

Brewers' Tales: making, retailing and regulating beer in Southampton, 1550-1700

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Introduction

For some years now early modernists have been in their cups. With a wave of recent studies about public drinking spaces and cultures, we now have a fuller sense of the very large extent to which alcohol was embedded within communities in both town and countryside throughout sixteenth- and seventeenth-century Europe.¹ Brewers themselves, however, have not benefited from these developments as fully as might be expected. Reflecting the priorities of a 'consumption turn',² most work on preindustrial intoxicants has yielded accounts of retail venues, drinking behaviours and sociability in which issues of production and supply are marginal or absent. A separate literature has developed around renaissance beer and its manufacture, but these studies either use brewhouses as 'laboratories' for specific questions within the sub-fields of gender, immigration, local government and the history of technology,³ or offer surveys of beer-brewing that range widely over space and time but permit little sustained engagement with particular terrains.⁴ Where detailed, thematically comprehen-

sive studies of beer-making in specific locales do exist, they have so far focused on the metropolis, on regional cultures outside of Britain, or on the pre-1500 or post-1700 period.⁵

This article seeks to repair this surprising oversight by offering a case study of beer-brewing, retailing and regulation within a single provincial community: Southampton, a port town and incorporated borough on the English south coast. Home to 4,200 souls in 1596,⁶ Southampton's economy revolved around textiles and the maritime sector, while it was governed by an oligarchic common council of around twelve who exerted their will via four judicial venues (the court leet, quarter sessions, the town court and the admiralty court) and meetings held on a weekly basis within the Audit House, known as the Assembly.⁷ Beer flourished within this dynamic port setting, and its manufacture and circulation has left traces in a wide range of sources including the administrative and judicial records of the Assembly and local tribunals;⁸ civic accounts and tax data; property terriers and leases; and twenty-two extant wills and inventories prepared

for Southampton beer-makers between 1550 and 1700 (supplemented in the following analysis by over seventy located for publicans). The article combines this evidence to offer a fully contextualized account of practices of beer-brewing of the kind that is still lacking for early modern Britain. The discussion unfolds in four parts. Section one sketches the lineaments of Southampton's early and entrenched beer culture, while section two introduces the products, settings and protagonists of beer-brewing in the borough. A third section outlines the relationship between the preparation and the consumption of beer as institutionally expressed in Southampton's extensive interdependence between brewers and publicans, while a final section reconstructs the unique regulatory frameworks that resulted.

Beer culture in Southampton

Southampton's residents experienced what anthropologists would term an 'alcohol culture' in which intoxicating beverages were a core constituent of daily diets, an alternative to urban water supplies which were unreliable or polluted and, not least, a ubiquitous social lubricant.⁹ Its continental trading connections made for an eclectic market in alcoholic drinks that had always endowed its inhabitants with a greater range of inebriating consumption options than their peers in inland boroughs or the countryside. Wines from France and the Iberian Peninsula had been imported

since the twelfth century,¹⁰ while bibulous horizons were further broadened by the introduction at some point in the early fifteenth century of beer. Originally brewed in Germany and the Low Countries, beer had a lighter colour, cleaner taste and higher alcohol content than its unhopped predecessor ale and, because of the preserving properties of the resin found in hops, could be transported more confidently and stored for up to a year.¹¹ Although London is still regarded as the national trendsetter for beer drinking, like other southern and eastern ports Southampton took readily and independently to the new, exotic cordial via processes ill-served by 'emulation' paradigms.¹² Both a retail 'berehouse' and a resident producer referred to as 'Adrian the Beerbrewer' were encompassed by the property terrier of 1454 (the use of an occupational surname intimates that he was probably Dutch),¹³ while by 1531 other 'certain brewers of both ale and beer' were active in the town.¹⁴ Casting doubt on Lien Luu's recent claim that beyond the metropolis 'it was not until Elizabeth's reign that Englishmen began to drink beer in large quantities', by 1543 the latter already outnumbered the former by eight to five.¹⁵ Ten years later, in a manoeuvre even more suggestive of transformed consumer preferences, one of the five ale-brewers, Henry Russell, paid 40s for permission to retool and relaunch 'as a common brewer of beer'.¹⁶

Several related attributes arising from its port status stimulated the formation of an indigenous beer culture in Southampton,

a culture that had all but displaced ale by the middle decades of the sixteenth century. As a southern entrepôt it occupied a key position on the trade routes along which beer had originally flowed as an import commodity, while when residents themselves turned to production they enjoyed ready access to hops imported from the Low Countries, a main trading partner.¹⁸ Markets were guaranteed. Southampton had long been enmeshed in global networks of commodities and agents (it hosted a colony of Venetian merchants and their African servants, sailors and troops of various nationalities, and, from 1567, a Huguenot stranger community) that would have eroded any local resistance to 'alien' goods that is believed to have impeded the acceptance of beer in northern and rural contexts.¹⁹ Unusually high concentrations of mariners and soldiers augmented local demand; its value and superior transport potential established beer as the primary drink of sailors and troops who, accustomed to its flavour and strength, sought it out when harboured in Southampton or billeted upon its citizens.²⁰ Most was acquired from an extensive infrastructure of official retail outlets in the form of inns, taverns and alehouses which developed around this nomadic populace but also catered to townspeople. By 1531 magistrates were already complaining that 'every other house is a ... tapper [retailer of alcohol]', while by 1603 the ratio of alehouses to adult male householders had risen to an impressive 1:13.²¹ Although the bulk of demand was local, the town's beer culture radiated widely and produc-

ers could anticipate markets beyond internal networks of exchange. From 1553 select Southampton brewers exported beer to the Channel Islands while,²² as in New England, Minehead and Southwark, they exploited connections with the maritime sector by brokering lucrative contracts for kegged 'ship beer' with the captains of merchant and naval vessels.²³

Products, settings and makers

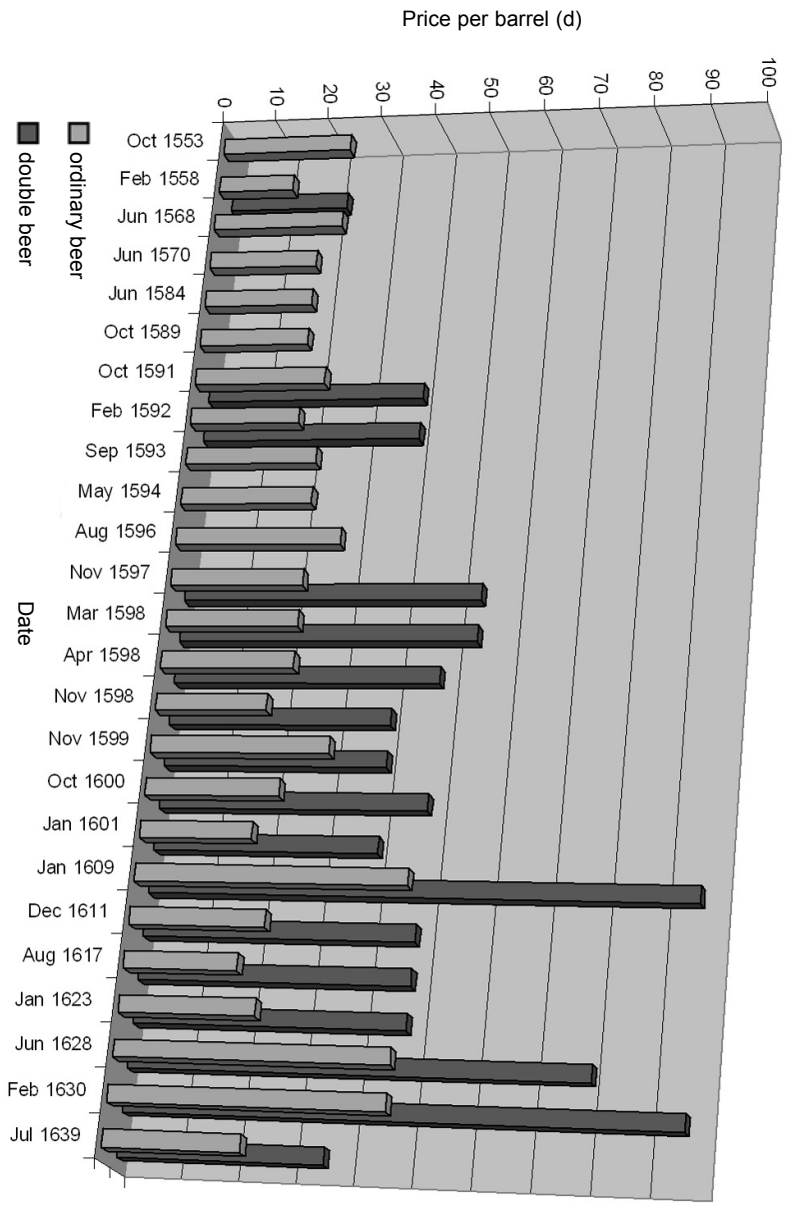
These factors coalesced to establish early modern Southampton as a major beer-brewing centre in which production was controlled by a coterie of commercial (or common) brewers with the expertise and resources to manufacture on a large scale. Unlike in London, where aliens dominated the trade until the seventeenth century, by the sixteenth century the skills of a first generation of Dutch producers seem already to have been transferred to the natives who now dominated the trade (as early as 1543 immigrants were banned from participation).²⁴ The comparative expense and technological complexity of beer-making is well-known and does not require extensive rehearsal. Put simply, successful commercial production required built-for-purpose or substantially adapted premises; access to a water supply, adequate ventilation, multiple heating sources and additional lofts and outhouses; a repertoire of specialized brewing vessels and other equipment; exhaustive supplies of fuel and storage receptacles; a small

army of servants, stokers and clerks; and service animals and vehicles to disseminate the finished product to local consumers and the wharves. Although professional ale-brewers, such as Henry Russell, could exploit their existing knowledge, credit and facilities to reorient their operations,²⁵ it would have been impossible for most household producers to effect a similar transition without substantial additional training and capital investment. Probate inventories provide particularly revealing glimpses into the economic and material realities of a large urban beer-brewing enterprise. At Roger Turner's brewhouse in 1623, overwhelmed assessors 'prised together' the 'vessels of the brewhouse ... and other necessaries thereunto belonging' at £60 and recorded an extra £15 in malt, £5 in hops and £20 in faggots.²⁶ The appraisers of Thomas Rought's suburban facilities in 1636 were more thorough, using the stages of the brewing cycle to structure their enumeration of over £100 in copper furnaces, brass kettles, mash vats, tuns, coolers, stands, slings pumps and pails. They also noted extensive cooperage (thirty barrels, forty-six hogsheads, and one hundred humber-ton) and a brace of 'iron-bound carts' with their accompanying horses.²⁷ The contents of William Knight's brewhouse (which included a copper furnace worth £60 and over £129 in malt) were valued at £335 in 1667.²⁸

Within the overarching rubric of 'beer', these sophisticated facilities were used to create range of discrete commodities,

from 'small' or 'threepenny' beer up to the startling 'double double' type complained of in 1553, 1558 and 1568,²⁹ all of which possessed different strengths, flavour profiles and ideological associations. However, in a reproduction of the two main types of ale, 'ordinary' and 'double' beers were the varieties which dominated brewer portfolios in this context. Civic authorities disliked the latter for three interrelated reasons: it consumed more malt than ordinary beer, unnecessarily diverting barley during dearth periods; it was perceived to have diminished nutritive properties; and, because of its higher alcohol content, it was deemed conducive to drunkenness. Governors attempted to steer Southampton's beer market firmly in the direction of 'wholesome' ordinary beer via the instrument of the assize, formulated locally by justices and communicated orally to all common brewers at the Audit House on an irregular but recurring basis.³⁰ As can be seen in Figure 1, assize orders banned the manufacture of double beer altogether during dearth years and endeavoured to price it out of the market by ensuring artificially high disparities with the ordinary variant even when it was permitted (a tactic especially evident in 1609, 1628 and 1630). However, the initiative backfired. Brewers complained, possibly with justification, that they could not brew good ordinary beer profitably at the stipulated tariffs; there were frequent complaints about its 'smallness' or 'badness', while in 1594 leet jurors fined seven brewers £10 each for refusing to make it altogether.³¹ The high charges dictated for double beer,

Figure 1. Assized beer prices in Southampton, 1553-1639. TBR I-IV; AB I-IV; SRO, 'Assembly books'; SC2/1/6.



meanwhile, not only made it more remunerative, but as the hardier variety used by soldiers and aboard ships it was the style that the town had first learned to drink. Data from inventories supports the impression that, in Southampton, double beer was king. At William Grant's brew-house in 1628, there were twenty-four humbertons and three firkins of 'strong

beer' awaiting delivery (1,035 gallons) compared to only four barrels and two and a half firkins of small (164 gallons).³² In 1667, William Blake at The Ark owed brewer William Knight for sixty hogsheads of double beer and only seven of ordinary, while Ellis Antram of suburban inn The White Horse owed him for forty-three of the former compared to just five of the latter.³³

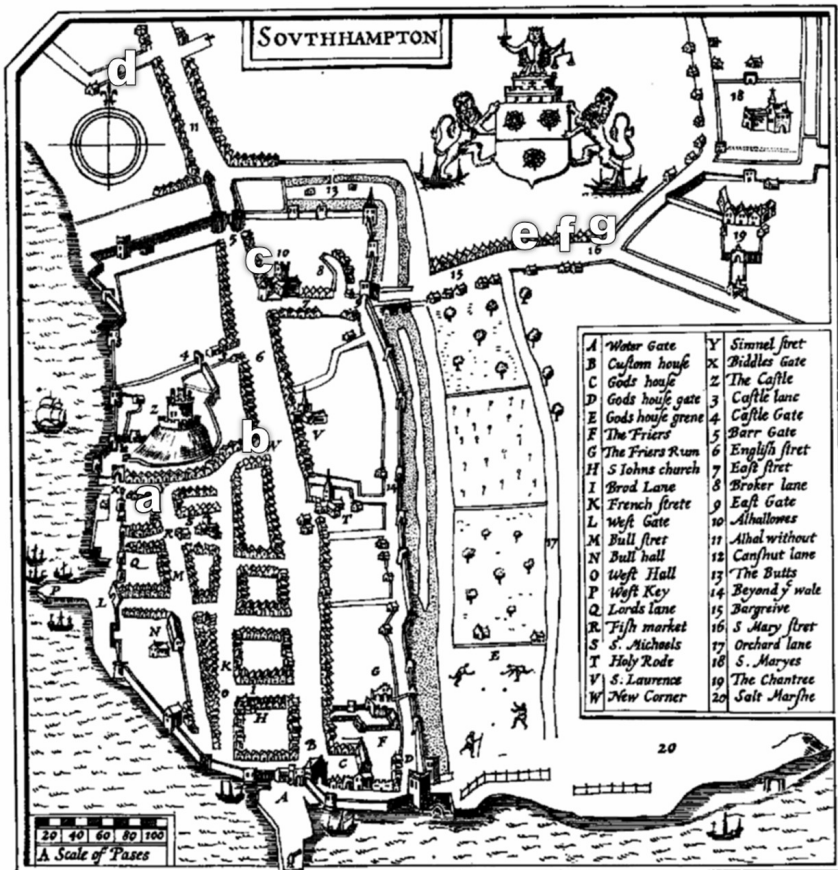


Figure 2. John Speed's 1611 street plan of Southampton with the location of seven brewhouses indicated (a-g).

Turning to the geographies of beer-making, a comprehensive street directory prepared by local archivists for the years around 1620, supplemented by other sources, enables us to plot a 'locational history' of Southampton's brewhouses with unusual confidence (Figure 2).³⁴ The picture disclosed is a snapshot, frozen in time; however, in contrast to the more dynamic retail sector, the large and specialized character of breweries meant that once constructed they were prone to spatial inertia and tended to remain venues of beer production for sustained periods.³⁵ Three brewers operated within the walled town. Edward Barlow had a large brewhouse in Simnel Street by the Beadle's Gate (a),³⁶ while a brewery occupied by William Lynch stood off English Street at the New Corner (b). A third intramural brewhouse, at this point held by Christopher Cornelius, stood at the top right-hand side of English Street in wealthy All Saints Parish (c); this corporation-owned property measured 29ft wide by 220ft deep and was Southampton's largest and most prestigious brewery.³⁷ The four remaining brewhouses were sited beyond the walls. In the northern suburb Above Bar there was a substantial brewhouse on Windmill Lane, at this point occupied by Thomas Rought (d),³⁸ while three separate brewhouses, in the respective occupancies of John Grant, William Parmett and Thomas Heath around 1620, clustered in Southampton's Southwark, the far reaches of East Street in the down-at-heel eastern suburb of St Mary's (e-g).

How should this distribution be interpreted? Brewing was an unusually thirsty trade, and access to water has hitherto been regarded as the primary determinant of preindustrial locational choices.³⁹ The pattern disclosed for Southampton can certainly be read in aqueous terms. While all breweries maintained wells, suburban brewhouses were in closest proximity to the several natural springs or 'water heads' that supplied Southampton with its water and that led to a designated 'water house' in Houndwell Field Above Bar (onto which all three of the East Street breweries backed). The intramural breweries, meanwhile, were all concentrated within northern parishes where the provision of public cisterns and conduits was densest (the most recent had been introduced by St Michael's church in 1594) and where sites offered potential for experimental waterworks designed to secure additional supplies from the northern source.⁴⁰ William Knight, who occupied the large brewhouse on English Street (c), attempted to hydrate his business by means of a private 'lead pipe that cometh from Above Bar with a cistern of lead, a well rope and a bucket'.⁴¹ However, brewhouse geographies would also have been shaped by other factors beside the supply of water. In particular, its heavy consumption of wood and coal in myriad reeking furnaces rendered brewing a flammable, noxious and noisy trade best practised in peripheral greenbelt zones where both fire risk and the sensorial impact on the urban populace would be at its lowest (for the same reasons, the suburbs also con-

tained the majority of the town's blacksmiths and timber yards).⁴² This was not just public-spiritedness; confronting one's neighbours with unwanted hazards, smells and sounds could be an expensive business in a period in which public nuisances were doggedly pursued and presented by Southampton's active manorial court. Even on their remote sites the town's suburban brewers were vulnerable to prosecution, as in 1579 when Sampson Thomas (who probably occupied the brewhouse on Windmill Lane [d]) was presented for 'the filthy and unsavoury odours that proceed from ... his brewhouse'.⁴³ On other occasions, spatial violations caused by the expansiveness of premises and paraphernalia were at issue. John Grant, one of the East Street brewers, was presented for blocking the doors, walls and hedges of adjacent properties with his 'beer carts' in 1616, while in 1627 Thomas Rought was accused of obstructing Windmill Lane with ditches.⁴⁴

Nor was the environmental impact of brewing on the urban landscape confined to the discharges and impedimenta of the brewhouse itself. Brewers were mobile inhabitants of preindustrial Southampton, and the 'carts' that are frequently glimpsed in inventories described regular ambits around town arteries in the course of their deliveries to resident consumers and the two quays. Unlike other trades, to reduce their maintenance costs it was customary for town brewers to have their vehicles 'iron bound', that is to have a hoop or tyre of 'iron' attached to the circumference of each cartwheel. This mod-

ification, when combined with the weight of their cargoes and the frequency of their movements, had a disastrous effect on the condition of bridges and road surfaces. In 1562 Bernard Cortmill, who occupied one of the East Street brew-houses, was ordered by the Assembly to furnish a local court with beer gratis 'for the maintenance and reparation of the East Gate bridge, which is by reason of the carriage of their beer over the said bridge'.⁴⁵ Leet jurors, who had special responsibility for thoroughfares, were more effusive on the hazard to Southampton's paved highways, and the spectre of 'the brewers' iron-bound carts' seems to have haunted the manorial imagination. They rehearsed the expense that 'the great spoiling and decay of the pavements' brought to householders on a near-annual basis, and wistfully referenced the 'contrary example' of London and Bristol where bans against iron-binding (introduced in Southampton in 1562) were correctly enforced.⁴⁶ The ecological repercussions of brewing also extended to the hinterland, specifically the salt marsh, a large swath of commons to the east of the town where brewery employees sourced and dug the clay used to plug bungholes, the apertures bored in barrels prior to their despatch (obscured by the legend in Speed's plan). The holes they left were to the 'spoil and decay' of the marsh and, by 1587, were deemed sufficiently numerous to be dangerous to cattle. From 1590, a regulatory agent in the form of the cowherd was instructed to monitor excavations.⁴⁷

Moving on to the economic and social profile of the trade, as in other European towns brewers were Southampton's wealthiest occupational group outside the distributive sector (as we have seen, those who could not meet the high start-up costs for facilities and utensils as well as substantial overheads could not have initiated or sustained serious beer production in the first place).⁴⁸ Tax data, where it survives, is indicative of unusual prosperity. Of eight brewers encompassed by the parliamentary subsidy assessment of 1602, three (John Jeffrey, John Major and Christopher Cornelius) were assessed at the maximum rate of 8s 6d.⁴⁹ The testimony of wills and inventories, while an inadequate guide to overall wealth, furnishes telling insights into brewer self-presentation and lifestyles.⁵⁰ Major, who held the large brewhouse in All Saints parish at his death in 1610, evoked his status as an 'alderman' in his will and, as part of a total movable estate worth £941, possessed 'one scarlet gown with a tip of velvet' - ceremonial garb from his stint as mayor - as well as a 'best black gown' and 'another black gown'.⁵¹ George Burton was a 'beerbrewer' in his inventory but a 'gentleman' in the attached will (his own movables were valued at £397), while Nicholas Grant, although avoiding such self-fashioning in his last wishes, indulged in personal styling of a more literal kind as he negotiated mid-Tudor Southampton in 'a gown of London russet faced with fox, another one faced with rabbit, another faced with ruffles, and a jacket of new colour lined with velvet'.⁵² Edward Barlow, who occu-

pled the brewhouse in Simnel Street, described himself as a 'merchant', and combined the manufacture of beer with a lucrative career as a trader in serge.⁵³ High levels of liquidity meant that brewers could materialize impressive sums at their deaths and during other rites of passage. Roger Turner bequeathed £290 to his wife and four offspring in 1623,⁵⁴ while Christopher Benbury was able to offer a dowry of £200 at the marriage of his daughter Katherine (and, in exchange for a jointure, did not rule out £100 more 'if it pleased God to grant him a further increase of Estate in time then to come').⁵⁵

Although operating within a surprisingly loose guild structure (guilds generally played a small role within the city economy because the common council - itself an outgrowth of the medieval merchant's guild - consolidated the regulation of trade),⁵⁶ elite beer-makers could dovetail their wealth and business acumen into the acquisition of a civic office. Indeed, brewers were particularly attractive candidates for local government as, unless they also had mercantile interests, the immobile character of their professional activities rooted them to the body politic.⁵⁷ At least six brewers rose to the heights of the Southampton mayoralty in the early modern period,⁵⁸ while others participated in the common council as sheriffs, bailiffs or aldermen. In 1608, in what one imagines was a richly satisfying moment, two unlicensed alehouse-keepers claimed to have received their beer from 'Bailiff [Christopher] Cornelius' and

'Alderman [Philip] Toldervey'.⁵⁹ Likewise, in 1602, despite being committed to The Counter prison for violating brewing regulations and 'hot speeches' when asked to desist, brewer and senior bailiff John Major negotiated his release with the gaoler and, 'finding Mr Mayor to be in the Guildhall at a Piepowder Court then held ... came up in his gown and cap to the hall, offering himself to sit on the bench as [a] judge of the court' (the Guildhall was located directly above the prison in the northern Bar Gate).⁶⁰ Beyond the Audit House and Guildhall chambers, brewers were habitually appointed to positions of influence and responsibility as churchwardens or tax collectors. Richard Walker served in the vestry of wealthy St Lawrence's parish between 1641 and 1642,⁶¹ while Christopher Benbury, encountered above, was acting as an assessor for the parliamentary subsidy in 1640. When he heard a local shoemaker express the desire that 'a plague of god confound all the assessors and the devil in hell confound him that pays a penny' while drinking in a local tavern in the same year, he 'reproved' him in person ('telling him that he cursed better men than himself') before dutifully rendering account of the shoemaker's seditious behaviour before the borough quarter sessions.⁶²

However, the prevailing impression of beer-brewers as uniformly wealthy and politically involved requires nuancing. As in the towns of north Germany, in Southampton it is possible to differentiate a 'super league' of top level brewers,

whose personal wealth ranked with that of professionals and merchants and who attained the charmed circle of the common council, from a second tier whose wealth ranked with that of other manual trades and who made fewer inroads into urban governance. The former generally held the large intramural brewhouses and dominated the ship beer and export market, as a result of their own mercantile networks or by using their political connections to secure lucrative contracts; in 1553, for example, Henry Russell, who rose to the mayoralty in 1562, was one of two brewers awarded the right to supply Jersey, Alderney and Guernsey.⁶³ The latter served the domestic market, occupied smaller premises and were generally found in the suburb of St Mary's; in the 1602 subsidy the three East Street brewers were assessed at between 20d and 4d. While higher than the ward average of 12d, this was substantially below the assessments for leading beer-makers.⁶⁴ Evidence from inventories is also suggestive of considerable variability in the fortunes and circumstances of brewers. The movables of Edward Mannings from East Street were valued at only £31 in 1671, while his premises had been assessed for only two hearths the previous year.⁶⁵ Thomas Malzard had movables worth just £25 in 1635 (£16 3s of which was 'in the brewhouse'), and even took the risky step of supplementing his income as an unlicensed ale-house-keeper. However, that he was not genuinely deserving of this economic expedient is suggested by the fact that,

when fined 19d for the offence by the Assembly in 1619, it was meaningfully redirected 'to the use of the poor alehouse-keepers'.⁶⁶

Finally, we must attempt a gender profile. Early modern beer-brewing has been a proving ground for large theories in gender studies and the history of women's work. Judith Bennett has argued that, in contrast to the domesticated production of ale, the scale and complexity of beer production in terms of capital resources, people management and marketing accelerated 'masculinisation' within the brewing sector, while Marjorie McIntosh has recently endorsed claims that 'the way beer was brewed and distributed excluded almost all women from participation'.⁶⁷ However, some revision of this consensus may be in order; while the overwhelmingly masculine character of beer production in Southampton is already evident, there remained occasions and opportunities for female involvement. Women sometimes had facilities and equipment willed to them; between 1550 and 1750 at least five Southampton brewers bequeathed brewhouses to their spouses.⁶⁸ There has been a tendency to short-circuit such examples by terming them the 'exception that proves the rule', or with untested assumptions that, unable to cope, female beneficiaries would have swiftly sold their breweries or conveyed them to other male relatives.⁶⁹ Instead, pursuit of widows across adjacent records suggests that many retained their inherited business and were hands-on in their

management. Anne Knight, who acquired Southampton's largest brewery upon the death of her husband William in 1667,⁷⁰ was presented two years later for delivering beer to unlicensed alehouse-keepers and even renegotiated the leases of 'her brewhouse' on improved terms with the corporation in 1677.⁷¹ Likewise, Thomas Malzard's widow had been presented for supplying illicit alehouses in 1634.⁷² Such women would have been familiar with the daily requirements of a busy brewhouse from assisting their husbands before their deaths, an especially likely scenario in a port context where, as we have seen, brewers sometimes had mercantile interests that would have involved sustained spells of absence.⁷³ Contrary to received impressions, these contributions could and did gain public recognition. In 1613 the leet jurors presented a list of brewers who had served unlicensed alehouse-keepers with beer 'as by the persons themselves or by their wives', while in 1634 'Thomas Rought's wife' was presented for the same offence (Rought died two years later so may well have been infirm at this point).⁷⁴ Although most paid employees of brewers were male, some retained female staff. William Christmas left bequests to four female servants in 1564; however, the fact that he was also running an inn means that they might have been hired in connection with hospitality rather than brewing.⁷⁵ Indeed, it is to the broader relationship between the production and retailing of beer in the borough that we must now turn.

Brewing and retailing

Southampton's beer-brewers had access to various markets for their products. As we have seen, some exported to the Channel Islands or supplied ships, while wealthy citizens and the corporation had the financial resources to purchase from brewers on a wholesale basis. The account books of Thomas Stockwell, an agent who managed the local tithes and estates of Sir Oliver Lambert, contain large payments to brewers for household consumption,⁷⁶ while in 1663 William Knight provided a hogshead for the admiralty court.⁷⁷ There is also evidence that ordinary town-dwellers could purchase directly from source, as in 1590 when servant Jean Rawson told examining magistrates that the 3s 4s found in her purse 'was had of her mother to pay for beer at Sampson's' (almost certainly Sampson Mansbridge, who occupied the brewhouse Above Bar).⁷⁸ However, such exchanges were probably unusual, and their greater dispersal and the opportunity to purchase in quantities less than a firkin (the smallest barrel size) meant that most households would have acquired their beer as *ad hoc* 'take outs' from parish public houses.⁷⁹ Thus, it was this multitude of retail drinking venues that represented the brewers' most important market. A ubiquitous component of all early modern towns, inns, taverns or alehouses were especially pervasive in Southampton given its large itinerant population of soldiers and sailors. Indeed, by the 1590s the number of alehouses was so 'inordinate' and 'intolera-

ble' that leet jurors waged a decade-long campaign against them.⁸⁰ Analysis of the debts recorded in brewer's inventories suggests the importance of institutional demand in the borough (with the caveat that publicans were more likely than private clients to obtain merchandise on credit). In 1628, of eighteen individuals who owed money to William Grant in East Street at least nine were publicans; they included Nicholas Hockley, holder of Southampton's most prestigious inn The Dolphin (who owed £8; see Figure 3 below) and Thomas Dally, an alehouse-keeper from St Michael's parish (£12).⁸¹ Likewise, at least eighteen of the twenty-five debts recorded by William Knight's assessors in 1667 were generated by publicans (who in eight cases were identified by their signboards).⁸²

How should we account for this prominence? As well as their ubiquity, all drinking houses sold beer; while concentrated in a multitude of alehouses (none of which, despite their surviving medieval appellation, now specialised in ale), to a greater extent than wine hopped beverages migrated promiscuously across institutional borders and could be found in all classes of drinking establishment.⁸³ As we have seen, its production would have been beyond the scope of most publicans, many of whom (especially at the lower end of the retailing spectrum) operated from small domestic premises on extremely limited capital. However, of most significance were local orders that banned the combined production and sale of beer within single venues. Fifteenth-

century guild ordinances proscribing brewers from trading by retail, honoured more in the breach than in observance, were revived in 1553 when the council stipulated that 'no beer-brewer that is admitted to brew beer shall occupy any tipping or uttering of beer otherwise than in gross and not by retail as by the pot or gallon within their houses'; this inverted an orthodoxy across northern Europe that beer-brewers should enjoy automatic retail privileges.⁸⁴ The ruling was extended to retailers in 1558, when it was ordered that 'no person of what estate or degree so ever he be (other than be of the corporation of brewers) shall take upon him to brew any (kind of) beer other than shall be for his or their only provision and not to put any to sale'.⁸⁵ The logic informing these novel manoeuvres was never explicitly articulated, although the former was almost certainly designed to aid quality control (and perhaps also to maximise retail opportunities for poor townspeople), while the latter probably reflected brewer influence on the council. Whatever their motivation, they forged affiliations between the borough's brewers and publicans that were unusually close.

Of course, the orders separating out brewing and retailing translated unevenly into practice and were subject to numerous complications and contestations. The fact that the rule apparently did not encompass ale diluted the principle that the production and sale of malted drinks should not take place together,⁸⁶ while there were transgressions on both sides of the institutional coin. Some brewers

clearly sustained the retail dimension of their businesses; Christmas, as we have seen, appears to have been running a full-fledged inn at his death (complete with 'best sheets for guests' and an 'ostler' named George), while others, as we have seen, operated as unlicensed alehouse-keepers (Thomas Malzard) or peddled beer from tapped barrels at less than wholesale volumes and prices (Sampson Mansbridge). It has been plausibly suggested that two unlicensed alehouses 'over-right the church litten of St Mary's' in 1589 were operated by East Street brewers, providing a retail outlet for their products away from their premises (thereby exploiting a spatial loophole in the decrees) and effectively functioning as early 'tied houses'.⁸⁷ Publicans, especially innholders, also continued to produce their own hopped beverages. Five innholders were presented for 'brew[ing] in their houses and sell[ing] the same by retail' in 1574,⁸⁸ while inventories for larger establishments sometimes disclose the spaces and fixtures of beer-making.⁸⁹ But the lack of such cases is surprising, and there is evidence of increasing compliance among publicans. The Dolphin inn, Southampton's largest, may enclose the narrative in microcosm (Figure 3). A 1570 inventory taken for this elite institution on English Street made reference to a brewhouse Above Bar as well as 'a bed for the brewers' in its stables. There is no evidence of brewing practices in a later inventory from 1624,⁹⁰ while, as we have seen, by 1628 its tenant Nicholas Hockley was purchasing very large quantities of beer from an East Street brewer.⁹¹



Figure 3. The Dolphin inn in 2007. Photo: Author.

While prohibitions on simultaneous brewing and retailing gave Southampton's beer-brewers access to a large captive market of victuallers who depended on them for their supplies, it also curtailed their own retail opportunities while dramatically amplifying the proportional significance of retailers within their ledger books. Competition for the business of publicans would thus have been even more intense than has been noted for other settings,⁹² and brewers were evidently keen to draw alehouse-keepers, taverners and innholders into their social networks. Allocations of agents and tasks in wills and inventories adumbrate friendships and alliances between brewers and retailers that, while not devoid of meaningful or affective content, would certainly have done no harm to commercial interests. James Mason from The Dolphin inn appraised the goods of brewer Thomas Rought in 1636, while both overseers nominated by brewer William Christmas in 1564 were innholders.⁹³ In 1619 the movables of alehouse-keeper Thomas Cook were 'taken and prised' by two fellow publicans and a brewer, while in 1642 Thomas Breame of Above Bar inn The Katherine Wheel appointed 'his loving friend' (and brewer) Christopher Benbury as his overseer and bequeathed him 6s 8d for 'a pair of gloves'.⁹⁴ Brewers also came to the financial and political assistance of publicans when they found themselves in hot water with local tribunals (a not infrequent occurrence); Breame, for example, had already benefited from a large surety provided by brewer John Warner after he was sum-

moned before town quarter sessions for an unspecified 'contempt against the mayor' in 1623.⁹⁵

Brewers also attempted to ensnare and retain retail custom, especially from the lower reaches of the victualling hierarchy, through the provision of extensive credit facilities. All beer-makers participated extensively in early modern England's well-charted 'economy of obligation', and were especially likely to offer deferred payment to publicans where they often formed the final link in a chain of credit (alehouse-keepers frequently let their own poorer clients drink 'on the score').⁹⁶ The networks of indebtedness superimposing Southampton's beer market were particularly dense, reflecting the poverty of many of the town's alehouse-keepers but also pressure on brewers to offer vendors the most attractive conditions. The probate inventories of brewers reveal that significant proportions of their assets remained unpaid 'in cellars' (as the assessors of William Baker had it in 1665).⁹⁷ In 1628, the assessors of Roger Turner noted £10 in debts 'upon the book', £70 'upon scores' and a further £30 in other miscellaneous 'good debts', those of George Burton recorded £226 in 'debts recoverable' and £17 in 'debts unrecoverable' in 1651, while by 1667 William Knight was owed a staggering £412 in good and £292 in bad debts (over half of his total estate).⁹⁸ Over £80 of the latter total was attributed to a single individual called John Okey and designated as 'an old debt that he [Okey] will never be able to pay'; Okey, a poor shoemaker,

had been operating an alehouse in St Michael's parish since at least 1645.⁹⁹ Inventories taken on behalf of alehouse-keepers occasionally record outstanding arrears to the brewers who supplied them, most of which would have been similarly written off. Peter Hendrick, a mariner who retailed beer on the West Quay, owed £11 'in bills' at his death in 1613, while the assessors of Roger Here, another mariner whose alehouse was tucked into a tumbledown tenement just outside the East Gate, noted 20s 'due to Roger Turner for beer' in 1611.¹⁰⁰

Regulation

We must finally take a closer look at regulation. Then as now intoxicants were 'universally subject to rules and regulations' and, with the exemption of the abortive excise experiments of the mid-seventeenth century, in characteristic Tudor and Stuart fashion, the supervision of beer-making was devolved to local clusters of instruments and agents.¹⁰¹ In Southampton, where there was an unusual level of administrative and judicial concentration arising from its status as an incorporated borough, beer-brewers fell under the jurisdiction of two main bodies: the common council (who dealt with brewing offences via the town quarter sessions or, increasingly, on a summary basis at the Assembly); and the manorial court leet jury (who presented transgressions committed during the manufacture and distribution of beer at an annual 'law day').¹⁰² Their actions and

priorities, which can be reconstructed from sessions rolls, council minutes and an impressive survival of court leet books, should be understood in the context of the close relationship between brewing and retail outlets delineated above. The regulatory schemes imposed disclose a panoramic perception of Southampton's beer business on the part of town governors that extended beyond venues of production to consumption and points of sale (indeed, as we have seen, orders disaggregating the brewing and retailing of beer were probably designed to facilitate inspection and control). Thus, while Judith Bennett is right to note that the separation of brewing and retailing 'sloughed onto tipplers the more unsavoury associations of the drinks trade',¹⁰³ the lines of force that continued to connect breweries and victualling premises brought brewers themselves under intense scrutiny at a time when drinking houses, especially alehouses, were a source of both fiscal possibilities and acute anxieties.¹⁰⁴

Although urban governors repeatedly represented public houses as 'engines of impoverishment' (a verdict reproduced by some historians),¹⁰⁵ more recent studies of early modern social welfare have excavated below these discourses to demonstrate the importance of ale and beer within urban foodways and, in particular, how the granting of alehouse licenses functioned as a species of outdoor relief that kept poor individuals off parish rates.¹⁰⁶ This was emphatically the case in early modern Southampton,

where alehouse licensees were drawn exclusively from poorer social groups and even unlicensed operators were often 'tolerated' or 'forgiven' in respect of their poverty.¹⁰⁷ Within this atmosphere, the council acted paternalistically on behalf of retailers and confronted the common brewers on whom they depended with a raft of legislation regulating price, quality and quantity. The foremost mechanism was regularly stated assize prices, which we have already introduced in connection with product ranges and were graphically represented in Figure 1. As well as militating against double beer, the much lower prices dictated for nourishing ordinary beer were designed to safeguard the meagre bottom line of alehouse-keepers and prevent them from having to pass on high prices to their own poor customers, especially during dearth periods. Leet jurors regularly presented brewers who failed to revise the cost of their barrels downwards in line with newly-assized figures,¹⁰⁸ and transgressors often appeared before the Assembly. For example, Christopher Cornelius, then senior bailiff, was summoned in 1609 for serving Christopher Sturges and John Young (both of whom kept alehouses) with three hogsheads and two butts 'for prices above the price given by the justices of the peace'.¹⁰⁹ Although Southampton's sixteenth- and seventeenth-century beer stocks were never exposed to the palates of institutionalized tasters, orders also encompassed flavour and aimed to protect retailers from being saddled with tainted products from which they might be unable to profit or their cus-

tomers nutritionally benefit. Notably, in 1603, leet jurors introduced a byelaw empowering publicans to reject any beer which having 'been first set abroached [opened]' was found to taste of 'burned staff or ... to smell or taste of the cask'.¹¹⁰

Supplementing these basic rules concerning the price and quality of the beer supplied, its quantity was another area of official scrutiny. The leet jurors, who had jurisdiction over the urban community's weights and measures, spearheaded the detection and prosecution of this group of brewing offences.¹¹¹ An early manorial priority was that receptacles should make the journey from brewhouse to public house with their contents intact. Beer, no less than its unhopped predecessor, was vulnerable to 'jostling, sloshing ... and other accidents of transport' (known as 'spurging' in the vocabulary of jurors),¹¹² and another insidious side effect of Southampton's iron-clad delivery fleet was its tendency to make beer

work up in such sort as ... barrels seem to be full when they are brought in and when they are settled they lack some a gallon of beer.¹¹³

Initially, leet jurors advocated the 'ancient custom of filling beer' as the fix, which entailed brewers or their servants making their rounds with 'a kettle with a pipe and beer with them' to replenish any depleted casks on their arrival at retail establishments.¹¹⁴ This was never a viable solution to the issue of losses in transit. In practice it was widely ignored,

and in a not untypical piece of self-defeat jurors had themselves banned the loading of heavy filling equipment onto 'shod [i.e. iron-bound] carts' in 1571.¹¹⁵ In 1579 the Assembly intervened. Rather than being constrained to provide 'filling beer', brewers would hitherto simply be required to 'allow to their customers twenty-one barrels for twenty barrels'.¹¹⁶ Southampton's unique bibulous twist on the baker's dozen was endorsed as a 'very good order' by the leet jurors and seems to have enjoyed widespread compliance.¹¹⁷

The varieties and capacities of casks themselves also came under leet surveillance. Cooperage in early modern Europe was highly regionalized, and Southampton recognised three generic vessels (in ascending size firkins [nine gallons], barrels [thirty-six gallons] and hogsheads [fifty-four gallons]) as well as a more local variant in the form of the 'humberton' or 'humber barrel' (which, at forty-two gallons, fell between a barrel and a hogshead).¹¹⁸ In the peripatetic missions that had been their practice since 1577, the weights and measures inspectorate scoured brewhouses, cellars and the streetscape for barrels that were of irregular dimensions or 'too little' and, reading-off culpability from their identificatory 'marks and burns', presented the names of both cooper and brewer responsible (with the latter facing the stiffest fines).¹¹⁹ Manorial concern about undersized beer barrels reached an explosive peak in 1655, when it was declared that 'the alehouse-keepers ...

have taken much wrong for not having their cask[s] full measure' and four leading brewers were fined between 13s 4d and £15 for a wide variety of deficient vessels discovered in their brewhouses as well as hidden in nearby conduits. In a carefully choreographed punitive spectacle there was a 'public burning and breaking' of fraudulent casks before the pillory on English Street. In addition, to reduce the possibility of such abuses in future, the authorized range of civic cooperage was radically streamlined:

[N]o coopers should presume to make for the brewers of this town, nor no brewers presume to fill for sale to any of the town other casks than such ... called by the name of humbertons.¹²⁰

While the foregoing sets of brewing regulations were designed to safeguard the economic well-being of legitimate publicans, others were geared to the perceived potential of retail drinking outlets for proliferation and disorder. Occasional council-imposed prohibitions on the production of 'double' and 'double double beer', which we have already sketched, were designed mainly to prevent the insinuation of these powerful intoxicants into public houses where they might most readily beget drunkenness and ensuing misrule. Orders in 1568 and 1570 banned brewers from selling 'any double double beer to any victualler or any other to retail',¹²¹ while another logic informing the 1596 ban on double beer was the 'restraining and reducing of many notorious, lewd and evil disposed persons

from their drunkenness and common haunting of tippling houses' (however, in contravention of this order, magistrates complained that brewers continued to brew 'double beer and [to have] the same delivered out and sold to the victuallers and tipplers').¹²² In the same year, brewers were warned only to make their stronger ship beer 'for service and provision of shipping, and not to sell any part thereof to any [of] the innholders, victuallers, alehouse-keepers or taverners'.¹²³ If leet jurors picked up on the presence of double beer in drinking houses during ban years, they presented the name of the publican as well as the brewer(s) who had supplied the contraband.¹²⁴

From a central government statute of 1607, brewers also stood to be presented if they supplied beer to *unlicensed* alehouses. This formed part of a wider Jacobean attempt to cut off the lifeblood of illicit establishments and punish those who colluded in and profited from the underground trade above and beyond publicans themselves.¹²⁵ As a statutory offence the council, in their capacity as JPs, took the lead in prosecutions. Six brewers were indicted at quarter sessions in 1613 and appeared regularly thereafter, facing large fines and even corporal penalties.¹²⁶ They were also dealt with summarily at the weekly Assembly; in 1615 five brewers were each fined between 40s and £10, while unlicensed alehouse-keepers summoned to the Audit House were thereafter interrogated about their sources of supply.¹²⁷

The court leet also referred candidates for punishment in higher courts. In 1611 they submitted the names of ten common brewers who had dispatched forty-one humbertons to thirteen unlicensed alehouses, and continued to present throughout the century.¹²⁸ Indeed, the enthusiasm with which this central directive was taken up in Southampton is suggested by brewer Thomas Rought's 1630 quarter sessions appearance for 'evil language ... touching the contrivers of the laws for punishment of brewers for serving of unlicensed alehouse-keepers with beer'.¹²⁹ Rought had good cause for complaint having suffered repeatedly under their strictures. He had been whipped and fined by quarter sessions in both 1613 and 1616, and was fingered by court leet jurors as a leading culprit in 1611, 1613 and 1625 (in the latter year he was identified as the principal pipeline through which beer flowed to illegal alehouses in the liberties).¹³⁰

These regulatory impulses converged in Southampton's belated contribution to the seventeenth-century's portfolio of brewery schemes, which followed the examples of Dorchester, Salisbury and Colchester earlier in the 1600s.¹³¹ The experiment first saw light in 1659 when the Assembly ruminated that, with regard to the 'daily increase of poor people', it might be advantageous if public houses would take their beer only from 'one or more' licensed brewers, with the 'benefit and profit' generated by the licence-holders to be 'dispensed and converted to the relief of the poor'. Three days later, a deal

had been hammered out. Mr Richard Walker, brewer and alderman, was granted exclusive rights to sell ale and beer 'unto all the licensed inns and alehouses' for a three-year term, and would pay £240 for the monopoly in annual instalments of £80. The scheme had disciplinary as well as fiscal stimuli. As well as generating much-needed funds that would be directed to the workhouse as well as 'to other poor people according to the discretion of ... this corporation', Walker was only to supply 'those alehouses that have licence to sell beer' and was additionally enjoined to 'undertake the discovery of unlicensed alehouse-keepers and to give information unto the mayor and justices with evidence for proof'.¹³² A new brewhouse was constructed for Walker Above Bar, and two months later all alehouse-keepers, taverners and innholders were instructed to 'take and buy their beer ... only of Mr Richard Walker and in no wise any other brewer of this town'.¹³³ Unsurprisingly, however, the project was not enthusiastically received by the other common brewers; William Knight spearheaded their resistance and there was soon 'a debate ... between Mr Walker and Mr Knight concerning the brewhouse'. It was resolved in Knight's favour and the scheme was indefinitely 'suspended'.¹³⁴

As this example suggests, the grass roots enforcement of brewing regulations of both central and local origin was complicated by the high social status of beer-makers and their own involvement in civic governance. We should resist carica-

tures images of avaricious brewers blithely ignoring rules or throwing up obstacles to their proper execution. Knight's objection to the brewery scheme seems rather more comprehensible than the project itself. As its architects must have known, given the extensive dependence of Southampton's brewers on the custom of retail outlets, if implemented it would have entailed financial disaster for every brewer except the monopolist. Elsewhere, the orders that superimposed brewing activities were often unworkable and contradictory (for example early injunctions about 'filling beer') or extremely difficult to comply with. As Rought's outburst perhaps suggests, rules prohibiting the despatch of beer to unlicensed alehouse-keepers in particular would have been almost impossible to observe to the letter given near-daily fluctuations in authorized houses and personnel. Nor did brewers always exploit positions of authority to line their own pockets. The Assembly order abolishing 'filling beer' and replacing it with a blanket twenty-one barrels for twenty allocation, a more practical alternative but hardly one in the economic interests of producers, had its genesis in the mayoralty of East Street beer-maker Bernard Cortmill.¹³⁵

However, on other occasions supervision met more calculated resistance from the brewing community. Many brewers evidently felt themselves above regulations, especially those generated by local agencies. In 1596, beer-maker, senior bailiff and all-round big wheel John Major continued to craft double beer in defiance

of the Assembly ban and responded to his fine with such 'obstinacy', 'disorderly speeches' and other 'dalliances with justices' that he was temporarily incarcerated (escaping, as we have seen, to officiate in a local court).¹³⁶ When leet jurors briefed Sampson Mansbridge about a new manorial provision for spillages in 1581 he announced flatly that he 'would not allow it'.¹³⁷ Other leet byelaws governing brewing, which relied on the coercive apparatus of the council for implementation, were obviously ignored given the frequency of their 'recapitulation' (with those against 'iron-bound carts' representing the most striking example),¹³⁸ while there is some evidence that brewers successfully bribed local officials. In 1642, during a drinking session in The Dolphin inn, brewer Christopher Benbury alleged that some of his colleagues 'paid for selling of false measures ... and he would maintain it', while in a suggestive addendum to their 1655 orders against defective barrels leet jurors urged that the culprits should 'not ... be remitted for gold or silver'.¹³⁹ On a more quotidian basis, beer-makers had the finances and professional contacts to 'wage law' against unpopular regulations via litigation at local and regional tribunals.¹⁴⁰ In the wake of public humiliation over their barrels 1655, William Knight again sprang into action on behalf of his associates and initiated a successful suit against the leet jury at the Winchester Assizes.¹⁴¹ Likewise, in 1629 brewers Richard Skinner and Christopher Benbury brought writs of privilege against their prosecution for supplying unli-

censed alehouse-keepers that stalled the case against them within the borough quarter sessions and led the mayor to write desperate letters to the town recorder on two occasions requesting legal 'directions'.¹⁴²

Conclusion

From at least the mid-1400s Southampton's citizens and many visitors 'called for beer',¹⁴³ and the early consolidation of the hopped interloper within this southern port complicates the geography and chronology of accounts that credit its introduction and dissemination to London in the sixteenth century. Beer-making was monopolized by common brewers, who focused their efforts on 'double' beer, whose brewhouses were concentrated in northern parishes and the suburbs, and who were disproportionately wealthy and politically influential members of the urban community. However, there was some variation in the economic circumstances and political engagement of beer-brewers and, while dominated by males, the Southampton material suggests that opportunities for women within the sector were both more numerous and higher in profile than has hitherto been grasped. Connections between the town's makers and retailers of beer were unusually intimate, and brewers developed a range of social and commercial strategies to attract and retain the vital custom of alehouse-keepers, taverners and innholders. However, while they enjoyed access to a buoyant captive mar-

ket of retail outlets, the relationship entailed unusually high levels of indebtedness and brought the trade under far more intensive supervision than might otherwise have been the case.

Two more general conclusions emerge from this case study. It suggests that we should resist dominant understandings of production and consumption as 'binary poles' and instead acknowledge and tease out the intricate ways in which they interacted.¹⁴⁴ Although early modern brewing has mainly been regarded in isolation, systems of beer-making, especially in terms of the complexion of local markets and regulatory initiatives, can only be fully appreciated by factoring in venues of consumption, especially in the form of public houses. Likewise, accounts of beer-driven consumerism and sociability within these retail outlets should pay more attention to the dynamics of provision and supply than has become the norm. Finally, it has argued for what we might term the 'local particularity' of early modern brewing cultures.¹⁴⁵ Southampton represented not the national scenario in miniature but a distinctive component of a larger jigsaw, in which the introduction, production and distribution of beer was at every stage profoundly shaped by situational factors, especially its character as a port, urban topography and political interventions that were particular (and in some cases unique) to the borough. More brewers' tales drawn from other urban and rural contexts will add further subplots to the story and allow a more comprehensive narrative to emerge.

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23. In 1602, for example, leet jurors

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24. SRO SC2/7/4; Bennett, J. (1998) op. cit. p.82. In her analysis of the occupations of the town's stranger community in the sixteenth and seventeenth centuries Jane Le Cluse was only able to identify four brewers for the entire period. Le Cluse, J.P. (1987) op. cit. p.123.

25. *TBR* II, p.36.

26. Winchester, Hampshire Record Office [hereafter HRO], 'Will and Inventory of Roger Turner': 1623 A/94. His goods were valued by his son and another brewer.

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37. Leases for the brewery can be found at SRO, 'Corporation Leases': SC4/1/2, 73, 111, 162.

38. This was still functioning as a brew-house in 1662 when it was referred to by the Assembly. SRO, 'Assembly Books': SC2/1/8, fo. 191v.

39. For example Luu, L.B. (2005) op. cit. p.281; Tlusty, B.A. (2001) op. cit. p.23; Freudenthal, G. (2001) 'Die Wasserversorgung der Brauwirtschaft vom 14. Jahrhundert bis zur Industrialisierung in den deutschen Küstenstädten', *Jahrbuch der Gesellschaft für die Geschichte des Brauwesens*, pp.53-95; Jenner, M.S.R. (2000) 'From Conduit Community to Commercial Network? Water in London, 1500-1725', in Griffiths, P. & Jenner, M.S.R. (eds) *Londinopolis: Essays in the Social and Cultural History of Early Modern London*. Manchester: Manchester University Press, p.251.

40. On Southampton's water supply see Davies, J. S. (1989) *A History of Southampton*. 2nd edn, Winchester: Hampshire Books, pp.114-19; Monkhouse, F.J. (1964) op. cit. p.209. For negotiations surrounding the installation of the 1594 cistern see *TBR* IV, 4-5. There is no evidence that brewers themselves ever sponsored

water schemes.

41. HRO, 'Will and Inventory of William Knight': 1667 A60/3.

42. Cockayne, E. (2007) *Hubbub: Filth, Noise and Stench in England 1600-1770*. New Haven & London: Yale University Press, pp.21, 36, 213, 219-20. The consumption of faggots, timber and coal by town brewers was already so voracious by 1551 that they were ordered to obtain their fuel by water only. *TBR* II, 47, 99, 114-5.

43. *CLR* I, 186.

44. *CLR* III, 507; SRO, 'Court Leet Books': SC6/1/42, fo. 14v. In the first case, the fact that one of the complainants was a brewer called William Parmett suggests that professional rivalry might have been involved.

45. *TBR* II, 88; also *TBR* IV, 20.

46. *CLR* II, 211, 231, 299; *CLR* III, 402, 455, 519, 534, 552, 572, 592, 603; SRO, 'Court Leet Books', SC6/1/42, fo. 20r.

47. *CLR* I, 38, 49, 126, 153; *CLR* II, pp. 206, 236, 257, 276, 587.

48. On the high status of brewers in other contexts see Tlusty, B.A. (2001) op. cit. p.41; Mathias, P. (1959) op. cit. p.7; McIntosh, M.K. (2005), p.164.

49. SRO, 'Assembly Books': SC2/1/6, fos. 7r-15v.

50. On the limited ability of probate inventories, surveys of movable goods and leases that exclude real property, to shed light on an individual's total estate see Spufford, M. (1990), 'The Limitations of the Probate Inventory', in Chartes, J. A., Hay, D. & Thirsk, J. (eds) *English Rural Society 1500-1800: Essays in Honour of Joan Thirsk*. Cambridge: Cambridge University Press, 142-4.

51. HRO, 'Will and Inventory of John Major': 1610 A/079.

52. HRO, 'Will and Inventory of George Burton': 1651 A/09; Roberts, E., & Parker, K. (eds, 1992), *Southampton Probate Inventories 1447-1575* (2 vols). Southampton: Records Series 34-5, I, 119.

53. HRO, 'Will and Inventory of Edward Barlow': 1620 AD/007.

54. HRO, 'Will and Inventory of Roger Turner': 1623 A/94.

55. Thomson, S. D. (1994) *The Book of Examinations and Depositions before the Mayor and Justices of Southampton 1648-1663*. Southampton: Records Series 37, pp.147-8.

56. Beer-brewers weren't incorporated until 1543, and even after this date guild structures seem to have played a small part in their business and social affairs. SRO SC2/7/4.

57. Unger, R.W. (2004) op. cit. p.14.

58. Henry Russell (1562), Bernard Cortmill (1579), John Jeffrey (1598), John Major (1600), Edward Barlow (1607) and Philip Toldervey (1609). Davies (1989), 176-8.

59. *AB* I, 10-11. A total of four 'aldermen' brewers were presented by the leet jurors for the same offence in 1611 and 1613. SRO, 'Court Leek Books'; SC6/1/30, fo. 18v, SC6/1/31, fos. 24-5.

60. *TBR* IV, 34-6.

61. SRO, 'St Lawrence Churchwardens' Accounts': PR4/2/1, fos. 137r, 141r.

62. Anderson, R. C. (1936) *Books of Examinations and Depositions 1639-44*. Southampton: Record Society 36, 18; SRO, 'Quarter Sessions Recognizances': SC9/2/10, fo. 40r.

63. *TBR* II, 36.

64. SRO, 'Assembly Books': SC2/1/6, fos. 7r-15v.

65. HRO, 'Will and Inventory of Edward

Mannings': 1671 AD/084; Hughes, E., & White, P. (eds, 1991), *The Hampshire Hearth Tax Assessment 1665*. Winchester: Hampshire Record Series 11, p.294.

66. HRO, 'Will and Inventory of Thomas Malzard': 1635 AD070; SRO, 'Assembly Books': SC2/1/6, 187r.

67. Bennett, J. (1996) op. cit. p.78; McIntosh, M.K. (2005), p.165.

68. HRO, 'Will and Inventory of James Roberts': 1576 B/073; 'Will and Inventory of John Major': 1610 A/079; 'Will and Inventory of George Burton': 1651 A/09; 'Will and Inventory of William Knight': 1667 A/060; 'Will and Inventory of William Brackstone': 1718 A/10.

69. For example Bennett, J. (1996) op. cit. p.61, 91, 96-7.

70. SRO, 'Corporation Leases': SC4/3/295.

71. SRO, 'Quarter Sessions Rolls': SC9/1/12 [unfoliated]; 'Assembly Books': SC2/1/8, fo. 340r.

72. SRO, 'Assembly Books': SC2/1/8, fo. 276v; see also SRO, 'Court Leet Books': SC6/1/30, fo. 18v.

73. Bennett, J. (1996) op. cit. pp.60-76.

74. SRO, 'Court Leet Books': SC6/1/31, fo. 24v; 'Assembly Books': SC2/1/8, fo. 276v; HRO, 'Will and Inventory of Thomas Rout [Rought]': 1636 B/37. On this occasion Rought bequeathed his brewhouse to his son William.

75. Roberts, E. & Parker, K. (1992) op. cit. p.184.

76. Rutherford, J. (ed., 1932-3) *The Miscellaneous Papers of Captain Thomas Stockwell 1590-1614* (2 vols). Southampton: Record Society 32-3, I, 102; II, 65.

77. SRO, 'Assembly Books': SC2/1/8, fo. 196r.

78. SRO, 'Books of Examinations and Depositions': SC9/3/7, fo. 5v.

79. In 1594 the leet jurors complained that brewers were refusing to 'deliver out' to inhabitants, forcing them to 'buy their drink at alehouses'. *CLR* II, p. 296. For glimpses of these takeaway regimes in action see SRO, 'Quarter Sessions Order Book': SC9/2/1, fo. 41r; 'Assembly Books': SC2/1/6, fo. 189r. On the takeaway services offered by early modern public houses in another context see Kumin, B. (2003) 'Eat In or Take Away? Food and Drink in Central European Public Houses around 1800', in Hietala, M. and Vahtikari, T. (eds), *The Landscape of Food: The Food Relationship of Town and Country in Modern Times*. Helsinki: Finnish Literature Society, pp.73-82.

80. *CLR* II, p. 354; SRO, 'Court Leet Books': SC6/1/26, fo. 22r; SC6/1/27, fos. 17v-18r; SC6/1/28, fo. 19r. The campaign is discussed in Brown, J.R. (2008) op.cit. pp.219-20.

81. HRO, 'Will and Inventory of William Grant': 1628 AD/034. A Thomas Dally appears as a 'tippler' in St Michael's parish in the stall and art rolls for 1635. SRO, 'Court Leet Books': SC6/1/47, fos. 6r-11v.

82. HRO, 'Will and Inventory of William Knight': 1667 A60/3.

83. On tavern licensing see Hunter, J. (1994) 'Legislation, Royal Proclamations and other National Directives Affecting Inns, Taverns, Alehouses, Brandy Shops and Punch Houses 1552 to 1757'. Ph.D. Thesis: University of Reading, pp.87-125; and idem, 'English Inns, Taverns, Alehouses and Brandy Shops: The Legislative Framework, 1495-1797', in Kumin, B. & Tlusty, B.A. (2002) op. cit. pp.70-2.

84. Studer, P. (ed., 1910) *The Oak Book of*

Southampton I. Southampton: Record Society 6, 51; TBR II, 47. On customary retail rights in other contexts see Unger, R.W. (2004) op. cit. p.218; Tlusty, B.A. (2001) op. cit. p.37; McWilliams, J.E. (1998) op. cit. pp.550-52; and Kümin, B. (2007) 'Public Houses and Civic Tensions in Early Modern Bern', *Urban History* 34, pp.89-101.

85. TBR II, 60. Orders prohibiting victuallers from brewing their own beer, while not the norm, were more common. See Clark, P. (1983) op. cit. p.107.

86. In 1574, for example, Thomas Broker, who held a small inn called *The Katherine Wheel* Above Bar, was 'allowed to be a common brewer of ale'. TBR II, 117-18. His inventory, taken on his death in 1583, makes reference to a 'brewhouse'. HRO, 'Will and Inventory of Thomas Broker': 1583 A09/1-2.

87. Thomson, S.D. (ed. 1970) p.97; CLR II, 274. Likewise, in 1620 brewer Richard Kent acquired a licence for an alehouse in nearby Hythe in which he installed two 'tenants' (Humphrey and Joan Withers). SRO, 'Miscellaneous': SC15/71. On the development of the tied houses system in later periods see Mathias, P. (1959) op. cit. p.8, 117-38; Knox, D.M. (1958), 'The Development of the Tied House System in London', *Oxford Economic Papers* 10, pp.66-83.

88. CLR II, 103. Similar presentments at SRO, 'Assembly Books': SC2/1/6, fo. 301v.

89. They were present at The Dolphin inn in 1570, John Manfield's large alehouse in 1596 and an inn by the Itchen Ferry in 1627. Roberts & Parker (1992), I, 288-9; HRO, 'Will and Inventory of John Manfield': A080/1-2; HRO, 'Will and Inventory of Henry Osborne': 1627 B57/1-2.

90. Roberts, E. & Parker, K. (1992) op. cit. I,

pp.288-9; HRO, 'Will and Inventory of William Horne': 1624 A41/1-2. The prominence and high value of brewing paraphernalia meant they would almost certainly have been recorded had they still formed part of the inn's operations.

91. HRO, 'Will and Inventory of William Grant': 1628 AD/034.

92. See Clark, P. (1983) op. cit. pp.105-6.

93. HRO, 'Will and Inventory of Thomas Rought': 1638 B/37; Roberts, E. & Parker, K. (1992) op. cit. I, p.184.

94. HRO, 'Will and Inventory of Thomas Cook'; 1619 AD24; 'Will and Inventory of Thomas Breame': 1642 A09.

95. Anderson, R.C. (ed., 1929) *Books of Examinations and Depositions 1622-27*. Southampton: Record Society 29, 26.

96. Muldrew, C. (1998) *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England*. Basingstoke: Macmillan, 269; Luu, L.B. (2005) op. cit. p.287; Clark, P. (1983) pp.102-3.

97. HRO, 'Will and Inventory of William Baker': 1665 AD/007.

98. HRO, 'Will and Inventory of Roger Turner': 1623 A/94; 'Will and Inventory of George Burton': 1651 A/09; 'Will and Inventory of William Knight': 1667 A/060.

99. SRO, 'Court Leet Books': SC6/1/52, fos. 7r-11r.

100. HRO, 'Will and Inventory of Peter Hendrick': 1613 A38/1-2; 'Will and Inventory of Roger Here': 1611 AD/48. The relatively small amount owed by Here suggests that the credit offered to him by Turner was probably limited.

101. On central government initiatives see Roberts, S.K. (1980) op. cit. pp.45-71.

102. For the clearest overview of Southampton's administrative and legal culture see Connor, W.J. (ed., 1978) *The Southampton Mayor's Book of 1606-8*. Southampton: Records Series 21, 11.

103. Bennett, J. (1996) op. cit. p.50.

104. This enduring dualism is explored in a different context in Kümin, B. (1999) 'Useful to Have, but Difficult to Govern: Inns and Taverns in Early Modern Bern and Vaud', *Journal of Early Modern History* 3, pp.153-75. On the concerns aroused by English alehouses see Clark, P. (1978) 'The Alehouse and the Alternative Society', in Pennington, D. & Thomas, K. (eds) *Puritans and Revolutionaries: Essays in Seventeenth-Century History presented to Christopher Hill*. Oxford: Clarendon Press, pp.47-72; and in a rural context Wrigton, K. (1981) 'Alehouses, Order and Reformation in Rural England, 1590-1660', in Yeo, E. & Yeo, S. (eds), *Popular Culture and Class Conflict 1590-1914: Explorations in the History of Labour and Leisure*. Brighton: Harvester, pp.1-27.

105. Walter, J. & Wrigton, K. (1976), 'Dearth and the Social Order in Early Modern England', *Past & Present* 71, pp.28-9; Clark, P. (1983) op. cit. p.167.

106. Bennett, J.M. (1992) 'Conviviality and Charity in Medieval and Early Modern England', *Past & Present* 134, pp.19-41; Galloway, J.A. (1998) 'Driven by Drink? Ale Consumption and the Agrarian Economy of the London Region c. 1300-1400', in Carlin, M. & Rosenthal, J.T. (eds) *Food and Eating in Medieval Europe*. London: Hambledon Press, pp.87-100; Hindle, S. (2004) *On the Parish? The Micropolitics of Poor Relief in Rural England 1550-1750*. Oxford: Oxford University Press, pp.59-60.

107. See Brown, J.R. (2008) pp.78-81, 165-73.

108. *CLR* I, 122; *CLR* III, 528, 543, 556.

109. *AB* III, 39. A Christopher Sturges is identified as a 'tippler' in All Saints parish in the stall and art rolls for 1605, while John Young (also from All Saints) is tagged as such in the 1611 rolls. *SRO*, 'Court Leet Books': SC6/1/29, fos. 7r-11v; SC6/1/30, fos. 6r-10v.

110. *CLR* III, 386.

111. On the responsibility of leet juries for weights and measures elsewhere see King, W.J. (1980) 'Leet Jurors and the Search for Law and Order in Seventeenth-Century England: Galling Persecution or Reasonable Justice?', *Histoire Sociale/Social History* 13, p.279.

112. Luu, L.B. (2005) op. cit. p.259; *CLR* II, 179.

113. *CLR* I, 161.

114. *CLR* I, 98, 110, 126, 146; *CLR* II, 167.

115. *CLR* I, 68.

116. *TBR* III, 17.

117. *CLR* II, 190.

118. Unger, R.W. (2004) op. cit. pp.247-50. Coventry recognised a fourteen gallon barrel called the 'sextary'. See Monckton, H.A. (1966) *A History of English Ale and Beer*. London: Bodley Head, p.107.

119. *CLR* I, 90, 104-5, 157; *CLR* III, 446-7, 521, 535, 555; *SRO*, 'Court Leet Books': SC6/1/40, fos. 16r, 21v; SC6/1/41, fos. 19v-r; SC6/1/43, fo. 18r. Unlike in the Low Countries, where brewers sometimes made their own casks, in England vessel construction remained a monopoly of the coopers, and when used in beer production Southampton's barrels underwent a double-coding with the cooper's mark as well as that

- of the brewer. Unger, R.W. (2004) op. cit. p.213; *CLR* I, 104-5.
120. SRO SC6/1/58, fos. 41,45; also SC15/85. On the purifactory uses of fire in another context see Davis, N.Z. (1975) 'The Rites of Violence', in idem (ed.) *Society and Culture in Early Modern France: Eight Essays*. Stanford: University Press, 162-3.
121. *TBR* II, 99, 114-5.
122. *TBR* IV, 29, 30.
123. *Ibid.*, 30.
124. For example *CLR* I, 141, 163.
125. See Hunter, J. (1994) pp.38-40.
126. SRO, 'Quarter Sessions Order Book': SC9/2/1, fos. 11v, 12r-13v, 24v, 41r, 45v.
127. *AB* I, 96-7; *AB* II, 10-11; SRO, 'Assembly Books': SC2/1/6, fo. 198v.
128. SRO, 'Court Leet Books': SC6/1/30, fo. 18v; *CLR* III, 468; SRO, 'Court Leet Books': SC6/1/31, fos. 24v-25r; SC6/1/40, fo. 17r; SC6/1/58, fo. 38.
129. Anderson, R.C. (ed., 1931) *Books of Examinations and Depositions 1627-34*. Southampton: Record Society 31, 64.
130. SRO, 'Quarter Sessions Order Book': SC9/2/1, fos. 11v, 12r-13v, 24v; SRO, 'Court Leet Books': SC6/1/30, fo. 18v; SC6/1/31, fos. 24v-25r; SC6/1/40, fo. 17r.
131. On these earlier initiatives see Slack, P. (1972) 'Poverty and Politics in Salisbury 1596-1566', in Clark, P. & Slack, P. (eds), *Crisis and Order in English Towns 1500-1700: Essays in Urban History*. London: Routledge & Kegan Paul, p.54; Roberts, S.K. (1980) op. cit.
132. SRO, 'Assembly Books': SC2/1/8, fos. 151v-152r.
133. SRO, 'Assembly Books': SC2/1/8, fo. 154r.
134. SRO, 'Assembly Books': SC2/1/8, fos. 159v, 161r..
135. *TBR* III, 17.
136. *TBR* IV, 35-6.
137. *CLR* II, 217.
138. On the reliance of leet juries on governing councils see Connor, W.J. (1978) op. cit. p.11; McIntosh, M.K. (1984) 'Social Change and Tudor Manorial Leets', in Guy, J.A. & Beale, H.G. (eds), *Law and Social Change in British History*. London: Royal Historical Society, 76.
139. SRO, 'Quarter Sessions Recognizances': SC9/2/10, fos. 49v, 53v; 'Court Leet Books': SC6/1/58, fo. 41.
140. The phrase is from Stretton, T. (1998) *Women Waging Law in Elizabethan England*. Cambridge: Cambridge University Press.
141. It was ruled that they had miscalculated the 'correct gauge of hogsheads', and the 'exemplification' of the verdict was recapitulated at subsequent law days. SRO, 'Court Leet Books': SC6/1/59, fo. 17r.
142. I have been unable to locate the writs but the two letters from mayor Nathaniel Mills to recorder Henry Sherfield survive at HRO: 'Mayor of Southampton: Letters to Henry Sherfield': 44M69L/35-36. On the functions of the town recorder, a legal advisor, see Davies, J.S. (1989) op. cit. pp.184-5.
143. Bennett, J. (1996) op. cit. p.82.
144. Pennell, S. (1999) op. cit. p.552. See also the calls for integration in White, J. (2006) op. cit. pp.103-4; and Fine, B. (2002) *The World of Consumption: The Material and the Cultural Revisited*. 2nd edn, London: Routledge, pp.114-16.
145. On the concept of 'local particularity' see Jenkins, T. (1999) *Religion in Everyday Life: An Ethnographic Approach*. New York & Oxford: Berghahn Books, pp.82-4.