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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.

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, Scituated in an Angle betwene the Counties of Somerset and Gloucester, and allwaies stoooed and yet standeth upon the trade of marchaundize and makynge of Cullored Clothes for the Sea, which with their trade of marchaundize they have allwaies sufficiently served, aswell all the Countries adioyninge to the said Cytie, As also all Townes and Countries lyinge upon and nere about the Ryver of Severne and the Creekes of the same, as farre Inwarde towards 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 makynge of Cullored Clothes, merchauntable for the Sea, and mynyngge for leade, whereof there riseth greate store, Upon which trade of marchaundize and Cloth makynge dependeth the lyvinge and mayntenaunce of many thowsandes of Craftes men and their housholdes: As Spynners, Weavers, Tuckers, Dyers, Shermen Carpenter, 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 maytenanaunce especially towards the saide Cytie standeth upon grasinge and husbandrye.

4.  There is belonginge to Bristoll betwene Somerset and Gloucester Shiers an auncient and sufficient porte for shippes of all burthens to ride and fleete in, wherein hath ben buylded and mayneteyned from tyme to tyme, As many greate Serviceable Shippes 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.

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8 Bristol became a county in its own right in 1373 and was a cathedral city from 1542.
9 ‘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.
10 ‘Countries adioyninge’ – i.e. adjoining counties.
11 ‘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.
12 ‘mynyngge for leade’: a reference to the Mendips’ lead mines.
13 ‘tuckers’ – i.e. fullers of woollen cloth.
14 ‘Shermen’: sheermen. Men who ‘sheered’ broadcloth following the dyeing.
15 ‘grasinge and husbandrye’: grazing and husbandry – i.e. pastoral and arable farming.
16 ‘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.
17 ‘fleete in’ – i.e. sail into.
18 ‘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.
19 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 maintenance of Navigacon’ (1581), Statutes of the Realm, IV, pp. 668-9.
5. There have byn belongine to the said Cytie and porte of Bristoll tyme out of mynde and allowed and confyrmed 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 pilles 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, Customes, Subsidies, ympostes and other Duities greate somes of money./ All which Creekes, upon suggestion of some untried matter ben of late taken from the saide Cytie and porte of Bristoll, and are become several portes of them selves, to the utter Immynent ruin of the said Cytie, decaye of the shippinge and maryners, hinderance of the Queenes majesties Customes; dueties and proffyttes, brynginge and raysinge of greate dearth and scarsytie, Incouraginge and increasinge of pirottas 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 Jobbye ~ usage of husbandry, and is a a greate markett, Scinated 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 Countrye. By the meanes 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 incorporation 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

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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 ‘untried’: 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 Jobbye’: corn jobbing – i.e. dealing in grain. 
29 ‘Countrye’: 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.
Gloucester standeth betwene Bristoll and wigone, Warrick Coventrie and ~ Shrewesbury and all other places upp Severn where the merchante

nces of Bristoll did usually make their vent of suche Comodyties as they bringe from beyonde Seas./ And Gloucester it selfe also is a place where they have uttered muche merchandise but nowe if the same contynue a porte It is like they will not only serve them selves, but also those other Countrieys and townes about them, And so the trade in Bristoll (when the vente of their Comodytes is taken from them) muste needes be hindered and decayed thereby./

10. If trade of merchandise be setled in Gloucester, and a porte contynued there ~ where no deapthe 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 Bristoll./

11. Since Gloucester was made a porte, they have increased smale barkes ~ and boates to the number of xi or thereaboutes, which are of burden from xv en tonnes to xxxv, which amonteth by estimacion to a thousand tonne shippinge and doe make voyage and retornes with the same as ofte as they can, which muste of necessytie decaye our trades, decrease a greate parte of our serviceable shippinge in Bristoll, But what Custome they have paid or benefytt her majestie hath thereby, theire booke of accompte dothe shewe and beinge examyned it will appeare, that so muche greate Shippinge in ~ Bristoll 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 conveyinge awaye of prohibited wares, and therefore was yt ~ provided for in the xxxiiijth yere of Kyngge Henry the eight and in ~ the firste yere of her highenes reignge by acte of parlyamente, and the ixth yere of her majesties reignge by a decree set downe by the Lorde threasore then beinge, and the whole Courte of Exchequer That nothinge shoulde be laden or discharged within Severn, but onely at Bristoll and certeyne usuall places whereof the officers of Bristoll 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 ‘booke 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.
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 creeks 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 hinderaunce to her majestie, and hurte to the Common Wealthe. / 

14. The chiefe place of ladinge and discharginge for Gloucester, is at a place called Gattcombe, which is xvi miles downewardes towards the Sea before the officers of Gloucester, and neerer to the port of Bristoll then to Gloucester, and no officer dwellinge nigher then Gloucester, neither is it any towne or populous village to descrive or understande howe her majestie is deceived and the Countrie 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 conveynt that the Creeks 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 Countrie and robbeth the poore. / 

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

70r. 

18. Otherwise when they delivered 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 Queense service into Irelande, 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 cometh 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 for cargo. 

19. Since Gloucester hathe ben A porte, they have restreyned greyne\(^{43}\) to ~
come to Bristol. So as when they have occasion, they must travell
to Gloucester for a cocket, and ther if they obtayne 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./
ffor their greatest trade is by and throughge 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
Comodities, 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 meanye tyme the smale Barkes
of Severn are free, and doe spoyle the Countrye of grayne and
victualles for they are in A manner out of comptrollement.\(^{44}\)/

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 victullahge of Ireland and for other services provided at Bristol, But ~
nowe her charges upon Severn to provide and gather the same is greate ~
As by the bookes of the purveyor for that service appeareth.\(^{45}\) And greate
exactions ben at Gloucester for Cockettes, and other fees, but her majesties Custome
verye smale /

70v.  

24. Aboute xviij\(^{46}\) yeres paste were taken from Bristol all the Creekes
upon the Coast of Wales, which were belonginge to Bristol, as Swansey
Cardif, Newepor and Chepstowe, whereof Cardif is made A
Chiefe porte,\(^{46}\) and the other members of the same, from 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 ~
scarstitie of certeyne kyndes of vicutalles to Bristol, And also ~
by so muche hindered the trade thereof, Another cause of decay
of the saide Cytie, And what Custome her majestie hathe from ~

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\(^{43}\) ‘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
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 pirottes 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 debatinge of the matter, decreed, That the same should 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 mayntenauce and contynewaunce of the said distressed Cytie, that without desert, or other weightye or necessarie consideracion, the same be not so dismembred of their Creekes and ventes: especially that they shoulde 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 althoughge 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. /

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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

The answere of the Maior and Burgesses of the Citie of Glouciter to the Articles exhibyted by the maior & comynalitie of the Cytie of Bristoll.

Glouciter is a towne of a greater antiquite then Bristoll. It hathe ben a towne of mercuandaize in and ever sithence\(^{56}\) the tyme of Kyng John,\(^{57}\) for aswell by him, as by others his successors Kynges of England dyvers liberties hathe ben graunted to the Guile of merchauntes of the towne of Glouciter, the same towne beinge a\(^ {58}\) Cytie from the begynnyngynge in the opiniun of the kinges of this Realme of greate accompte & reputacion as appeareth by the Cronicles\(^ {59}\) and other authorities and recordes.\(^ {60}\)

This Citie of Glouciter is a countie of it self situated upon the Ryver of Severne in the harte of Glouciter Shere, and in the myddest\(^ {60}\) of Severne betwene Bristoll and Bewdley, it standeth muche upon the trade of merchauandize aswell in makyngynge & sellyngynge of Clothe as in transportinge and bryngyngge in dyvers other thinges merchauntable, and the trade of the Cytye of Bristoll no weave otherwise hindered, then allwaies heretofore accentually yt hathe ben.\(^ {61}\)

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 ocassion of the porte of Bristoll stande upon the makyngynge of Colored Clothes merchauntable for the Sea. For althoughe in Somerset Shere there are colored clothes made, yet are they for the moste parte solde to the merchauntes of London and other places within the Realme, Also the lyvingynge and maytenyng of suche Craftes men as dependeth upon that trade of merchaundize and Clothe makyngynge cannot any waye be hindered by the Custome House of Glouciter, 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 Glouciter.\(^ {62}\)

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\(^{51}\) 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-Badon’: 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.

\(^{60}\) ‘myddest’: middle, or middle part. Gloucester lies 33 miles northeast of Bristol and 34 miles south of Bewdley.
It is not alleged that Bristowe is ~
hindered by that parte of Gloucester shiere
which joyneth\textsuperscript{61} to Bristowe.\textsuperscript{.}/

Yf Shippes of convenient burthen maie
flee the in the pill of Gatcombe, yet is there
not water to bring a Shipp laden to that place
conteyning above L tonnes\textsuperscript{62} and that ~
muste be at Springe tydes.\textsuperscript{.}/

Lighters and small boates do not safelye
passe to discharge their Shippes theire yf
any tempest or rough water happen to be

Bristowe by reason of their great shipping
serve Gloucester and the Countries upon
Severn with their merchandize better cheape
then Gloucester can with their small barks and the
caryage 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 /.

\textit{fo. 83v.}

Another knowne truthe denied

A matter denied that is not alleged

But the makers of the Statute did see
and understande howe necessarie it was
that Bristowe should suruyve them

Yt is not alleged that her majestie is so to be restrayned./
It needed not to unyte the Creekes to Bristow
by Statute when theire belonging

\textsuperscript{61} ‘joyneth’: joineth.
\textsuperscript{62} See n. 15.
\textsuperscript{63} ‘L tonnes’ – i.e. fifty tons burden.
\textsuperscript{64} See n. 16.
\textsuperscript{65} ‘flee to’: fleet to – i.e. sail to.
\textsuperscript{66} See n. 37.
\textsuperscript{67} The Key / Quay of Bristol was the main place of lading and unloading for great ships. The ‘Back’ was the area just below Bristol Bridge where the smaller vessels used in the Irish / coastal trade berthed. These were the only two places officially designated for the lading / unloading of overseas goods in the port of Bristol.
\textsuperscript{68} ‘Springe’: Spring tides are the high tides that occur twice-a-month around the time of the new and full moon.
\textsuperscript{69} Flint Castle lies eleven miles downriver from Chester on the River Dee.
\textsuperscript{70} ‘Newnenam’: Newnham.
\textsuperscript{71} ‘emboat’ – i.e. to put on board a boat.
\textsuperscript{72} See n. 34.
Bristol's petition vs Port of Gloucester, 1582

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

Yf Gloucester had byn a place meete for ~ the trade of merchandize and the porte their sufficient there would have byn a porte of ladinge and discharging long before these letters patentes were obeyed.

Gatcombe is xvi myles from Gloucester by water and so much from the roade of Bristol called Hungrode where the Shippes of Bristolde lye and where the Officers do attende.

Yf Gloucester stode so much upon the trade of merchandize it is morvaile theie never used the same more.

Gloucester alvaires and maie have the use of the Creekes for all necessarye purposes under controlement.

The last affirmacion is felte to be untrue.

Bristol by experience do feale and know the contrarype.

6 By and through the same Creekes the said Cytie of Bristol hath the vent of and for all manner of forreyne merchandizes in as liberall and ample manner as at any tyme heretofore they customably have had

Yf Bristolde had so

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 doth ~ 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 mischief of the said estatutes thereby the better provided for, and prevented. The decree also made in the Courte of the chequeuir in the ixth yere of the Queenes majesties reigne extendinge chiefly to certeyne Creekes in Wales doth 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 although 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 grante cannot by any Cullor of reason restreyne her majestie to erecte & establishe by her letters patentes a porte at Glocieter and to unyte theis Creekes to the same port. The Creekes are within the County of Glouciter properly belonge to the Cytie of Glouciter and Gatcombe beinge the furdest place of ladinge and discharginge from Glouciter is but x myles distant from the Cytie of Glouciter, and xxi myles distant from Bristol Glouciter was a towne standing upon merchants & merchandize and had the use of theis Creekes longe before Bristol was any incorporate towne the Seate of Bristol 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 Glouceter.

7 Sithence the Queenes majesties saide graunte made to the Cytie of Glouciter her highnes hath or oughte to have receyved yerelie suche fee farmes, fifteenes Customes, subsidies ympostes Duties & somes of money as are due & paieable by the Cytie of Bristol, 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

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, aswell 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 xxi Henry viii was 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 mercanthes that there is but one allowed to be a mercanth of the Southernne trade and he dealeth not therein. / 80

Yf theie of Gloucester will use merchandize with serviccall Shippes there were lesse reason to repyne thater./

The clothes which be made in Gloucester and Glouchers shire be for the trade of ~ Flauonders and Germanyn and not for the trade through the ocean sea

Yt will appear by their custome bookes wherewith their adventures have bryn made to the sea./

The merchantes and officers of Gloucester doe lyve friendly and neighbourly together for the newe officers of the Custome house & portes there have no fees allowed them. 81 Bristowe is so cutt of from the Severn that the barkes of the newe portes with their Corne passe not thorugh any liberties of Bristowe at all

Cornwall Devon and Wales doe bear the name and retorne certificattes but little unto her majestie for all suche fee farmes fiftenes Customes, Subsidies ymportes duties & somes of money as are due and paieable by them therefore her majesties proffytt cannot be decayed but rather encrease by reason that the Creekes allwaies parcell of the Countie of Glouciter and nowe belonginge to the Cytie of Glouciter are made parcell of the port of Glouciter, neither were their creekes upon suggestion of untryed matter taken ~ from the Cytie and port of Bristoll, to become several portes of them selves, to occasion or breede any suche myschief or inconveniencye as inconvenient is set dounw The truthe whereof will appeare by the matter, the profes and the probable reasons in this our answere hereafter severally alledged

8 As Glouciter is an Auncyent towee of greate merchantize and hath not had his begynnyngge contynuance and maynetenauce by suche trades as is unsemely and unfytt terms is set dounw which mighte more properly be applied to that other towne which had a far meer begynnyngge, So the supposed good estate of Glouciter havinge in yt many persons hable to used the trade of merchantize, many Clothenen, spyniers weavers and other ~ pore people, is no reason to let them to become mercanthes and to trade as merchanthes accordingly as longe heretofore their predecessors have don./ Suche barkes and boatses as in elder tymes hath accesse to Glouciter are still mayntyneyed, and albeit shippes of greate burthen cannot come up to the key of Glouciter, yet maye they be owners of as good shippes of service as Bristoll and if they become merchanthes to forreyne domynions 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 Glouciter and Glouciter shere greater store of colored Clothes and clothes for the Sea, then Bristoll & Somersetsheere dothe make. Theire adventure is not of Corne and ~ prohibited wares to the enrichtinge of them selves and the pinchinge 82 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 anye prohibited wares by stealthe and without knowledge thereby there are officers in Glouciter resident to loke there into, And yf they should escape there, yf they are to passe through the of Erle Worcesters lybertie, 83 who hath a searcher there allwaies attendinge, And yf 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’: pinch – 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 Pembroksheire. The Earl of Worcester’s liberty included the coast of Monmouth, from Chepstow to Newport, which is presumably what is being referred to here: W. R. B. Robinson, ‘Dr. Thomas Phaer’s report on the harbours and customs administration of Wales under Edward VI’. Bulletin of the Board of Celtic Studies, 24:4 (1972), 492-3. What is slightly odd about Gloucester’s statement is that, after 1564, the Welsh ports were incorporated into the Exchequer’s customs collection system, with the custome of the port of Cardiff being responsible for the whole coast from Chepstow to Swansea: Robinson, ‘The establishment of royal customs’. Legally speaking the ‘Liberty’ of the Earl of Worcester, at least as far as the collection of customs went, ceased to exist at this point. The statement seems to suggest, on the other hand, that, eighteen years after this, the liberty still had at least a notional existence in the minds of the merchants of Gloucestershre.
Corne is landed there
Cornewall doth often tymes serve Bristol with wares

fo. 84v.

Cornewall Devon and Wales doe bear the name and Cornewall and
Devon do returne certificattes, although
little grayne landed there. 84
Cornewall of late yeres hath served
Bristowe with Corne and grayne. 85

muste they after passe through the libertie of the officers of
Bristol. 86 So that they cannot possiblie passe with ~
prohibited wares in suche sort as is surmysed; nevertheless
with warrant and lycence it is very nedefull that some of
the greate plenty of Corne in Gloucister Shere shoulde be
transported to South wales, north wales, Devonshire,
Cornewall and Ireland, to supply and helpe the great
necessytie 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

Theire are little furthered by having their
Cockettes at Glouc for every springe 87 by their
Trowemen 88 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: yf there were water
to bringe Shippes thether, and so ~
were Coventrye also. 89

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

84 In other words, it is claimed that, while coastal cockets were being issued for grain to be delivered to Cornwall, Devon
and Wales, little of this grain was actually landed there – the implication being that it was being exported fraudulently
instead.
85 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.
86 Following the creation of the port of Gloucester, the ‘liberty’ of the port of Bristol consisted of the Avon and the English
side of the Severn Estuary from Aust to Kingroad.
87 ‘every springe’ – i.e. at the time of the twice-monthly spring tides.
88 A trow is a type of flat-bottomed sailing boat used on the Severn.
89 The statement is sarcastic, in that Coventry lies far from any navigable waterway.
90 ‘wigorn’: Worcester.
91 ‘Warric’: Warwick.
92 ‘subiect’: subject.
93 A ‘barred haven’ is one that possesses a sandbank that needs to be passed over to reach the harbour, thereby preventing
access to deep-drafted vessels.
use to serve in small Barkes are but lytle the fitter to serve in great
Shipping, and long voyages for service of merchautes / or any other.

So by theis smale barkes, the Queens naturall subiectes are preserved from famyne, tillage increased, the people kepe in worke, fishermein mayneteyned, And if theis smale barkes doe encrease then will there be more ~ maryners. And so her majesty shall the better furnished in nedefull tymes of service. The Cytie of Glouc
sithence this graunte made unto them, hathe not increased any one boate, above the number they accustomablye used allwaies before, and they mighte at all tymes before the said graunte, have used as many boates as they wolde

without denyall or resistance of Bristoll, whereby it evidently appeareth, that they erected Custome House at Glouc ~ is not the Cause of this Complain ~ but only some particular losse that ariseth thereby unto some particular persons. /  

Glouc
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 house of Gloucester a ~ pryvate welth of officers farmers & corne merchantes is fuderd and eased but the rest of the commonwelth aswell of Gloucester as Bristowe is hindered 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 merchants did not lade nor discharge in their Creekes  

[11] As Glouc ~ had not sithence the same graunte encreased any one boate or barke, So the trade of theis boates they have is for the moste part unto Wales & Cornewall, where no Custome is due, but suche of their barkes as doe passe ~ beyonde the Seas, they give Custome accordinge to their burthens as the other greate shippes doe yelde Custome accordinge to the loadinges, So that no Custome is loste, the Queenes majestie not hindered, the Country muche eased and the Common wealthe greatly furthered, by the port and Customehouse of Glouc ~ Also one hundred tonne of smale shippinge increaseth and mayneteyneth more maryners then one hundred & forty ton of greate Shippinge dothe, And theis maryners of the smale shippinge are readye to serve in greate shippinge, otherwise there wold be ~ very greate want of maryners in the tyme of service.  

[12] There is nowe no greater number of ladinge and discharginge places, then were used before this graunte, theis aforesaid Creekes were of necessitie used by the tollera~on 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. Wherefore they may nowe more laufully 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’: adjoining.
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.
Ho
ewe the officers of the newe portes
do watche and what concealement
there is the voyce of the people and
and the scarcitie and death of Corn
and grayne doe showe. / 104

Bristowe did of necessitie appointe the key
and Backe of Bristowe to be their places
of lading and discharging because
the Creekes of Severne were not able
to receive their Shippes /
It is a strange affirmacion that Gloucester
keuye and Gatcombe are accomp to
be accompted as convenient 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 granted / 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. / 1 /

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 hathe power thereby to dispence with the same estatutes 103
And which said estatutes doe not abridge her prerogatyve, or
any waie dishable the same her said highes graunte, nowe
that there is an other Custome house, and more officers to ~
watche thabuse of transportinge without Custome, it muste
folowe 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 ~
Bristoll more for their pryvate 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 Bristoll to be the ony
place of ladinge & discharginge, whereas Gatcombe ~
Newnham 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 contentes of the Cerfificat made by the
Comyssioners./ 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 hinderaunce 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
hinderaunce or concealement aryseth, and greater benefit
to her majestie and no hurt to the Common wealthe / The
greatest parte of all merchandize comyinge to Bristoll
are uttered 107 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 iii108 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 comynge from
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 deceived, nor the Country
hindered./
One officer serveth Gloucester & Gatcomb but little service can be don after the barkes be under Sailes & passe sodenly though the erle of Worcestors liberties which hath no intelligence of their comynyng by/ And Bristowe cannot have understanding thereof because theie do not take out their Cockettes thoughghe Tewkesbury, but so was it not before groweth that argueth an unlawfull Tewkesbury where naturally it is not for some parte of them unmeet111 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 restraitne which is a greate chaunge without any necessary cause /

fo. 86r.

Yf graine and victualles be better cheape at Bristowe then at Gloucester or Tewkesbury where naturally it growth that argueth an unlawfulfull waste and ill usage in Gloucester and Tewkesbury, but so was it not before this alteracion./113

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 Milday115 & the Lord Chief Baron & the whole Court of Exchequer upon great adviseinent that the same Creekes in Wales should belonge of graynes and victualles are provided from Gloucester and ~ Tewkesbury to serve Bristoll by suche quantities that the same is as good cheape or better in Bristoll (which hath also the provision of other sheres adiyninge) then in Gloucester or Tewkesbury, The more vent from places where is plenty of grayne and in tyme of plenty the ritcher114 become the ploweman, the porer sorte of people, the better kepte in worke and relieved, tillage increased, the Country nourished, and her majestie and the common wealtbe thereby muche benefited and strengthened ./

15 But seeinge all ladinge that passeth from Glouciter and under Glouciter bridge is nowe searched and entred in ~ Glouciter, and agayne at Gatcombe, and after in the Erle of Worcestors lybertie and lastly in Bristoll who are not letted from makinge newe searche within their office passinge from Gatcombe to the Sea,110 It followeth, the Queens ~ majestie cannot nowe so easely be deceaved as before she was when the Custome house was only at Bristoll, Bristoll standinge in a Creeke vii myles from the Channell of Severne, which leadeth from Glouciter to the Sea, By which occasion many thinges passed by Bristoll before without Custome thoughe the officer had carefully don his Duety./

16 It is farr better and more conveynent that theis Creekes of Severne scatuated in the Country of Glouciter and of their owne nature never and more properly belonginge to Glouciter then unto Bristoll should be restored & continue to the Cytie of Glouciter which of right oughte to enioye112 them, and nowe standeth in nede of them, and hereby Bristoll no worse served and relieved with such grayne and victualles as Glouciter and the Countries upon Severne yeldeth./ For all men are apte to seeke utteraunce far of their Comodyties, and it shalbe proved that all sortes of grayne and victualles are provided from Gloucester and ~

of the Comodyties, and it shalbe proved that all sortes

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 Milday115 & the Lord Chief Baron & the whole Court of Exchequer upon great adviseinent that the same Creekes in Wales should belonge

109 This is a slight exaggeration, in that the port of Bristol still encompassed the eight-mile stretch of the Gloucestershire 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’: unmeet – i.e. 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 ‘richer’: 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 Mildmay.

116 ‘avayleable’: available.

117 ‘thempeachinge’: the impeaching. In this context ‘discrediting’ is probably meant.
to the porte of Bristol agane. As by the same
decree more at large appeareth although
the same were contempuously disobeyed. 118

Yf the creekes in wales and upon Severn
were seen to as it was heretofore, that
woulde not be so deare, where the comyn
yeldeth so great plente therof.
And Gloucester have made such restraint
of their leather that their Shoemakers
come to buye leather at Bristol and so
both Cities the warse through disorder
and negligent restraynt /

Yf the farmors and Corne merchantes of
Gloucester wolde see as narrowly 120 to their
officers as the victuallers & Inhabitantes
of Bristol / of necessite are ~
constrained to doe the offices woulde be
executed both alike / but in and about
Gloucester yf the officers doe chaunce to
sleepe the farmors and corne merchantes
wolle starcke blynde. 121
Such provysion is made for the purveyor, 122
that the incident charges 123 to gather the
provysion togetheer is very greate.
where at Bristol sufficient for one
provysion dothe came in at one Springe
And a newe supplie was made to serve
the Citie peradventure immediately in
the same Springe, yf not in the
beginynge of the nexte / 124

118 ‘the same were contempuously disobeyed’. 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.

119 ‘let’ – i.e. prevent.

120 ‘narrowly’ – i.e. carefully or rigorously.

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.

122 ‘the purveyor’: the man charged with obtaining grain to feed the troops in Ireland.

123 ‘incident charges’ – i.e. necessary charges incurred in the performance of a role or duty.

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.

125 ‘aucthorytie’: authority.

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.

127 ‘the Quenes service in Ireland’ – i.e. for the English troops campaigning in Ireland.

128 ‘the Justices’: Justices of the Peace.

The suggestion was that, even when cokettes 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 graunted, 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 merchants of Gloucester which otherwise maye send for their Cockettes as heretofore they have done.

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

But if no trade of merchandize be thereby encreased then was it needles 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 grayne woulde the serviceable shippes in Bristowe be glad 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 yf 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 delivere\textsuperscript{d} as good cheape or better then it can be had in Gloucester /

20 The like and same trade which Bristoll men had in tymes, they doe now cntually use and enioye without let of any in Gloucester. They have the caruyage of their owne and their neighbors colored Clothes, of lead, tymne, kerseis,\textsuperscript{ kerseis, 133} of the Clothes made in Gloucester shere and of diverse other Comodties, they have the trade of wynes, oiles, oad, madder,\textsuperscript{134} and all other forreyne Comodities from forreyne partes as freely as ever they had, and are not interrupted nor hindered, for 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 grayne from Gloucester without lycence, That which they have by lycence, hindereth Bristoll no more then ~ in tymes past it did, their accesse beinge nowe ~ none other then heretofore, And it is fytter, 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 Comodtye 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 ~ therection of that porte /

22 This Article is before answered in the answere to the xth 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 continually ben ymploud 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.
This article is already answered. / 141

[23] The purveyors have all waies receyved their provision without Cockett taken or fees or Customs paid, 142 and lese charge ariseth to her majestie by the purveyors beinge at Gloucester — where the Country yeldeth grayne and victuall better and more plentiful to serve the necessitie of service then at Bristol that hath the same at the second hande /

[24-25] Thes 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 146 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 Comptroller147 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 farre distant from them. The Lorde threasorer of England (whose place and office this cause moste prop erlie doth concerne) upon the humble sute of the said maior & Burgesses of Gloucester and conference first had with the Chamberlyne & officers of Bristol in the behalf of the Cytie of Bristol, And after full hearinge of the reasons and profes of eche 148 parte, 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 furtherance 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 lawfully before — have done when they made their entries at Bristoll, neither worketh the same her majesties graunte any other change or alteracion, to or of the Cytie of Bristoll or of their trade but only a libertie and ease to the Queenes Subjectes of not stayinge their shippes and Barkes in the Channell of ~ Kynde rode at their Comynge home subjecte there to

The suggestions of Leeke143 were untried144 for these were utterly untrue. And her majestie deceaved in that yt the necessary Statute of 34to of Heny the 8.145 was not mentioned or recyted in the preamble of the lettres patentes. / 146

Then in vayne and to no purpose have there a Custom house at Gloucester And nedeles 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 distance 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. 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.
144 ‘untried’: untried — i.e. unproven.
145 A reference to the 1543 Act. See Bristol’s petition, Article 12.
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 already bylded 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 ~ mayneteyned, the Comon wealth of the Countries ~ adioynynge enriched, her majesties Customs & other profittes more truly answered without either losse or concealement, her Subiectes the owners of thes barkes eased of their travaile and expence, her poore distressed subiectes of Cornewall and of suche other places the better relieved tillage mayneteyned people kepe in worke, and thes 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 maio and Burgesses of the said Cytie of Gloucester doe humbly praye the contynuance of the Quenes majesties said graunt /

fos. 87v.-89r. [blank]
July 1582

The Aunswere of the Maior &c of Glocester, to the Complaint of them of Brustoll [156]

[Annotation in the hand William Cecil] [157]
Sir William Wyntar [158]
Thomas Throgmarton [159]
Richard Pates [160]
Thomas Hanraam

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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.