and a porte contynued there ~ where no depth of water is but for smale barkes or boates the same wilbe An increase of smale boates and barkes, and the decaye of so muche greate Shippinge in Bristol./

11. Since Gloucester was made a porte, they have increased smale barkes ~ and boates to the number of xlti or thereaboutes, which are of burden from xv\(^{en}\) tonnes to xxx\(^{en}\), which amoneth by estymacion to a thousand tonne shippinge and doe make voyage and retornes with the same as offe as they can, which muste of necessytie decaye our trades, decrease a greate parte of our serviceable shippinge in Bristol, But what Custome they have paid or benefytt her majestie hath thereby, theire bookes of accompte\(^{33}\) dothe shewe and beinge examyned it will appeare, that so muche greate Shippinge in ~ Bristol dothe yelde tenne tymes so muche Custome as they have or will yelde /

69v.

12. The more ladinge and discharginge places that be allowed of, the ~ greater wilbe the concealement and stealth of her majesties Customs ~ and conveyawe awaye of prohibited wares, and therefore was yt ~ provided for in the xxxiiij\(^{th}\) yere of Kynge Henry the eight\(^{34}\) and in ~ the firste yere of her higheynes reigne by acte of parlyamente,\(^{35}\) and the ix\(^{th}\) yere of her majesties reigne by a decre\(^{36}\) set downe by the Lorde threasor then beinge, and the whole Courte of Exchequer That nothinge shoulde be laden or discharged within Severn, but onlye at Bristol and certeyne usuall places whereof the officers of Bristol had speciall charge / As by the same more att large dothe appeare. /

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\(^{31}\) ‘Prohibited wares’ were wares that were routinely subject to export prohibitions, such as foodstuffs, beer and leather.

\(^{32}\) ‘vent’ – i.e. sale.

\(^{33}\) ‘bookes of accompte’: account books – i.e. the ‘port books’, which recorded all the overseas trade of each port. Since these were submitted to the Exchequer, they could be used to determine the size of a port’s recorded trade.

\(^{34}\) ‘An Act for the Preservacion of the Ryver of Severne’ (1543), Statutes of the Realm, III, pp. 906-7.

\(^{35}\) ‘An Acte limiting the tymes for laying on Lande Marchandise from beyonde the Seas, and touching Customes for Sweete Wynes’ (1559), Statutes of the Realm, IV, pp. 372-4.

13. All creekes upon Severn beinge made portes there muste needes be more ladinge and discharginge in sundrye places at one tyme, betwene ~ Bristoll and Gloucester then before, And so still more hinderance to her majestie, and hurt to the Common Wealthe. / 

14. The chiefeste place of ladinge and discharginge for Gloucester, is at A place called Gattcombe, which is xvi"o myles downewardes towards the Sea before the officers of Gloucester, and neerer to the porte of Bristoll then to Gloucester, and no officer dwellinge nigher then Gloucester, neither is it any towne or populous village to descrye or understande howe her majestie is deceyved and the Countrye robbed. / 

15. But yf they did make their entries and take oute their Cockettes at Bristoll then should the officers of Bristoll which lye betwene that and the Sea have knowledge thereof, and by duetifull care, intercepte and controwle them. / 

16. It is muche meeter, and more conveynent that the Creekes of Severne doe belonge to Bristoll than to Gloucester, or to be portes of them selves, flor Bristoll standeth in nede of, and byn relieved with the grayne and victualles which Gloucester and the Countries upon Severn doe yelde ~ and abound with, the utterance thereof enricheth the riche sorte of ~ the Countrye and robbeth the poore. / 

17. Before the said Creekes became portes the Borderars Upon the Welshe Coast came to Bristoll to take out Cockettes to passe to us their Comodyties which the Countrye yeldeth, as Leather, Butter, Chese and other, by the which meanses they did bestowe money with us and nowe are the prises of theis Comodyties greater in those Countries then in Bristoll for nowe they buy their Leather with us, As it maye appeare by the Queenes porte books / 

70r. 

18. Otherwise when they delivereud their bookes to the officers of Bristol ~ they were then hable to fynde their disorders and to reforme them, or to ~ travaile to them and to staie the passage thereof, which nowe theye ~ cannot doe, what neede soever we have for provision of our Cytie, or ~ for the Queenes service into Irenlande, or elles where, And so passe ~ the same awaye throughge the newe erected portes under Cullour to ~ come to Bristoll, And a greate parte of the same is conveyed by nighte into Shippinge which comethe from other portes lyinge in the Welshe rode, joynynge to Kyng Rode, (where we nowe cannot Searche) and there doe caste out their Ballest to the destruction of ~ that rode also. 

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37 Gatcombe served as Gloucester’s outport. It lies 12 miles southwest of Gloucester, or 22 miles by water. Gatcombe is 21 miles north of Bristol, or 25 miles by water. The nearest settlements to Gatcombe are Blakeney (1 mile northwest) and Lydney (3 miles southwest).
38 ‘Borderars’: borderers. This is presumably a reference to the men of Chepstow and perhaps also Caerleon and Newport.
39 ‘Cockettes’: cockets. In this context a customs certificate to allow ‘prohibited wares’ (e.g. grain) to be sent coastwise.
40 After 1565 coastal trade was recorded in coastal port books, which were submitted to the Exchequer each year.
41 ‘travaile’: travel.
42 In other words it was claimed that goods passing under coastal cockets granted at Gloucester, for shipment to Bristol, were in fact being laded by night on to ships in the Welsh Road (the Welsh side of the Severn) or the Kingroad (the bay stretching between Avonmouth and Portishead). When such lading took place, the ships cast out their ballast to make room
19. Since Gloucester hathe ben A porte, they have restreyned greyne to come to Bristol. So as when they have occasion, they must travell to Gloucester for a cocket, and ther if they obteyne it, the same is not without greate difficultie, which maketh a greate chaunge in the saide Cytie of Bristol.

20. The Cytie and porte of Bristol is nowe dismembred of all the auncyent Creekes belonginge to yt, and of the trades of the same, and hathe but the very mouthe of the haven to issue out at into Severn. And so the said Creekes are become portes where no one of them is sufficient of water for a shippe of any service. But other cheife portes (althoughe inferior to Bristol) have many and dyvers Creekes belonginge unto them, and yet no towne or porte may spare their Creekes so ill as Bristol. For their greatest trade is by and throughe their Creekes, And that in tyme muste needes decaye both the Cytie and the serviceable Shippynge of the same.

21. Irishe men also with their Barkes have founde A directe trade to Gloucester, And all to shippe awaye Corne and so wee lose the benefytt of their Comodyties, and the utteringe of our owne, which is another greate decaye to us.

22. The Serviceable Shippes of Bristol have and muste serve her majestie upon all occasions, And in the meane tyme the smale Barkes of Severn are free, and doe spoyle the Countrie of grayne and victualles for they are in A manner out of comptrollement.

23. When the Creekes of Severn belonged to Bristol, then Corne grayne and victualles came from thence by Cocket from Bristol, and then was her majestie for the victuallinge of Ireland and for other services provided at Bristol, But nowe her charges upon Severn to provide and gather the same is greate And by the bookes of the purveyor for that service appeareth. And greate exactions ben at Gloucester for Cockettes, and other fees, but her majesties Custome verey smale.

24. Aboute xvij yeres paste were taken from Bristol all the Creekes upon the Coast of Wales, which were belonginge to Bristol, as Swansey Cardif, Neweport and Chepstowe, whereof Cardif is made A Chiefe porte, and the other members of the same, ffrom whiche Countries no merchaundize is to be spared but prohibited wares. And which the utteranuce thereof they doe mayneteyne smale shippinge and retourne forreyne Commodityes. But that hathe broughte scarsitie of certeyne kyndes of victualles to Bristol, And also by so mueh hindered the trade thereof, Another cause of decay of the saide Cytie, And what Custome her majestie hathe from ~

for the grain, which obstructed the roadstead. The casting-out of ballast into the Hungoad and Kingroad by ships taking on grain illicitly was the principal justification for the passing of the 1543 Act: Statutes of the Realm, III, pp. 906-7.

43 'greyne': grain.
44 'out of comptrollement' – i.e. not properly controlled or supervised.
45 The claim here is that the Queen’s purveyor, in gathering grain to ship to the English troops in Ireland, now found it more expensive to gather his goods.
46 In 1563 John Leek was appointed customer of the newly-established Port of Cardiff, which included all the coast from Chepstow to Swansea: W. R. B. Robinson, ‘The establishment of royal customs in Glamorgan and Monmouthshire under Elizabeth I’, Bulletin of the Board of Celtic Studies, XXIII, Part IV (1970), p. 354.
thence the bookes doe shewe. / A smale matter from a head
porte /

25. Aboute theis portes and Creekes in Wales of late yeres have ben manye
piottes harboured, succored and vitled, and never taken or removed, but
by the Shippinge of Bristoll, And the inconvenyences thereof did ~
appeare about xvth yeres past to the Lorde Threasoror and Courte
of Exchequiers, Wherefore, it was by him and the said Courte
upon great consultacion and throughge debaringe of the matter,
decreed, That the same shoulde become Creekes and members
to the porte of Bristoll agayne, / But they never obeyed the
same /

26. In tender consideracion whereof, maye it please your honours to have ~
regarde of the mayntenaunce and contynewaunce of the said
distressed Cytie, that without desert, or other weightye or
necesarie consideracion, the same be not so dismembred of their
Creekes and ventes: especially that they should be laide to ~
A place more unworthie, and utterly unmeete for so many
causes to be a porte. / to the ruyn of the said Cytie of ~
Bristoll, decaye of the Shippinge and maryners, ~
hinderaunce of her majesties proffites, and apparaunt againste
the Common Wealthe bothe of the said Cyties and Countries./
And so muche the rather bycause the Shippinge of Bristoll
have sufficiently and willingly served her highenes in the
service of Irelande althoughe to their hinderaunce/ So as
by your honourable consideracions and meanes to her majestie, the
said Cytie of Bristoll and Countries maye be restored
to their former estates. /

47 For Cardiff’s late sixteenth-century trade, as recorded in the overseas port books, see: Taylor, ‘The Maritime Trade of the
Smaller Bristol Channel Ports’, pp. 131-155.
48 A reference to the Exchequer decree of June 1567, albeit that did not make any reference to pirates – the principal
justification for making Cardiff into a member port of Bristol being that this would force the officers of Cardiff to charge
the same duties as those applied in Bristol: Jones, ‘Exchequer Decree’.
49 Since the officers of Cardiff were appointed independently by Letters Patent, those in Bristol would not, in practice, have
been able to discipline them if they chose not to follow orders issued by the officers in Bristol.
50 This is written sideways across the folio. The fold lines suggest this was originally the cover of the petition.
The answer of the Mayor of Gloucester and Bristol’s replication

fo. 83r.

[Bristol’s replication]

The answere of the Maior and Burgesses of the Citie of Glouceiter to the Articles exhibityd by the maior & comynalitie of the Cytie of Bristoll. /

[Brennius the Britayne buildowe A mundi] 51

3574 and it was called Cayrer Oder, Nent-Badan. 52

Gloucester was builded by Claudius Cesar the Romayn Anno Christi 45 53

Bristowe was incorporated and had liberties by kinge Henry the 2 and it was made a Countie of it self by King Henry the 3. 54

Yf liberties by kinge John were graunted to the Gylde of the merchauttes of ~ Gloucester, it is very like that the unaptenes of the place and the insufficiencie of the Port wase the cause of the discontinuaine of that Gylde and trade there. But it is to be thoughte that it was meante merchauttes retaylers, and not merchauttes venturers Glouceter standeth not upon any trade of merchaunderize but of Corne only: neither ~ make theie coloured clothes for the Ocean Sea. 55

Glouceter standeth not upon any trade

herein is denied an open truthe

By decaying or dymynyshing of the trade of merchaunderize in Bristowe the saide Artificiers must consequently be hindred and decayed al also. /

This Citie of Glouceter is a countie of it self situated upon the Ryver of Severne in the harte of Glouceter Shere, and in the mydes 60 of Severne betwene Bristoll and Bewdley, it standeth muche upon the trade of merchaunderize aswell in makynge & sellinge of Clothe as in transportinge and brynginge in dyvers other thinges merchautable, and the trade of the Cytye of Bristoll nowe no otherwise hindered, then allwaies heretore accustomably yt hathe ben. /

2 The cheife trade of the Countie of Somerset (beinge of it self a riche and wealthie Countrie by reason of the fertilytie of the groundes thereof) dothe not by occassion of the port of Bristoll stande upon the makynge of Colored Clothes merchautable for the Sea. For althoughe in Somerset Shere there are colored clothes made, yet are they for the moste parte solde to the merchauttes of London and other places within the Realme, Also the lyvinge and maytenaunce of suche Craftes men as dependeth upon that trade of merchaunderize and Clothe makynge cannot any waye be hindered by the Custome House of Glouceter, seinge they doe and maye transporte theis clothes from Bristoll beyonde the Seas at their pleasure; without any controllmente or interrupcion of the Cytye of Glouceter. /

51 Anno Mundi: ‘in the year of the world’ – a calendar system that starts from the year of biblical creation. Determining the date meant is difficult, since different authorities had different calculations for the date of the Creation.

52 ‘Cayer Oder, Nent-Badan’: Caer Odor yn nant Baddon is the Welsh name for Bristol, meaning ‘the city of the gorge in the valley of Bath’. Documentary and archaeological evidence suggest that ‘Brigstow’ (Bristol) was established c.1000 as a trading station next to a bridge over the Avon: M.D. Lobel and E.M. Carus-Wilson, ‘Bristol’ in M.D. Lobel (ed.), The Atlas of Historic Towns, Vol. 2 (London, 1975), pp. 2-3. Bristol’s medieval ‘origin myth’, however, held that it had been built by Brennius, a descendent of the refugees from the fall of Troy: L. Toumlin Smith (ed.), The Maitre of Bristowe is Kalendar by Robert Ricart, Town Clerk of Bristol 18 Edward IV (Camden Society, V, 1872), pp. 3, 6-10.

53 A reference to the foundation of the Roman town of Gloucester, following the invasion of Britain by Claudius Caesar in 43 A.D.

54 Bristol received a series of charters in Henry II’s reign and became a county in its own right in 1373: N. D. Harding, Bristol Charters, 1155-1373 (Bristol Record Society publications, Vol. I, 1930).

55 ‘for the Ocean Sea’ – i.e. for overseas trade.

56 ‘sithence’: since.

57 A reference to the extension of the Borough’s privileges by King John’s Charter (1200).

58 The clerk appears to have written ‘C’, but ‘a’ makes more sense.

59 ‘Cronicles’: chronicles.

60 ‘mydes’: middle, or middle part. Gloucester lies 33 miles northeast of Bristol and 34 miles south of Bewdley.
It is not alleged that Bristowe is hindred by that parte of Gloucester shier which ioyneth to Bristowe.

Yf Shippes of convenient burthen maie fleete in the pill of Gatcomb, yet is there not water to bring a Shipp laden to that place conteyning above L tonnes and that muste be at Springe tydes. Lighters and small boates do not safely passe to discharge their Shippes thereif any tempest or rough water happen to be

Bristowe by reason of their great shipping can serve Gloucester and the Countries upon Severn with their merchandize better cheape then Gloucester can with their small barks and the caruyage for dispersing maketh small difference Gloucester and Westchester for their portes stand in one predicament but that the roade at Flynt Castell is deeper and more sufficient.

3. That parte of the Countie of Glouciter which lieth betwene Bristoll and Glouciter, standeth chiefly upon grasinge and husbandry and as from that parte of the Country of Glouciter, the Cytie of Bristoll continually receyveth greate Comodytie in their provision of victualles and suche other necessaries (of which provision and Comodytie they are no waie hindered by her majesties graunt lately made to the Cytie of Glouciter) So in requital it were fyt the Cytie of Bristoll should cease to contend against her majesties graunt made upon greate deliberacion and good consideracion to the benefyt of her highness Cytie of Glouciter without their preiuudice.

4. Shippes of all convenient burthens maye as safely fleete to ~ Gatcombe x myles from Gloucester as they maye come to Bristoll key or to the back of Bristoll. Gatcombe beinge a place where floweth as muche and as depe water as dothe at the key or back of Bristoll. And barks of xxi ton or more and lighters of greater burthen maye come at every Springe to & from Gatcombe to the keye of Glouciter, from where all comodyties maye more aptly and more cheaply be dispersed then from Bristoll into all the bowelles of the other sheres round about with far easier and shorter traivaile, Also the Cytie of Glouciter is two myles nere to Gatcombe where the shipp lieth well and in good harbor then the town of Westchester is to Flynt Castle where the shippes of Chester doe staye and unlade by lighters

5. The Creekes which lien upon the river of Severne inwards towards the lande as Barkeley, Gatcombe, Newnenam ~ Gloucester Tewkesbury &c. have not tyme out of mynde ben belongine to the Cytie & porte of Bristol, neither were suche persons (as did lade emboate or discharge any corne or grayne at any of the said Creekes to be transported beyonde the Seas) enforced or any Custome or lawe to bringe the said Corne to the key of Bristoll there to be vewed and a Cockett to be had of the Customer of Bristoll for the transportinge thereof before the makinge of the Statute made in the xxxiii yere of the reigne of Kinge Henry theighte, which statute dothe not unyte nor allowe the said Creekes to be parcell or belonginge to the porte of Bristoll, nor dothe restreyne her majestie to establishe by her graunte a port at Glouciter, and to unite theis Creekes parcell and belonginge to the same porte, nor provideth for the restainte of ladinge or transportinge of any other merchandize
Bristol's petition vs Port of Gloucester, 1582

TNA:PRO, SP46/17 fos. 68-73, 83-89

then come and grayne only, And the statute made in the firste yere of the Queenes majesties reigne doth not enable the porte of Bristol to enjoye these aforesaid Creekes, but dothe evidently declare that her highnes by her grant or only by Comission maye assigne & appoint any porte, and annex any Creekes to the same port at her pleasure, And the mischef of the said estatutes thereby the better provided for, and prevented. The decree also made in the Courte of theexchequyr in the ixth yere of the Queenes majesties reigne extendinge chiefly to certeyne Creekes in Wales dothe not prove that any of the Creekes of the Ryver of Severne did apperteyne or of right dothe or oughte to belonge to the porte of Bristol, but rather proveth the contrary. And althoughe theis Creekes hathe ben without title or righte reputed by the Cytie of Bristol as Creekes belonginge to the porte of Bristol, yet that ~ reputation without warrant of lawe or graunte cannot by any Cullor of reason restreyne her majestie to erecte & estableshie by her lettres patentes a port at Glouciter and to unyte theis Creekes to the same port. The Creekes are within the County of Glouciter properly belongine to the Cytie of Glouciter and Gatcombe beinge the furthest place of ladinge and dischargeinge from Glouciter is but x yeres distant from the Cytie of Glouciter, and xxi yeres distant from Bristol Glouciter was a towne standinge upon merchantes & merchandize and had the use of theis Creekes longe before Bristol was any incorporate towne the Seate of Bristoll beinge of late yeres borowed of the counties of Glouciter & Somerset to erecte the same a County and a Cytie. Out of theis Creekes the Cytie and Citizens of Bristol have their relief of victuallinge for their mayntenaunce as ~ plentifully as ever they heretofore had without prejudice ~ or hinderance of the port or Custome House of Glouciter.

6 By and through the same Creekes the said Cytie of Bristol hathe the vent of and for all manner of forreyne merchandizes in as liberall and ample manner as at any tyme hertofore they accustomably have had /

fo. 84r.

Yf Bristol had so

7 Sithence the Queenes majesties saide grauntes made to the Cytie of Glouciter her highnes hath or oughte to have receyved yerele suche fee farmes, fifteenes Customes, subsidies ympostes Dueties & somes of money as are due & paieable by the Cytie of Bristoll, Some whereof are certeyne, but the somes of money for Customes and Subsidies her highnes expecteth not otherwise then of righte they are and oughte to be due, And the Cytie of Glouciter hathe ben and is also yerely answerable

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73 See n. 35.
74 'Hungroad'. This is a stretch of the River Avon, four miles downriver from Bristol and about half-a-mile from the confluence with the Severn. It was an anchorage where the tide-waiters of the Bristol customs office met incoming ships and then either accompanied the ships up to the city or oversaw the transhipment of goods on to lighters for dispatch up to the City for declaration at the customs house.
75 Bristol thus claimed that use of the Gloucestershire creeks for proper purposes would be allowed, subject to oversight by a Bristol officer. This would presumably be the ‘clerk of the creeks’ mentioned under Article 13.
76 See n. 36.
77 'Cullor': colour - i.e. pretence.
78 The point is that while Bristol claimed a historic right to the Gloucestershire creeks, they had no formal title over them. There was thus nothing to stop the Queen from establishing a new port at Gloucester by Letters Patent.
79 See n. 54.
That encrease of her majesties profittes doth decrease the same in Bristowe. The suggestions whereupon the said letters patentes were granted be apparently untrue, as well in comendinge the sufficiencye of the Creekes to receive Shippes of all convenient burthen as also in describing the distance of the places where no portes were and yet sett out meete to be. The statue also of xxxiiii Henry viii was meant (as it semeth) to be defrauded for it is not recyted in their suggestion / Yf Glouc Bristowe had so meane a begynnyng, god be thanked Gloucester is well overtaken There be in Gloucester so many able persons for the trade of merchantes that there is but one allowed to be a merchante of the Southernne trade and he dealeth not therein. / Yf theie of Gloucester will use merchandize with serviceall Shippes there were lesse reason to repyne therat. The clothes which be made in Gloucester and Gloucester shire be for the trade of ~ Flaunders and Germanyn and not for the trade through the ocean sea Yt will appeare by their custome bookes wherewith there aduentures have byn made to the sea. The merchants and officers of Gloucester doe lyve friendly and neighbourly togethers for the newe officers of the Custome house & portes there have no fees allowed them. Bristowe is so cutt of from the Severn that the barking of the newe portes with their Comercemaynt ye maynteyne and albeit shippes of greate burthen cannot come up to the key of Gloucijer, yet maye they be owners of as good shippes of service as Bristoll and if they become merchantes to forreyn dyeomynions they of force muste have shippes bothe for burthen and for defence and thereby her majestie and the Realme more strengthened & enrytched, There are made in Gloucijer and Glouciter shere greater store of colored Clothes and clothes for the Sea, then Bristoll & Somersetshere dothe make. Theire aduenture is not of Corne and ~ prohibited wares to the enrichtinge of them selves and the pinchinge of the people of the Country and Cytie of Bristoll as unsemely alledged for no Corne passeth out of that Country without speciall lycence and warrant, nor ~ without the knowledge of the Comissioners authorized for ~ restrainte of Corne, neither can they transporte ane prohibited wares by stealthe and without knowledge bycause there are officers in Gloucijer resident to loke there into, And yt they should escape there; yet they are to passe through the of Erle Worcesters lybertie, who hathe a searcher there allwaies attendinge, And yt they might there escape, yet

8 As Gloucijer is an Auncyent towne of greate merchandize and hathe not had his begynnynge contynuance and maynetenauce by suche trades as is unsemely and unfytt termes is set downe which mighte more properly to be applied to that other towne which had a far meane begynnyng, So the supposed good estate of Gloucijer havigne in yt many persons hable to used the trade of merchandize, many Clothemen, spyniers weavers and other ~ pore people, is no reason to let them to become merchantes and to trade as merchantes accordingly as longe heretofore their predecessors have done. Suche barkinges and boates as in elder tyme had accessse to Gloucijer are still madentyned, and albeit shippes of greate burthen cannot come up to the key of Gloucijer, yet maye they be owners of as good shippes of service as Bristoll and if they become merchantes to forreyn dieomynions they of force muste have shippes bothe for burthen and for defence and thereby her majestie and the Realme more strengthened & enrytched. There are made in Gloucijer and Glouciter shere greater store of colored Clothes and clothes for the Sea, then Bristoll & Somersetshere dothe make. Theire adventure is not of Corne and ~ prohibited wares to the enrichinge of them selves and the pinchinge of the people of the Country and Cytie of Bristoll as unsemely alledged for no Corne passeth out of that County without speciall lycence and warrant, nor ~ without the knowledge of the Comissioners authorized for ~ restrainte of Corne, neither can they transporte ane prohibited wares by stealthe and without knowledge bycause there are officers in Gloucijer resident to loke there into, And yt they should escape there; yet they are to passe through the of Erle Worcesters lybertie, who hathe a searcher there allwaies attendinge, And yt they might there escape, yet

80 In 1577 the Spanish Company was granted a royal monopoly over trade to Iberia, most of the members of which came from London and Bristol: P. Croft, The Spanish Company (London Record Society publications, Vol. IX, 1973), p. xiii. The statement implies that only one Gloucester merchant was a member of this company and that he was not actively engaged in the trade.

81 Bristol seems to have been insinuating that, because the Gloucester officers were unpaid and lived in close association with the local merchants, they were more likely to be corrupted.

82 'pinching': pinching – i.e. to deprive people of food.

83 Until 1564 the ports of South Wales fell under the jurisdiction of the Marcher Lords: the Earl of Worcester and the Earl of Pembroke. Shippes bothe for burthen and for defence and thereby her majestie and the Realme more strengthened & enrytched. There are made in Gloucijer and Glouciter shere greater store of colored Clothes and clothes for the Sea, then Bristoll & Somersetshere dothe make. Theire adventure is not of Corne and ~ prohibited wares to the enrichinge of them selves and the pinchinge of the people of the Country and Cytie of Bristoll as unsemely alledged for no Corne passeth out of that County without speciall lycence and warrant, nor ~ without the knowledge of the Comissioners authorized for ~ restrainte of Corne, neither can they transporte ane prohibited wares by stealthe and without knowledge bycause there are officers in Gloucijer resident to loke there into, And yt they should escape there; yet they are to passe through the of Erle Worcesters lybertie, who hathe a searcher there allwaies attendinge, And yt they might there escape, yet
Corne is landed there

Cornewall doth often tymes serve Bristowe with wares

fo. 84v.

Cornewall Devon and Wales doe beare the name and Cornewall and Devon do retorne certificattes, although little grayne landed there. If Cornwall and Devon were supplying Bristol, the implication being that it was being exported fraudulently instead.

Cornewall of late yeres hath served Bristowe with Corne and grayne. If Cornwall was supplying Bristol, this would imply that the price of grain was lower there than in Bristol. If so, this would support the notion that grain shipped from Gloucester to Cornwall under a coastal cocket was likely to be intended for illicit export, rather than the provisioning of Cornwall.

muste they after passe throughe the libertie of the officers of Bristol. So that they cannot possiblie passe with prohibited wares in suche sort as is surmysed; nevertheles with warrant and lycence it is very nedefull that some of the greate plenty of Corne in Gloucister Shere should be transported to South wales, north wales, Devonshire, Cornewall and Ireland, to supply and helpe the great necessity and want of those places, And so it hathe ben hertofore used tyme out of mynde /

More care is to be had of the mayntenaunce of the greate Shippes at Bristowe then of the small barkes and Boates of Severne

Theie are little furthered by having their Cockettes at Glouc. for every springe by their Trowemen theye used to sende by their Trowemen to Bristowe for Cockettes and had them and so theye do to Gloucester after the same manner but at Gloucester the Cockettes dothe coste them very nere doble so much as theie do at Bristowe /

It cannot be denied but that Gloucester were a necessary porte: if there were water to bringe Shippes thether, and so ~ were Coventrye also. The statement is sarcastic, in that Coventry lies far from any navigable waterway.

Lett the small barkes serve for that purpose in godes name, But lett Bristowe be allowed to looke in to the matter, that theie maye be first served, as it is meet & necessary

The maryners of Severne that

9. The merchantes of Bristoll doe, as to fore they did usuallye make their vent of suche Comodytes as they bringe from beyonde Seas to Wigorn, Warrie, Coventrie, Shrewesbury and all other places upon Severne, and Shrewesbury nor any of the Countries upward are not letted by Gloucester to serve Bristoll but are furthered in havinge their cocket at Gloucester in their waye, neither are they served from Gloucester otherwise then heretofore. / In many respectes it is more likely that theis places will buy their wares at Bristoll then at Gloucester, But it is fytt the subiect should have free libertie to buy where he maye buy cheapest and in respecte of Shipinge, mayntenance of maryners or of thestate, it is all one whether the subjectes doe buy at Gloucester or at Bristoll, Wherefore Gloucester beinge so ~ necessarie a port for all these other places as is by theire owne article surmysed, it was the more conveniently appointed a port towne, and mete that it should so contynue/
Bristol’s petition vs Port of Gloucester, 1582

TNA: PRO, SP46/17 fos. 68-73, 83-89

use to serve in small Barkes are but lytle the fitter to serve in greate Shipping, and long voyages for service of merchante / or any other.

So by their smale barkes, the Queues naturall subiectes are preserved from famyne, tillage increased, the people keppe in worke, fishermente mynyteyned, And if theis smale barkes doe encrease then will there be more ~ maryners. And so her majesty shalbe the better furnished in nedefull tymes of service. The Cytie of Gloucestre sithence this graunte made unto them, hathe not increased any one boate, above the number they accustomedlye used allwaies before, and they mighte at all tymes before the said graunte, have used as manye boates as they wolde

Without denyall or resistance of Bristoll, whereby it evidently appeareth, that they erected Custome House at Gloucestre is not the Cause of this Complaint, but only some particular losse that ariseth thereby unto some particular persones.

Gloucestre hath of late yeares builded many newe Barkes of greater ~ burthen then before theire use to have although not serviceable.

Howe muche costom the small shipping there doth answere, their custome let the bookes judge.

By the custome howse of Gloucestre a ~ pryvate weleth of officers farmers & corne merchante is furdered and eased but the rest of the comonwelth aswel of Gloucestre as Bristowe is hindred thereby.
And the necessary victuellers of Bristowe gretely deseased and troubled.

There is nowe a greater number of lading and discharginge places, then were before by as many as ther Creekes turned into Portes, for Bristowe merchante did not lade nor discharge in their Creekes

There is nowe no greater nomber of ladinge and discharginge places, then were used before this graunte, theis aforesaid Creekes were of necessitie used by the tolleracion or appoyntment of Bristoll, for ladinge and discharginge places ever sithence the makinge of the saide Statute of the xxxiiijth yere of Kyng Henry theighte, the first yere of her highnes reigne and ever sithens the makynge of the decree in the article mencioned. Wherefor they may nowe more laufuly be used for ladinge and discharginge places then heretofore havinge officers there of purpose beinge so allowed & ordeyned by her majesties graunte

94 ‘frute and sider’: fruit and cider.
95 The suggestion is that mariners whose sole experience was of river and coastal boats would not be fit to serve on the Crown’s great ships in time of war.
96 ‘adioyninge’: adjoinging.
97 ‘although not serviceable’ – i.e. not fit to serve in the royal navy.
98 Bristol invites the Exchequer to examine the port books returned by Gloucester, to determine how much trade had been declared since it had become a head port.
99 The insinuation is that the officers at Gloucester were facilitating the illicit export of grain, to the advantage of farmers, merchants and themselves, but to the disadvantage of the common people, since it was assumed that grain prices would rise as a result.
100 ‘deseased’: diseased – i.e. inconvenienced or annoyed.
101 Since small ships require more men per ton of shipping capacity than large ones, Gloucester’s small vessels would employ more men than the equivalent tonnage at Bristol, where the average size of ships was much greater.
102 See n. 34, 35, 36.
Bristol’s petition vs Port of Gloucester, 1582

[Page 14 of the document]

Howe the officers of the newe portes
do watche and what concealement
there is the voyce of the people and
the scarcitie and dearth of Corne
and grayne doe showe. /\104

Bristowe did of necessite appointe the key
and Backe of Bristowe to be their places
of lading and discharging because
the Creekes of Severne were not able
to receave their Shippes /. It is a strange affirmation that Gloucester
keye and Gatcombe are accomp to
be accoumpted as convenyent places
for lading and discharg (as Bristowe is)
where no Shipp of any convenient
burthen can come /

fo. 85v.

The Creekes that nowe be made portes
were not places of ladinge and discharge
before the lettres patentes graunted / And
so nowe there be more places of ladinge
and discharging /

And he that was Clarke of the Creekes
and Searcher before is searcher nowe
And so no officer in that service increased. 106

There is no shipping of merchandize
for the sea before it come downe under
Gloucester Bridge, and for that service there
was before and yet is a searcher & Clarke
of the Crekes appointed which was & is sufficient
in that place /. /

The gentlemen that dwell no nere
be favourable Searchers./

Greate quantities of graine & leather
maie be brought to Gatcombe without
passing by the Custome house of ~
Gloucester or under Gloucester Bridge /

who have power thereby to dispence with the same estatutes103
And which said estatutes doe not abridge her prerogatyve, or
any waie dishable the same her said higges graunte, nowe
that there is another Custome house, and more officers to ~
watche thabuse of transportinge without Custome, it muste
followe that there is nowe lesse concealement then before
tyme, And so the Custome house in Glouciter within the remedy
and intencion of the said estatutes which provideth against that
mischeif for thavaile of her majestie /. Also the towne of ~
Bristol more for their Pryvaye gayne then for anye other
necessary respecte, havinge a Comission founded upon the
Statute of the first yere of this Queene, and thereby
appointinge the back & key of Bristol to be the onlye
place of ladinge & discharginge, whereas Gatcombe ~
Newneham and Glouciter Key hathe ben allwaies accompted
as convenyent and as fyt a place for that purpose, was ~
hard dealinge offerd by them to the towne of Glouciter to exclude
the key of Glouciter & Gatcombe, as maye very evidently
appeare by the contenetes of the Cerificate made by the
Comissioners. /105

[13] There are nowe no more ladinge and discharginge places
then were before, yet as many places of ladinge and
discharginge at one tyme maye be a hinderance to the Quenes
majesty, So when of many places havinge but one ~
Custome house, there is made another Custome house, and
more officers, Common reason & experience teacheth lesse
hinderraunce or concealement aryseth, and greater benefit
to her majestie and no hurt to the Comon wealth / The
greatest parte of all merchandize comyinge to Bristol
are uttered107 at Glouciter and above Glouciter, and the passage
thereof throughe Glouciter bridge, And Glouciter and Glouciter
Bridge standinge upon Severne as london and London ~
bridge doth upon Thames, and the passage beinge under the
bridge, nothinge can passe without payinge Custome
the Custome house beinge at Glouciter /

14 This Article is answered portely before, in the answere
to the iii\108 Article. Gatcombe is inhabited with dyvers
people at the place of discharge; some gentlemen are
dwellinge nere thereunto, the Searcher there attendethe
at every Springe, 106 and hathe a deputie contynuallye
waytinge at that place, no ladinge cometh fro
Gatcombe but muste of necessite passe by the Custome
House of Glouciter and under Glouciter bridge, So the queenes
Majestie cannot by any meanes be deceaved, nor the Country
hindered. /

103 The argument was that the same lading places were being used as before but now they were formally recognised and had
officers appointed to them.

104 This seems to imply that there had been recent complaints about high grain prices at this time, which Bristol knew the
commissioners would be aware of.

105 This is presumably a reference to the 1559 commission at Bristol to define the legal quays of the port: TNA:PRO,
E122/221/71C.

106 The suggestion is that the ‘clerk of the creeks’ had simply changed titles and become the ‘searcher’ of Gloucester.

107 ‘uttered’—i.e. sold or marketed.

108 ‘attendethe at every Springe’: attends around the time of the twice-monthly spring tides.
One officer serveth Gloucester & Gatcomb but little service can be don after the barkes be under Sailes & passe sodenly though the erle of Worcestres liberties which hath no intelligence of their comynnyng by/ And Bristowe cannot have understanding thereof because theie do not take out their Cockettes nowe but throughe the liberties of Bristowe for theye have nowe but the mouth of the haven left them.

The searchers of the Crekes and the Searchers of Bristowe must nedes to better service, then the searcher of the Crekes alone.

The Creekes were not for some parte of them unmeete to belonge to Gloucester yf Gloucester were meete and sufficient to be a porte (as it is not) and also yf theie hade not first belonged to Bristowe as theie did.

Bristowe is served with graine and victualles at their pleasure and under their power of restrainte which is a greate chaunge without any necessary cause.

Yf graine and victualles be better cheap at Bristowe then at Gloucester or Tewkesbury where naturally it growth that argueth an unlawfull waste and ill usage in Gloucester and Tewkesbury, but so was it not before this alteracion.

Where Bristowe endeavored to overthowe the Custome house erected at Cardiff in Wales yt was ordered by the right honorable Lord Treasurer that then was And the right honorable Sir Walter Milday & the Lord Chief Baron & the whole Court of Exchequer upon great advisement that the same Creekes in Wales should belonge of graynes and victualles are provided from Glouciter and ~ Tewkesbury to serve Bristol by suche quantities that the same is as good cheap or better in Bristol (which hath also the provision of other sheres adioyninge) then in Glouciter or Tewkesbury, The more vent from places where is plenty of grayne and in tyme of plenty the rither become the ploweman, the porer sorte of people, the better kepe in worke and relieved, tillage increased, the Country nourished, and her majestie and the common weale there by muche benefited and strengthened.

As certen Creekes in Wales taken from Bristol became portes of them selves by graunte and a Custome house erected and established at Cardiffe, which portes and Custome house hathe accordingly ben longe enjoyed as beneficall to the Country and avayleable to her majestie, althoughe Bristol hathe many waiies endeavored their uttermost, thempeachinge & overthowe thereof and of the same graunte, that reason & experyence

109 This is a slight exaggeration, in that the port of Bristol still encompassed the eight-mile stretch of the Gloucstershire coast as far as Aust and the two miles of the Somerset coast to Portishead, thereby encompassing the Kingroad. The point seems valid, however, in that a vessel coming down the Severn with a favourable wind on an ebbing tide would pass through the jurisdiction of the port of Bristol in little more than an hour. There would thus be little opportunity for search.

110 For comment on this point, see discussion and notes to Article 8 in ‘Gloucester’s answer’.

111 ‘unmeete’: unsuitable.

112 ‘enioye’: enjoy.

113 The insinuation seems to be that, if grain was cheaper in Bristol than at Gloucester, this could only be because so much grain was being exported illegally that it had driven-up the price in Gloucester.

114 ‘ritcher’: richer.

115 A reference to the 1567 decree, when the Lord Treasurer was William Paulet, Marquess of Winchester (d. 1572) and the Chancellor of the Exchequer / under-treasurer of the Exchequer was Sir Walter Milday.

116 ‘avayleable’: available.

117 ‘thempeachinge’: the impeaching. In this context ‘discrediting’ is probably meant.
to the porte of Bristowe againe As by the same 
decree more at large appeareth although 
the same were contemnuously disobeyd.\footnote{118}

Yf the creekes in wales and upon Severn 
were seen to as it was heretofore, lether 
woulde not be so deare, where the cuntry 
yeldeth so great plente therof.

And Gloucester have made such restraint 
of their lea ther that their Shoemakers 
come to byue lea ther at Bristowe and so 
both Cities the wurse through disorder 
and negligent restraynt / 

\footnote{118 ‘the same were contemnuously disobeyd’. This implies that the officers of the Port of Cardiff, after it had been made 
into a member port of Bristol in 1567, had refused to bow to the authority of the officers of Bristol.}

Yf the farmors and Corne merchantes of 
Gloucster wolde see as narrowly\footnote{119} to their 
officers as the victuallers & Inhabitantes 
of Bristowe / of necessite are ~

constrained to doe the offices woulde be 
executed both alike / but in and about 
Gloucster yf the officers doe chaunce to 
sleepe the farmors and corne merchantes 
wolde starcke blynde.\footnote{121}

Such provysion is made for the purveyor,\footnote{122} that the incident charges\footnote{123} to gather th 
the incident charges to gather th 
the provysion togethers is very greate.

And a newe supplie was made to serve 
the Citie p / 124

\footnote{119 ‘lett’ – i.e. prevent.}
\footnote{120 ‘narrowly’ – i.e. carefully or rigorously.}
\footnote{121 ‘starcke blynde’: stark blind – i.e. completely blind. The implication is that at Gloucester, if the customs officers were 
lax, the farmers and corn merchants would turn a ‘blind eye’ to any illicit lading. This is in supposed contrast to Bristol, 
where it is implied that victuallers and other locals would keep a check on illicit grain exports, presumably out of a desire to 
keep food prices low.}
\footnote{122 ‘the purveyor’: the man charged with obtaining grain to feed the troops in Ireland.}
\footnote{123 ‘incident charges’ – i.e. necessary charges incurred in the performance of a role or duty.}
\footnote{124 The claim was that the regular supply of grain to Bristol at each ‘spring’ tide was sufficient to fulfil the purveyor’s 
requirements and that, if he took the whole supply, it would be easy to arrange for the additional needs of the city.}
\footnote{125 ‘aucthorytie’: authority.}
\footnote{126 Being a head port, the officers of Gloucester would have to account directly to the Exchequer, rather than merely to the 
officers at Bristol.}
\footnote{127 ‘the Quenes service in Ireland’ – i.e. for the English troops campaigning in Ireland.}
\footnote{128 ‘the Justices’: Justices of the Peace.}
\footnote{129 The suggestion was that, even when cockets were obtained, the Gloucester officers could restrain shipment to Bristol if 
they felt the grain was needed elsewhere.}

\footnote{128 ‘the Justices of the Peace’.}

\footnote{129 The suggestion was that, even when cockets were obtained, the Gloucester officers could restrain shipment to Bristol if 
they felt the grain was needed elsewhere.}
The officers of Bristowe sithence the letters patentes granted, cannot make cockettes to serve up Severne: neither are theye allowed but at their pleasure at Gloucester.\textsuperscript{130}

And meeter it were that the ease of the victuellers which provyde for the whole Citie as Bakers and Brewers should be tendered and respected then the farmers and Corne merchantes of Gloucester which otherwise maye send for their Cockettes as heretofore they have done.

The trade of merchandize & shipping of Bristowe is hurt and hindered by asmuch as the trade of Gloucester is amended by tornying the Creekes into portes and by having a Custome howse there.

But if no trade of merchandize be thereby encreased then was it nedeles to have a Custome howse and to torne their Creekes into portes.\textsuperscript{131}

The Irishemens licences woulde be better perused at Bristowe then at Gloucester and nevertheless be allowed to provyde their graine at Gloucester.\textsuperscript{136}

That service into Irelande with greyne woulde the serviceable shippes in Bristowe be gladd to doe.\textsuperscript{135}

from Gloucester by the inhabentes of Bristoll foure Cockettes a yere, which Cockettes are obteyned without any suche dificulte in the Article alledged, But yt there be any abuse in the officers herein they are to ~ answere thereunto, and the greatest trade in Tewxbury is the ladinge of wheate & malte to Bristoll, where the same is delivered as good cheape or better then it can be had in Gloucester /

20 The like and same trade which Bristol men had in tymes, they doe now contynually use and enjoiy without let of any in Gloucester. They have the cariage of their owne and their neighbors colored Clothes, of lead, \textsuperscript{132}tynne, kerseis,\textsuperscript{133} of the Clothes made in Gloucester shere and of diverse other Comodyties, they have the trade of wynes, oiles, oad, madder,\textsuperscript{134} and all other forreyne Comodyties from forreyne partes as freely as ever they had, and are not interrupted nor hindered, ffor as ~ their navie\textsuperscript{135} is not decreased, So is not the navie or Boates in the portes nere Gloucester any waye encreased /

21 The Irishe men neither have nor can have any greyne from Gloucester without lycence, That which they have by lycence, hindereth Bristol no more then ~ in tymes past it did, their accesse beinge nowe ~ none other then heretofore, And it is lytter, theis ~ Irishmen (her majesties pore Subiectes\textsuperscript{137} which bringeth with them fishe for the provision of our Country) should fetche their Corne of suche as doe breede\textsuperscript{138} the Comodytie thereof, rather then at Bristoll at the second or third hande, to their greater ympovishment, And yet there have not come above foure Irishe boates since ~ threecthon of that porte /

22 This Article is before answered in the answere to the x\textsuperscript{10} Article / yf any of theis smale Barkes doe offend against the Lawes, they are to be punyshed And dyvers of the smale barkes of Gloucester shere have also of late and heretofore contynually ben ymploied to the service of Irelande.\textsuperscript{140}

\textsuperscript{130} Bristol thus did not deny Gloucester’s assertion that cockets issued by the Bristol officers could be recognised at Gloucester. However, it was suggested that such recognition was purely at the discretion of the Gloucester officers and it was claimed that the cockets issued at Bristol for ‘up Severn’ (i.e. beyond Gloucester) were not recognised at all.

\textsuperscript{131} The validity of this argument turns on whether Gloucester was made a head port to encourage the development of its foreign trade, or whether the intention was merely to cut down on smuggling.

\textsuperscript{132} ‘tynne’: tin.

\textsuperscript{133} ‘kerseis’: kerseys – a type of woollen cloth.

\textsuperscript{134} ‘wynes, oiles, oad, madder’: wines, olive oil, woad and madder. Woad and madder are dyestuffs.

\textsuperscript{135} ‘navie’: navy – i.e. merchant marine.

\textsuperscript{136} This implies that the Bristol officers would be willing to allow Irishmen to ship grain from Gloucester, having first presented their licences at Bristol – albeit they would then presumably have to take the grain to Bristol for weighing and declaration, as required by the 1543 Act.

\textsuperscript{137} ‘Subiectes’: subjects.

\textsuperscript{138} ‘breede’: breed – i.e. grow.

\textsuperscript{139} Bristol asserts that their great ‘seviceable’ ships (i.e. those of c. 75 tons burden and above) would be happy to be employed in shipping grain to Ireland. This seems unlikely, given that Bristol’s great ships rarely engaged in the trade to Ireland during the sixteenth century: Susan Flavin & Evan T. Jones (eds.), Bristol’s Trade with Ireland and the Continent: The Evidence of the Exchequer Customs Accounts (Dublin, 2009).

\textsuperscript{140} Gloucester claims here that its small ships were being employed to supply the English forces in Ireland with grain.

\textsuperscript{130} 1582 Bristol’s petition vs Port of Gloucester, TNA:PRO, SP46/17 fos. 68-73, 83-89

\textsuperscript{131} The Irishemens licences woulde be better perused at Bristowe then at Gloucester and nevertheless be allowed to provyde their graine at Gloucester.
This article is already answered. /\n
[23] The purveyors have all waies receyved their provision without Cockett taken or fees or Customes paid, and lesse charge ariseth to her majestie by the purveyors beinge at Gloucester ~ where the Country yeldeth grayne and victual better and more plentifull to serve the necessitie of service then at Bristol that hathe the same at the second hande /

[24-25] Theis articles which concerne not the Cytie of Gloucester are to be answered by the officers of Cardiff and other Creekes and portes in Wales whom it concerneth. /

[26] This the Queenes majesties lauffull graunte by her highnes lettres patentes made unto the maior and Burgesses of the Cytie of Gloucester upon their humble sute to her highnes of the porte & Creekes in the Ryver of Severn before mentioned to be places of Ladinge and discharginge and of ordeyninge a Customer and Comptroller properlie belonginge to the same, pased not upon suggestion of untried matter, but after greate profe and experience by triall had, that the Creekes aforesaid were more aptly and truely served for her majesties benefytt by the offycers from Gloucester, then they wolde be by the officers of Bristol beinge so farr distant from them. The Lorde threasorer of England (whose place and office this cause moste properlie doth concern) upon the humble sute of the said maior & Burgesses of Gloucester and conference first had with the Chamberleyne & officers of Bristol in the behalf of the Cytie of Bristoll, And after full hearinge of the reasons and proffes of eche partie, his Lordship with greate deliberacion, consideracion and vewe by him self in person made of the fytnes of the place did for the causes heretofore set donne, and for diverse other reasons appoint a Customer at Gloucester accordinge to the tenor of the same lettres patentes for her majesties more availe and better service, and for the ease Comodytie and greater furtheerrance of her highnes Subjectes. /

By force of this graunt the Citie and Citizens of Gloucester dothe not, nor cannot use any other or greater trade to the Sea, then they did, and mighte lauffully before ~ have done when they made their entries at Bristoll, neither worketh the same her majesties graunte any other chaunge or alteration, to or of the Cytie of Bristoll or of their trade but only a libertie and ease to the Quenes Subjectes of not stayinge their shippes and Barkes in the Channell of ~ Kynge rode at their Comynge home subjette there to

Then in vayne and to no purpose have theire a Custom howse at Gloucester And needes it was to torne the Creekes into portes.

To sende to Bristowe to make their entrie or to sende to Gloucester which be in manner of even distaunce from Gatcomb is a

141 See Bristol’s response to Article 18.
142 Grain bought for the Crown’s service in Ireland did not pay custom, although the goods were entered in the port books.
143 It is noted here that no fees were paid to the customs officers for entering such shipments (as happened with commercial consignments) and that fees were not charged for issuing cockets on such shipments either.
145 ‘untryed’: untried – i.e. unproven.
146 ‘sute’: suit.
147 ‘comptroller’: controller – i.e. a subsidiary customs officer who took an independent record of goods shipped to act as a check on frauds perpetrated by the customer.
148 ‘eché’: each.
small difference,

stormes and other daungers all the tyme whiles they ~

travell thence to Bristoll, beinge fourtene myles to and from to make their entry, and a benefytt and ease unto them in their goinge out of not stayinge lx myles travell to & fro Bristoll for a Cockett, which they maye nowe receyve at the ladinge key of Gloucester, a Custome house beinge there alreadie buylde to the greate charges of the same Cytie

Whereby it evidently appeareth that Bristoll hathe no iuste cause of Complaint, neither dothe there by reason of this graunte any of the myscheifes or ~ inconvenyences arise or are any waie like to ensue ~ which in the said article are set downe surmysed and alleadged, But on the contrary parte by occasion of her majesties said graunte, serviceable maryners are ~ mayneteyled, the Comon wealthe of the Countries adiomyenge enriched, her majesties Customes & other profittes more truely answered without either losse or concealement, her Subiectes the owners of theis barkes eased of their travaile and expence, her poore distresed subiectes of Cornewall and of suche other places the better relieved ~ tillage mayneteyled people kepte in worke, and theis Creekes and ventes (for situacion and place properlie belonginge to the Cytie of Gloucester restored agayne, (as necessytie required) to the same Cytie A place worthie thereof, and in antiquitie to be preffered before Bristoll, Wherefore the said maior and Burgesses of the said Cytie of Gloucester doe humbly praye the contynuance of the Quenes majesties said graunt /

Bristol’s point was that, since ships could not generally sail beyond Gatcombe, merchants would have to travel up from Gatcombe to Gloucester to declare their imported goods and get a cocket issued before any unlading could take place.

This implies that before Gloucester had been made a head port its merchants had not been required to send their inbound goods up to Bristol for declaration. However, they had been forced to anchor in Kingroad while a merchant went up to declare the goods at the customs house in Bristol. A cocket would then have been issued, which could be checked by the searcher of Bristol if required. The cocket was presumably also presented to the ‘clerk of the creeks’ at Gloucester, who would have been expected to check the goods against the cocket when the merchandise was unloaded.

‘stayinge lx myles’ – i.e. delaying 60 miles.

Gloucester’s council took the decision to build the customs house on 9 June 1581: Gloucester Archives, BBR/B/3/1 fo. 74v.

‘juste’: just.

‘serviceable maryners’ – i.e. mariners fit to serve in the Queen’s navy.

‘tillage’ – i.e. arable cultivation.
July 1582

The Aunswere of the Maior &c of Glocester, to the Complaint of them of Bristoll

[Annotation in the hand William Cecil] 157
Sir William Wyntar 158
Thomas Throgmorton 159
Richard Pate 160
Thomas Hanram

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156 This is written sideways across the folio. The fold lines suggest this was originally the cover of Gloucester’s answer.
157 These four names are in the hand of William Cecil, Lord Burghley (Lord Treasurer, 1572-1598). They record the names of the four commissioners appointed to investigate the matter, the main business of the commission being conducted in January 1583: TNA:PRO, E 134/25 Eliz/Hil3.
159 Presumably Thomas Throckmorton of Tortworth in South Gloucestershire.
160 Richard Pate was a rich and influential Gloucestershire lawyer, who represented the county as M.P. on a number of occasions: Stephen Wright, ‘Pate, Richard (1516–1588)’, Oxford Dictionary of National Biography, (OUP, 2004); TNA:PRO, E 134/25; Eliz/Hil3; East14.