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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.

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,8 Situated in an Angle betwene the Counties of Somerset and Gloucester, and allwaies stooed and yet standeth upon the trade of marchaundize and makynge of Cullored Clothes for the Sea,9 which with their trade of maarchaundize they have allwaies sufficiently served, aswell all the Countries adjoynynge10 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 the South and westwarde adjoyninge to the same Cytie, the Countie of Somerset, whose chiefe trade by reason of the port of Bristol, is makynge of Cullored Clothes, merchantable for the Sea, and mynynge for leade,12 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,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 maytenanaunce 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 port for shippes of all burthens16 to ride and fleete in,17 wherein hath ben byulded and mayneteyned from tyme to tyme, As many greate ~ Serviceable Shippes18 as in any porte in this her majesties domynyon (London excepted) And there hath ben broughte and trayned up as many skilfull maryners as to suche Shippinge should belonoge and more, which serve in dyvers other places.19 /

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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 adjoynynge' – 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 'mynynge 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 busbyndrye': 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 tons 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 mariyners, 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 belonginge 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 confereence and deliberacion by the ordynaunces of the highe Courte of ~ Exchequier, All the Creekes which laye and lyen upon the Ryver of Severn Inwarde towards the lande, As Barkeley, Gatcombe, Newnam, Gloucester Tewkesbery, and all other the Creeks and pills exteninge 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. /

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7. Oute of which said 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 Dueties 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 several portes of them selves, to the utter Immynent ruyn of the said Cytie, decaye of the shippinge and maryners, hinderance of the Queenes majesties Customes; dueties and proffytes, brynginge and raysiainge of greate dearth and scarsytie, Incouraginge 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 throughe fare and standeth altogeather 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 Counrye. 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

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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 '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 'Counrye': 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.
or under) can come to that place, They make there no Cullored Clothes or Clothes for the Sea, Neither have they any tynne leade or other ~ kynde of marchaundize laufull / So that if they make any ~ adventure, It muste needs be of Corne and prohibited wares, 31 ~ Whereby not only the pore people of the same Countrie, but also ~ the Cytie of Bristoll are sharply pynched, and the transporters onlye enryched thereby. /

9. Gloucester standeth betwene Bristoll and wigone, Warrick Coventrie and ~ Shrewesbury and all other places upp Severn where the merchauentes of Bristoll 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 uttered muche merchaundize/ but nowe if the same contynue a porte It is like they will not only serve them selves, but also those other Countryses 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 marchaundize be setled in Gloucester, and a porte contynued there ~ where no depthe 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 xlti or thereaboutes, which are of burden from xv en tonnes to xxx6, which amonteth 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 Bristoll, But what Custome they have paid or benefytt her majestie hathe thereby, theire bookes of accompte33 dothe shewe and beinge examyned it will appeare, that so muche greate Shippinge in ~ Bristoll dothe yelde tenne tymes so muche Custume 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 Customes ~ and conveyawg waye of prohibited wares, and therefore was yt ~ provided for in the xxxiiijth yere of Kyngge Henry the eight 34 and in ~ the firste yere of her highenes reigne by acte of parlyamente, 35 ~ and the ixth yere of her majesties reigne by a decree 36 set downe by the Lorde threasor then beinge, and the whole Courte of Exchequer That nothinge shoulde be laden or discharged withen Severn, but onlye at Bristoll and certeyne usuall places whereof the officers of Bristoll had speciall charge / As by the same more att large dothe appeare. /

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.
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 hate to the Common Wealth. / 

14. The chiefeste 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 highher then Gloucester, neither is it any towne or populous village to descrive 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 enrichteth 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 meanes 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 / 

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18. Otherwise when they delivere their bookesto 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 Irelande, or elles where, And so passe ~ the same awaye throughghe 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 Kynge 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 shipp 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 As by the booke of the purveyor for that service appeareth. And greate exactions ben at Gloucester for Cockettes, and other fees, but her majesties Custome verye smale / 

70v.

24. Aboute xviij yeres paste were taken from Bristol all the Creekes upon the Coast of Wales, which were belonginge to Bristol, as Swansea Cardif, Newepor and Chepstowe, whereof Cardif is made A Chiefe porte, and the other members of the same, from whence Countries no merchaundize is to be spared but prohibited wares, / And which the utteranuce thereof they doe mayneteyne smale shippinge and retourne forreyne Comodyties. But that hathe broughte a scarositie of certeyne kyndes of victualles 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 ~

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. 47 / A smale matter from a head porte /

25. Aboute this 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 inconveniences thereof did ~ appeare about xv\textsuperscript{th} yeres past to the Lorde Threasoror and Courte of Exchequiers, Wherefore, it was by him and the said Courte upon great consultacion and through the debatinge of the matter, decreed, That the same shoulde become Creekes and members to the porte of Bristoll agayne, 48 But they never obeyed the same 49 /

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 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, ~ hinderance 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 hinderance/ 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

fo. 83r.

[Bristol’s replication]

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

[Brennius the Britayne buildowe A" mundi] 3574 and it was called Cayer Oder, Nent-Badon. Bristol was builded by Claudius Cesar the Romayn Anno Christi 45 Bristol was incorporated and had liberties by kinge Henry the 2 and it was made a Countie of it self by King Henry the 3.

Yf liberties by kinge John were graunted to the Gulyde of the merchauntes of ~ Gloucester, it is verie like that the unaptenes of the place and the insufficiencie of the Port was the cause of the discontinueneuice of that Guylde and trade there. But it is to be thoughte that it was meante merchauntes retaylers, and not merchauntes venturers Gloucester standeth not upon any trade of mercuaudize but of Corne only; neither ~ make theie coloured clothes for the Ocean Sea. 53

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 mydes of Severne betwene Bristoll and Bewdley, it standeth muche upon the trade of mercuaudize aswell in makyinge & sellinge of Clothe as in transportinge and brynginge in dyvers other thinges merchauntelie, and the trade of the Cytye of Bristoll noe worse otherwise hindered, then allwaies heretofore accustomably yt hath been.

Glouciter is a towne of a greater antiquitie then Bristoll It hath ben a towne of merchaundize in and ever sithence the tyme of Kyng John,57 for aswell by him, as by others his successors Kynges of England dyvers liberties hath ben graunted to the Guilde of merchauntes of the towe of Glouciter, the same towne beinge a Cyte from the begynnynge in the opynion of the kinges of this Realme of greate accompte & reputacion as appeareth by the Cronicles59 and other authorities and recordes.

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 occasssion of the porte of Bristoll stande upon the makynge of Colored Clothes mercuaudize 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 lyvinge and maytenaunce of suche Craftes men as dependeth upon that trade of merchaundize and Clothe makynge cannot any waye be hindered by the Custome House of Glouciter, seinge they doe and maye transporte theis clothes from Bristoll beond the Seas at their pleasure; without any controllmente or interrpcion of the Cytie of Glouciter.

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 Maire 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 alleaged that Bristowe is ~ hindered by that parte of Gloucester shier which ioyneth\(^61\) to Bristowe./

Yf Shippes of convenient burthen mai fleete in the pill of Gatcomb, yet is there not water to bring a Shipp laden to that place conveying above L tonnes\(^62\) and that ~ muste be at Springe tydes. /. Lighters and small boates do not safely passe to discharge their Shippes thereof yt 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 cariage 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 /.

\(^{70}\) 'Newnenam': Newnham.

\(^{71}\) 'emboat' – i.e. to put on board a boat.

3. That parte of the Countie of Glouciter which lieth betwene Bristoll and Glouciter, standeth chiefly upon grasinge and husbandry\(^62\) and as from that parte of the Country of Glouciter, the Cytie of Bristoll continually receyveth greate Comodytie in their provison of victualles and suche other necessaries (of which provision and Comodytie they are no waie hindered by her majesties grant latey made to the Cytie of Glouciter) So in requital it were fyt the Cytie of Bristoll should cease to contend against her majesties grant made upon greate ~ deliberacion and good consideracion to the benefyt of her highness Cytie of Glouciter without their preuidice.

4 Shippes of all convenient burthens\(^64\) maye as safely fleete to\(^65\) ~ Gatcombe\(^66\) x myles from Glouciter as they maye come to Bristoll key or to the back of Bristoll.\(^67\) Gatcombe beinge a place where floweth as muche and as depe water as dothe at the key or back of Bristoll. And barks of xxiiiit ton or more and lighters of greater burthen may come at every Springe\(^68\) to & from Gatcombe to the keye of Glouciter, from where all comodyties maye more aplye and more cheaply be dispersed then from Bristoll into all the bowelles of the other sheres round about with far easier and shorter travaile, 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\(^69\) where the shippes of Chester doe staye and unlade by lighters /

5. The Creekes which lien upon the river of Severne inwarde ~ towards the lande as Barkeley, Gatcombe, Newnenam \(^70\) ~ Glouciter Tewkesbury &c. have not tyme out of mynde belonginge to the Cytie & porte of Bristol, neither were suche persons (as did lade emboate\(^71\) 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 xxxiiiit yere of the reigne of Kinge Henry theighte,\(^72\) 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 thes Creekes parcell and belonginge to the same porte, nor provideth for the restraunte of ladinge or transportinge of any other merchandize

\(^{61}\) 'ioyneth': joineth.

\(^{62}\) See n. 15.

\(^{63}\) 'L tonnes' – i.e. fifty tons burden.

\(^{64}\) See n. 16.

\(^{65}\) 'fleete to': fleet to – i.e. sail to.

\(^{66}\) See n. 37.

\(^{67}\) The Key / Quay of Bristol was the main place of lading and unlading 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 / unlading of overseas goods in the port of Bristol.

\(^{68}\) 'Springe': Spring tides are the high tides that occur twice-a-month around the time of the new and full moon.

\(^{69}\) Flint Castle lies eleven miles downriver from Chester on the River Dee.

\(^{70}\) ‘Newnenam’: Newnham.

\(^{71}\) 'emboat' – i.e. to put on board a boat.

\(^{72}\) See n. 34.
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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 enioye these aforesaid Creekes, but dothe evidently declare that her highnes by her graunt or only by Comyssion maye assigne & appoint any porte, and annex any Creekes to the same port at her pleasure, And the mischeif of the said estatutes thereby the better provided for, and prevented: The decree also made in the Courte of thexchequir in the ixth yere of the Queenes majesties reigne extendinge chiefly to certye 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 hathie ben without title or righte reputed by the Cytie of Bristol as Creekes belonginge to the porte of Bristol, yet that ~ reputacion without warrant of lawe or grante cannot by any Cullor of reason restreyne her majestie to erecte & establishe by her lettres patentes a port at Glociter and to unyte theis Creekes to the same port. The Creekes are within the County of Glouciter properly belonge to the Cytie of Glociter and Gatcombe beinge the furdest place of ladinge and discharginge from Glociter is but x myles distant from the Cytie of Glociter, and xxi myles distant from Bristol Glociter was a towne standinge upon merchants & merchaundize 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 Glociter.

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

fo. 84r.

Yf Bristowe had so

7 Sithence the Queenes majesties saide graunte made to the Cytie of Glociter her highnes hath or oughte to have receyved yerele suche fee farmes, fifteenes Customes, subsidies ympostes Duties & somes of money as are due & paiable by the Cytie of Bristol, Some whereof are certye, 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 Glociter hathie ben and is also yerely answerable

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73 See n. 35.
74 ‘Hungroade’. 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 profits doth decrease the same in Bristowe. The suggestions whereupon the said letters patentes were granted be apparently untrue, as well in comending the sufficiency of the Creekes to receive Shippes of all convenient burthen also as in describing the distance of the places where no portes were and yet sett out meete to be. The statue also of xxiII Henry viii was meant (as it semeth) to be defrauded for it is not recyted in their suggestion.

Yf Gloce 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 merchant of the Southernne trade and he dealeth not therein. Yf theie of Gloucester will use merchandize with cervicesall Shippes there were lesse reason to repyne therat. The clothes which be made in Gloucester and Gloucester shire be for the trade of Flaunder and Germany and not for the trade through the ocean sea. Yt will appeare by their custome bookes wherewith their adventures have byn made to the sea. The merchantes and officers of Gloucester doe lyve friendly and neighbourly togetheer for the newe officers of the Custome house & portes there have no fees allowed them. Bristowe is so cutt off from the Severn that the barkes of the newe portes with their Comawes passe not thorugh any liberties of Bristowe at all Cornswall Devon and Wales doe beare the name and returne certificates but little.

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. Unto her majestie for all suche fee farmes fifteenes Customs, Subsidies ympostes dueties & somes of money as are due and paieable by them therefor her majesties proflytt cannot be decayed but rather encreased by reason that the Creekes allwaies parcell of the Countie of Gloucester and nowe belonginge to the Cytie of Gloucester are made parcell of the port of Gloucester, 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 inconvenyence as inconsideratly is set dowe. The truth whereof will appeare by the matter, the profes and the probable reasons in this our answere hereafter severally alledged.

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 Pembrokeshire. 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 customer 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 Gloucestershire.
Cornwall doth often times serve Bristol with wares

fo. 84v.

Cornewall Devon and Wales doe beare the name and Cornewall and Devon do retorne certificattes, although little grayne landed there. 84 Cornewall of late yeres hath served Bristol with Corn and grayne. 85

muste they after passe throughe the libertie of the officers of Bristol. 86 So that they cannot possiblie passe with ~ prohibited wares in suche sort as is surmysed; nevtherthes with warrant and lycence it is very nedefull that some of the greate plenty of Corn in Glouceister 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 Bristol then of the small barkes and Boates of Severne

Theie 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 Bristol 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 Bristol.

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 Bristol be allowed to looke in to the matter, that theie may 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 greate Shipping, and long voyages for service of merchante / or any other\textsuperscript{94} places, our superfluous frute and sider,\textsuperscript{94} and their fishe returned by them to serve us and the sheres adioyninge\textsuperscript{96} So by their smale barkes, the Queenes naturall subjectes are preserved from famyne, tillage increased, the people kepe in worke, fishermente mayneteyned, And if thes 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 Glouc\textit{s}ithence this graunte made unto them, hathe not increased any one boate, above the number they accommodably used allwaies before, and they mighte at all tymes before the said graunte, have used as manye boates as they wolde

\textit{fo. 85r.}

Glouc\textit{ester} hath of late yeres builded many newe Barkes of greater ~ burthen then before theire use to have although not serviceable \textsuperscript{97}

Howe muche costom the small shipping there doth answere, their custome let the bookes judge/\textsuperscript{98}

By the custome house of Gloucester a ~ pryvate welth of officers farmers & corne merchante is furdered and eased but the rest of the comonwelth aswelle of Gloucester as Bristowe is hindred thereby.\textsuperscript{99}

And the necessary victuellers of Bristowe gretely deceased\textsuperscript{100} 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

\textit{[11]} As Glouc\textit{iter} hathe not sithence the same graunte encreased any one boate or barke, So the trade of theire boates they have is for the moste parte 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 welthe greatly futhered, by the port and Customehouse of Glouc\textit{iter}, Also one hundred tonne of smale shippinge increaseth and mayneteyneth more maryners then one hundred & forty ton of greateShippinge dothe,\textsuperscript{101} 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 ./

\textit{[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 tolleracion or appoyntment of Bristoll, for ladinge and discharginge places ever sithence the makinge of the saide Statute of the xxxiii\textsuperscript{i} yere of Kyng Henry theighte, the first yere of her highnes reigne and ever sithens the makynge of the decree in the article mencioned\textsuperscript{102} Wherefore they may nowe more lauffully be used for ladinge and discharginge places then heretofore havinge officers there of purpose beinge so allowed & ordeyned by her majesties graunte

\textsuperscript{94} ‘frute and sider’: fruit and cider.
\textsuperscript{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.
\textsuperscript{96} ‘adioyninge’: adjoining.
\textsuperscript{97} ‘although not serviceable’ – i.e. not fit to serve in the royal navy.
\textsuperscript{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.
\textsuperscript{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.
\textsuperscript{100} ‘deseased’: diseased – i.e. inconvenienced or annoyed.
\textsuperscript{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.
\textsuperscript{102} See n. 34, 35, 36.
Howe the officers of the newe portes do watche and what concealement there is the voyce of the people and the scarctie and death of Corne and grayne doe shewe. /104

Bristowe did of necessite appoynte the keye and Gatcombe are accomp to be appoynted as Bruistowe is where no Shipp of any convenient burthen can come /

fo. 85v.

The Creeks 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 encreased. 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 searchere & Clarke of the Creekes 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 had power thereby to dispence with the same estatutes103 and which said estatutes do not abridge her prerogatyve, or any waie dishable the same her said higges graunte, nowe that there is an other 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 Gloucester 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 appoyntinge the back & keye of Bristoll to be the onyse place of ladinge & discharginge, whereas Gatcombe ~ Newnesham and Gloucester Key had been allwaies appoyncted as convenyent and as fyt a place for that purpose, was ~ hard dealinge offerd by them to the towne of Gloucester to exclude the key of Gloucester & Gatcombe, as maye very evidently appeare by the contentes of the Cerfificat made by the Comyssioners./105

[3] 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 hinderance or concealement aryseth, and greater benefit to her majestie and no hurt to the Common wealthe / The greatest parte of all merchandize conyinge to Bristoll are uttered 107 at Gloucester and above Gloucester, and the passage thereof throughe Gloucester bridge, And Gloucester and Gloucester 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 Gloucester /

14 This Article is answered portely before, in the answer to the iii:106 Article. Gatcombe is inhabited with dyuers people at the place of discharge; some gentlemen are dwelinge nere thereunto, the Searchere there attendethe at every Springe, 106 and hathe a deputie contynuallye waytinge at that place, no ladinge cometh from Gatcombe but muste of necessiete passe by the Custome House of Gloucester and under Gloucester 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, E122/221/71/C.
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 barke be under Sailes & passe sodenly though the erle of Worcesters liberties which hath no intelligence of their comynyng by/ And Bristowe cannot have understanding thereof because theie do not take out their Cockettes which nowe but throughe the liberties of Bristowe for theie 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 cheape at Bristowe then at Gloucester or Tewkesbury where naturally it growtheth that argueth an unlawfull waste and ill usage in Gloucester and Tewkesbury, but so was it not before this alteracion./  

Where Bristowe endevoered to overthowe the Custome houesse 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 Bristoll by suche quantities that the same is as good cheape or better in Bristoll (which hath also the provision of other sheres adjoyninge) then in Glouciter or Tewkesbury, The more vent from places where is plenty of grayne and in tyme of plenty the ritcher become the ploweman, the porr sorte of people, the better kepe in worke and relieved, tillage increased, the Country nourished, and her majestie and the common wealth thereby much benefitted 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 Worcesters lyberite and lastly in Bristoll who are not letted from makinge newe searche within their office passinge from Gatcombe to the Sea, It followeth, the Queenes ~ majestie cannot nowe so easeably 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 Duete./  

16 It is farr better and more conveynent that theis Creekes of Severne scituated in the Country of Glouciter and of their owne nature never and more properly belonginge to Glouciter then unto Bristoll should be restored & continuue to the Cytie of Glouciter which of right oughte to enjoye them, and nowe standeth in nede of them, and hereby Bristoll no worse served and relieved with such graine and victualles as Glouciter and the Countries upon Severne yeldeth./ For all men are apte to seeke utteraunce for of their Comodyties, and it shalbe proved that all sortes of grantes and victualles is a greate chaunge without any necessary cause / 

17 As certen Creekes in Wales taken from Bristoll became portes of them selves by graunte and a Custome house erected and established at Cardiffe, which portes and Custome house hath accordingly ben longe enjoyed as beneficall to the COUNTRY and avayleable to her majestie, although Bristoll hathe many wais endevoered their uttermost, thempeachinge & overthowe thereof and of the same graunte, that reason & experyence

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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’: 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 Mildmay.  
116 ‘avayleable’: available.  
117 ‘thempeachinge’: the impeaching. In this context ‘discrediting’ is probably meant.
to the port of Bristol again. As by the same decree more at large appeareth although the same were contumuously disobey’d,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 thereof.

And Gloucester have made such restraint of their leather that their Shoemakers come to buye leather at Bristol and so both Cities the worse through disorder and negligent restraynt,119

Yf the farmors and Corne merchantes of Gloucester wolde see as narrowly120 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 wilbe starcke bylynde.121

Such provysion is made for the purveyor122 that the incident charges123 to gather the provysion togetheer is very greate.

Where at Bristowe sufficient for one provysion dothe came in at one Springe and a newe supplie was made to serve the Citie p eradventure immediately in the same Springe, yf not in the begynyng of the nexte.124

Bristowe have with difficutie obeyened their Cocketes at Gloucester and being obeyened have byn restrayened untill theye might se howe other places should be served.125 A great chaunge also proveth the Custome house of Gloucester to be necessary for the Common Wealthe and profitable to her majestie/ Bristol hath no cause to complayne if they so abound of those Comodities, of leather, Butter, Chese, and other thinges that the borderers upon the Welshe Coaste, which heretofore used to serve Bristol doe nowe buy their leather at Bristol where the prices thereof are so reasonable, And it is well knowne that Bristol hath provision of victualles from those portes in Wales as plentifully as ever they had any tyme heretofore, And that nothinge cometh from these portes to Gloucester before the same hathe ben first at Bristol beinge nere unto them / But muche leather is contynually transported from Gloucester to Bristol, Also there are officers in those portes of Wales which dothe lett126 the cariage therof into forreyne Countries, and so lesse daunger & inconvenyence of transportinge beyonde the Seas /

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118 ‘the same were contumously disobey’d’. 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 bylynde’: 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.

129 The suggestion was that, even when coquets 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 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 tornying the Creeks into portes and by having a Custom house there.

But if no trade of merchandize be therby encreased then was it nedeles to have a Custom house and to torne their Creeks into portes.\textsuperscript{131}

The Iriishemens 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 gladd to doe.\textsuperscript{135}

from Gloucester by the inhabentes of Bristoll foure Cockettes a yere, which Cockettes are obteyned without any suche difficulte in the Article alleged. 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 delivered as good cheape or better then it can be had in Gloucester /

The trade of merchaundize & shipping of Bristowe is hurt and hindered by asmuch as the trade of Gloucester is amended by tornying the Creeks into portes and by having a Custom house there.

But if no trade of merchandize be therby encreased then was it needes to have a Custom house and to turn their Creeks into ports.\textsuperscript{131}

The Irishmen's licences would be better perused at Bristowe then at Gloucester and nevertheless be allowed to provide their grain at Gloucester.\textsuperscript{136}

That service into Ireland with grain would the serviceable ships in Bristowe be glad to do.\textsuperscript{135}

20 The like and same trade which Bristol men had in tymes, they doe now continually use and enjoye without let of any in Gloucester. They have the cariage of their owne and their neighbors colored Clothes, of lead, tynne, kerseis,\textsuperscript{133} of the Clothes made in Gloucester there and of diverse other Comodyties, they have the trade of wynes, oiles, oad, madder,\textsuperscript{134} and all other foreigne Comodyties from forrayne partes as freely as ever they had, and are not interrupted nor hindered, for as ~ their navie\textsuperscript{132} 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 Bristol no more then ~ in tymes past it did, their accessse beinge nowe ~ none other then heretofore, And it is fetter, theis ~ Irishmen (her majesties pore Subjectes\textsuperscript{135} which bringeth with them fishe for the provision of our Country) should fetch their Corne of suche as doe breede\textsuperscript{136} the Comodytie thereof, rather then at Bristol at the second or third hande, to their greater ympovishment, And yet there have not come above foure Irishe boates since ~ therect of that parte /

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 been emploied to the service of Irelande.\textsuperscript{140}

\textsuperscript{130} Bristol thus did not deny Gloucester’s assertion that cocketts 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 cocketts issued at Bristol for ‘up Severn’ (i.e. beyond Gloucester) were not recognised at all.

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{131} ‘tynne’: tin.

\textsuperscript{132} ‘kerseis’: kerseys – a type of woollen cloth.

\textsuperscript{133} ‘wynes, oiles, oad, madder’: wines, olive oil, woad and madder. Woad and madder are dyestuffs.

\textsuperscript{134} ‘nabye’: 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{135} ‘Subjectes’: subjects.

\textsuperscript{136} ‘breede’: breed – i.e. grow.

\textsuperscript{139} Bristol asserts that their great ‘serviceable’ 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

The purveyors have all ways receyved their provision without Cockett taken or fees or Customes paid, 142 and lesse 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 where 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 laufull graunte by her highnes letters 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 Comptroller 147 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 far distant from them. The Lorde threasorer of England (whose place and office this cause moste properly 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 proffes of eche partie, his Lordship with greate deliberacion, consequacion 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 letters 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 ~ Kynge rode at their Comynge home subjecte there to

Then in vayne and to no purpose have thiere 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.
[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./

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 buylded 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 wealthe of the Countries adioyynge enritched, her majesties Customs & other profittes more truely answered with out either losse or concealement, her Subjectes the owners of theis barkes eased of their travaile and expence, her poore distressed subjectes of Cornewall and of suche other places the better relieved tillage mayneteyned 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 maier and Burgesses of the said Cytie of Gloucester doe humbly praye the contynuance of the Quenes majesties said graunt /

149 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.

150 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.

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

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

153 ‘iuste’: just.

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

155 ‘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 Throgmarton 159
Richard Pates 160
Thomas Hanaam

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 134/25Eliz/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.