

ST. JOHN'S HOUSE AND THE COMMONALTY OF WINCHESTER IN THE MIDDLE AGES.

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THE purpose of this essay is twofold : to consider the origin of the Hospital of St. John the Baptist and the part which it played in the civic life of mediaeval Winchester. To-day St. John's is known in Hampshire as an anciently established charity in the east end of the High Street with buildings consisting of a group of almshouses, a Chapel and St. John's House on the north side, and on the south a second group of almshouses and a gatehouse which includes the Trustees' Room. Since 1829 the charity has been administered by Trustees and its income is derived from property, the greater part of which is in the city of Winchester.

The Origin of St. John's Hospital.

The generally accepted account of its origin is that given in the *Victoria County History*, Volume II, p. 200, an account based on that of Milner and of John Deverell, a solicitor and a Trustee of the Hospital who wrote on the subject in 1879. (*St. John's Hospital and other Charities in Winchester*.) Milner's information was derived from a manuscript history of Winchester written by John Trussell, a local lawyer and historian writing circa 1630. Mr. Deverell also used Trussell via the anonymous History of Winchester published in 1773, and written by a member of the Wavell family ; and in addition he drew on a manuscript book of Donations still amongst the archives of the Hospital. Two preliminary points must be made. Milner's version of Trussell's manuscript is not always correct, and the Hospital book of Donations, though it purports to be an accurate list of early grants, cannot in itself be earlier than the late seventeenth century.¹ Milner's habit of mis-quoting Trussell is well established and his inaccuracies were referred to by the Reverend B. B. Woodward, the learned librarian of Queen Victoria at Windsor Castle, whose History of Winchester, published in 1859, is still one of the best accounts of the city.²

According to Deverell, St. John's was founded in 1289 for the relief of sick and lame soldiers by John Le Devenish, a citizen and alderman of Winchester. He is said to have furnished the rooms with bedding and other equipment. This would appear to be in

1. It is an interesting late example of a book which has been chained. The list begins in 1363 and goes on to 1749. It cannot be accepted as entirely accurate. Mark le Faire, for example, did not give the George to the Hospital, but to his daughter and son-in-law, Katherine and Henry Somers (H.F.C. *Proceedings*, vol. XVIII, pt. 3).

2. Woodward, pp. 246, 249.

Trussell's account, and so also is Deverell's statement that in 1428 another John Devenish built St. John's Chapel and arranged for a Chaplain's salary to be paid out of rents given by him to the Hospital, "but none to be admitted entrance there without a ticket from the Mayor for the timebeing who was named Keeper of the Hospital". Milner attributes this second Devenish foundation to a Richard Devenish.³

The *Victoria County History* rearranges this account of the origin of St. John's and makes certain corrections. John Devenish is described as an "alderman" who founded the Hospital in about 1275 and who was succeeded as alderman by Roger Le Long. Milner's description of Roger Le Long as Mayor in 1275 is accepted without comment, as is his statement that it was during Le Long's Mayoralty that it was ordained that there should be an annual supper to revive the memory of the Devenishs. The only correction made by the *Victoria County History* is that of the endowment of the chaplaincy by Deverell's second John Devenish, an endowment shown from the patent rolls and Inquisitiones ad quod damnum to have taken place in 1332.⁴ Almost every other aspect of the story needs critical reconsideration. The notice now displayed on the side of St. John's House repeats the mistakes of the *Victoria County History*.

In the first place the date of the foundation given variously as 1275 or 1289 is not based on any documentary evidence at all. Milner's list of Mayors is notoriously unreliable and 1275 would have been a most inauspicious date. From 1274-76 the city was in the King's hands. There was no Mayor and a group of citizens, twenty-four in number and perhaps the governing twenty-four, had been arrested. The disturbances were probably connected with the status and treatment of the local Jews. No Mayor was allowed to hold office until 1276 when Walter de Val's election gained a royal assent.⁵ The Mayor in 1289 was almost certainly Thomas of Micheldever, but there is plenty of evidence to show that the Hospital existed before that date.

There is no doubt, however, of John Devenish's existence. The known facts of his career are that he was a Mayor of Winchester on three occasions: 1317-18, 1326-27 and 1330-31.⁶ The city chartulary (B.M. Stow 846) contains a number of references to his property transactions. He may have been alderman in 1289 or 1275 as a young man, for this office was then of comparative unimportance, and the aldermen were merely the police and presenting officials of their own wards, and *ex-officio* had no power of

3. Milner, p. 195. *History of Winchester* (1798).

4. Inq. a. q. d. Edward III, File 216, no. 1; File 217, no. 2 and Pat. 5 Edward III, part 3, m. 3. Winchester City Archives, Ancient Deeds. Herbert, *Charters*, no. 9.

5. C.P.R., 1272-81, p. 133.

6. Sandale's *Register* (Hants. Record Society), p. 275; *Winchester Cathedral Chartulary* nos. 112, 149 (ed. A. W. Goodman).

taking important decisions in local government. There is no written evidence to show that he was even alive at that time. His endowment of the chaplaincy of St. John's in 1332 is well established, and is known not only from national sources, but also from the original grant preserved in the city archives.⁷

What may be called the title deeds of the Devenish property at Little Somborne are to be found at the end of the Book of Enrolments.⁸ These reveal that John Devenish obtained his Little Somborne property from William de Tendrynge and his wife Margaret, and that they had formerly been the property of Thomas Bynedon. The lease by the Tendryngs is enrolled in Latin. An indenture of 1 Edward III between John Devenish and his son and heir Thomas, and Thomas de Bynedon, "Pur le Maner de petite Sambourne" is a rare example of a document enrolled in French and was drawn up at Southampton. The other title deeds enrolled here consist of the release from Thomas Devenish of his interest in Little Somborne, royal Letters Patent addressed to the Eschaetor, William Trussell, confirming John Devenish's grant to St. John's, Devenish's own grant of rents to the Hospital, addressed to William de Dunstaple, Master, and finally an enrolment of the royal Letters Patent to the benefactor. A much later document shows that Devenish's chaplain officiated in a chantry chapel dedicated to St. Mary the Virgin within the Hospital. Whether this was the main chapel it is not possible to say, but the present church is of course dedicated to St. John.⁹

Devenish was certainly no mere pious upholder of ecclesiastical privileges. He was one of a band of Winchester citizens accused by the Abbot of Hyde of damaging Hyde Abbey property, breaking sluices and flooding over 100 acres of land, and a little later on was accused of trying to stop the Bishop from taking his legal dues at St. Giles' Fair.¹⁰ There is no evidence at all to suggest that John Devenish had any connection with the actual foundation of the Hospital and no foundation document has as yet come to light. No contribution to St. John's was made by Nicholas Devenish, Mayor in 1338-39-40, another of his sons.

There is no doubt that a strong tradition existed in Winchester that John Devenish had founded the hospital. When the Mayor and bailiffs were asked by Bishop Morley to give an account of St. John's, Clause 2 of their return stated "John Devenysh founded the Hospital, by licence from Edward I, to have a priest to pray for the founder and all Christian souls, and to relieve travellers and pilgrims".¹¹

7. Winchester City Archives, Ancient Deeds, and Herbert, *Cal.*, no. 9.

8. P. 424, 425, 426, 427, Book of Enrolments, Winchester City Archives.

9. B. of E., p. 430.

10. *C.P.R. Edward II*, 1313-1317, p. 146.

11. Ledger Book V, 1652-91, f. 203 (v).

St. John's existed certainly as far back as 1270 when it held two acres of land at Weston Colley in the parish of Micheldever, purchased from Hugh Le Bere of Weston in June of that year.¹² The first real list of city churches, drawn up in about 1270, and preserved in John de Pontissara's episcopal register includes "St. John of the Hospital" and distinguishes it from other city churches with the same dedication.¹³ By 1276 when the earliest extant version of the Winchester Usages was probably written down, the Hospital was allowed one free loom in the city.¹⁴ Pontissara's register also reveals that by 1283 St. John's had property outside of the Westgate near the Jewish cemetery, property which Edward I gave to the Jews, who held it from the Master of the Hospital.¹⁵

Sir Simon de Wynton is the first recorded benefactor of St. John's but his existence has never even been referred to by previous historians of the Hospital. Simon was in the royal Civil Service. He was Sheriff of Hampshire in 1285 and often sat as Justice of Assize.¹⁶ He had much Winchester property, including some shops on St. Giles' Hill which he had bought from Jordan the Draper. In 1285-6 he gave all these shops in free alms to St. John's, "to hold to the brethren and sisters of the said Hospital . . . for the purpose that they shall sustain one chaplain to celebrate for the souls of the grantor, his wives Ela and Beatrice, his sons Simon and Peter . . . in the chapel of the said house . . . and also one lay brother to be presented (as also the chaplain) by the grantor and his heirs from time to time and to be honourably received and maintained in food and clothing . . . being bound in obedience to the Warden for the timebeing : moreover he grants for the use of the poor in the said house two cart-loads of litter annually from his Manors of Drayton and Lainston."¹⁷ Amongst the witnesses are Walter de Val, Mayor of Winchester, and one Bailiff, James of Newbury. The presence together of these two names suggests that the document belongs to the year 1285-6.¹⁸ As a payment from Lainston, near Sparsholt, occurs in the Hospital account rolls it may be that Simon de Wynton made a further grant (now lost) from this Manor or perhaps a money payment superseded the load of litter for bedding. His grant of St. Giles' Hill property provides a glimpse of the organisation of the Hospital. There was

12. *V.C.H.*, 3, p. 393, wrongly indexed as 293. Harleian MSS. 1761, no. 93.

13. Pontissara, Vol. II, p. 598.

14. Furley, *Usages*, p. 29. There were three free looms — one for the Mayor, one for the Hospital and one for the Town Clerk. 'The Hospital' may mean St. Mary Magdalene.

15. Pontissara, Vol. II, p. 401.

16. On March 16th, 1300, Simon de Wintonia obtained royal licence to alienate in mortmain a messuage at Winnall, which he had granted to the Prior of St. Swithun's. *C.P.R.*, Ed. I, 1292-1301. The custumal of St. Swithun's refers to Andrew, son of Simon de Winton as having property in Fulflood in the St. Mary de Vale district. Custumal, f. 29 (d).

17. *Selborne Charters*, Vol. II, p. 83 (Hampshire Record Society).

18. The editor of the *Selborne Charters* placed it as 1285-90.

a Warden, brothers and sisters and lay-brothers, "poor in the said house", and at least one chaplain.¹⁹

The first surviving Hospital rental dates from 1294 and proves St. John's to have already been well endowed by a series of private benefactors, not by any one particular individual. It would appear to establish that it was a Winchester Hospital in the real sense that it was maintained by money derived from many local benefactors.

Had there been one chief founder it is highly probable that his name would occur in the account rolls with the celebration of his obit. These rolls began in 1315 and regular payments for obits occur in them, but only two names are specially mentioned. One, that of John Devenish, occurs several times, and in the roll of 1333-4, and in that year only, three chaplains were paid for celebrating for the soul of Simon de Wynton, Knight.¹⁹

By 1294 the Hospital's endowments consisted of ground rents and property held direct. The greater part of these rents and properties are not listed with the names of the donors, but at least eighteen benefactors are mentioned by name and two of these are men known to be living in Winchester in the first half of the 13th century, which might suggest an even earlier origin for the Hospital than 1270.²⁰ Other names imply a considerable degree of endowment in the last quarter of the 13th century.²¹

John Devenish's gift was the last important donation to St. John's. There are later examples of gifts to the Hospital embedded in the Book of Enrolments. For example, in 19 Richard II John de Nutley gave it land on the east side of Gold Street. The undated will of William Calle provided for his obit to be heard in St. Clement's Church, alternatively in the Chapel of St. John's Hospital, in which case the Master was to be paid 13s. 4d. He also left 10s. to the Master and ruler of St. John's for blankets, sheets and other necessities for the poor. On 13 September, 1531, John Ryder by his will in English gave a tenement to St. John's Hospital "so they do yearlie remember my Soule with Dirigo and Masse and other benefactors and brethren and sisterne be prayed for there".²²

Thus by 1294 St. John's had been well endowed by a number of benefactors and it had been in existence since at least 1270. One or two other points in connection with the Trussell-Milner account of its origin might also be noticed. Trussell says of the Hospital "none to be admitted entrance there without a ticket from the

19. Acc. Roll, 1343-4.

20. For example, Elias Westman, Mayor, 1207-1223, and Henry or Hubert Sylvester, Mayor 1235.

21. Walter de Val, Mayor 1276, 1282 and 1285-6. John de Anne, son of Lawrence de Anne, who was Mayor in 1283-85 and 1302-3.

22. B. of E., p. 442. After the Middle Ages there were important donations.

Mayor for the timebeing who was named Keeper of that Hospital".²³ The chief official of the Hospital is usually described in early documents as Magister (Master) or Custos (Keeper or Warden). It is possible that both these officials existed at the same time. Thus in the Book of Enrolments William de Donestaple is described as Master from 16 Edward III to 29 Edward III but in the intervening period there are also mentions of John Sueor, the Custos or Keeper (25 and 28 Edward III).²⁴ By the end of the fourteenth century, if not earlier, the Master was also sometimes the chief chaplain. The appointment was equivalent to that of a civic officer; John Moule accepted St. John's in 1446 on condition that he was excused the office of bailiff.²⁵ The Master was not the Mayor, but the Mayor and Commonalty of Winchester were ultimately responsible for the Hospital and its management. In one case the accounts show the Mayor reimbursed for his expenses incurred in hospital business. (Acc. 1349/50: Stephen le Fox repaid 11/3 for St. John's business.) Every Mayor had to check the inventory of St. John's goods.²⁶ Thus in 1312-13 the City made arrangements for the then chaplain, John de Froille, his board and lodging, and for a boy to wait on him.²⁷ In 1442 the chaplain of St. John's was granted 4 marks a year from the many rents of H. Somer's property.²⁸ By the early fourteenth century St. John's property could only be disposed of with the consent of the Mayor and Commonalty. Thus in 1341, when the Hospital wished to make a grant of a house in Parchment Street to Philip of Cheriton, the grant was made by the then Custos William de Dunstaple, as well as "the brothers and sisters of the same house with one accord and the Mayor and Commonalty of Winchester".²⁹ Such a grant had to bear the seal not only of the Hospital but of the common seal of the city as well. Elizabeth's charter of 1588 recognized the *status quo* in this as in other respects by granting the Hospital to the city. In the eighteenth century the keeping of separate accounts for city and Hospital property was abandoned, and long before this the Town Clerk had been paid an annual fee of 2s. for keeping the Hospital accounts. Thus, though Trussell's assumption of the Mayor as Keeper is not a correct use of the term, in fact the Hospital was regulated by the civic authorities long before the Reformation. Incidentally, its seal was stolen in a burglary in c. 1590 but the impression is known from various deeds.³⁰ Until 1811 the city sold and leased St. John's property with regularity.

23. Deverell, *op. cit.*, p. 3, quoting Trussell.

24. Book of Enrolments, pp. 57, 67, 79, 89 and 99.

25. Account Rolls, "Custos et Capellanus"; *Black Book*, p. 83.

26. *Black Book*, p. 148.

27. Stow, 846, 16 (b).

28. *Black Book*, p. 80.

29. Enrolments, p. 67. There are many other examples, cf. pp. 67, 79 and 82.

30. P.R.O. Ancient Deeds, Volume II, c. 2606, and from *Selborne Charters*.

Milner suggests that John Devenish merely refounded a Templar establishment.³¹ The Templars had property in Winchester but it would appear to have been of comparative unimportance, and is described as "an appurtenance of the Manor of Inglesfield worth 8/4d. a year" and at least on one occasion stood empty.³² Its situation in Winchester is not known. One very slight piece of evidence which might connect St. John's with the Templars is to be found in two headings in the Winchester Chartulary Stow 846. Both date from the Mayoralty of Adam de Cheryton, 1314-16, and both record the enrolling of private charters as taking place "in Domo Joh'nis de temp'lo". Perhaps the scribe ought to have written "In Domo Sancti Johannis de Templo". On the other hand John of the Temple may almost certainly be identified with that John Atte Temple, "formerly Master of the Hospital of St. John of Winchester" who is referred to in the Book of Enrolments in the years 1369-70.³³ In this latter case the first recorded meeting place of the City Court of Record would be at St. John's Hospital. All later enrolments of charters always took place in the House (Domum) of St. John. It is interesting speculation, though only a speculation, as to whether the John Atte Temple owed his surname to any possible Templar connection. Certainly the Hospital existed long before the suppression of the Templars and if it had ever belonged to that order its early records are amongst their many lost muniments.

Before leaving this question of origin one other point might be made. It is quite clear that St. John's was a civic hospital organised as a religious establishment with its own chaplains and chapel, but it was not the first hospital in Winchester. Leyland made a note of the Hospital in his itinerary.³⁴ He saw inside the chapel a small statue which he took to be an image of St. Brinstan, though he had no reason to make this assumption. Milner adopted Leyland's belief that St. Brinstan was the real founder of the hospital as "he was remarkable for his charity to the poor".³⁵ In the absence of any documentary evidence no credit need be given to Leyland for making this suggestion, though he and Milner were right in thinking that hospitals had existed in Winchester from a very early period. The Survey of Winchester made in Henry I's reign describes the bounty of Osbert Thiards son, in the area outside of Westgate "who has there put five shanties along the King's way for the love of God and as a hospice for the poor". A short distance away, above the King's ditch, were five houses,

31. Woodward pointed out that this statement does not occur in Trussell: cf. Milner, p. 194.

32. B. Lees, *Records of the Templars in England in the Twelfth Century*, pp. 16, 52; Dugdale, *Monasticon*, ii, p. 529, ed. of 1661.

33. B. of E, 1369-70, p. 137. There was also a "temple-ditch" to the south of St. Maurice's Church. Tarrage of 1417, m 2.

34. Leyland's *Itinerary in England*, ed. L. Trelmin Smith. Vol. I, pp. 269-274.

35. Milner, p. 194.

"one of which is a hospital for the love of God". There appears to have been another hospital outside of the Southgate. Much of the Westgate suburb was eventually absorbed by extension of the Castle precincts.³⁶ It is just possible that the hospice and the hospital there (which must have answered a real need and of the existence of which after *circa* 1114 nothing is known) were removed and resettled at the east end of the city as St. John's.

So far St. John's has only been described as a hospital and a hospital it certainly was. In mediaeval documents it is named as St. John's House and St. John's Hospital. It is clear from the account rolls that the actual hospital occupied part of the building only, and it would be more correct to speak of St. John's Hospital within St. John's House. It is also apparent that there were never many patients, only two or three at a time, as well as a small number of pensioners who may have lived in, but did not always require nursing. There were nurses of both sexes and they received not only a salary, but clothes and shoes as well. Occasionally the Keeper of the Infirmary was a woman. The moderate expenditure of the Infirmary included the cost of oil for lighting lamps and the buying of cloth for bandages. Amongst those who received pensions in 1396-7 were two ex-Mayors, William Haselwood (Mayor 1359-60) and Philip Aubyn, who must have been a very old man as he had been Mayor in 1324-5. Both received the large sum of 1s. a week, much above the usual rates for pensioners of 7d. and 4d. Women were paid only 4d. weekly. Winchester had thus no problem of civic superannuation, for the civic authorities nominated all the pensioners and by the time the Black Book was compiled, if not earlier, that is somewhere about 1511, a pensioner with nowhere else to live was usually found some small corner of St. John's House in which to spend his declining years.

In the absence of any evidence to the contrary, for example in the Bishop's Registers, it would appear probable that the Custos, though in orders, was appointed by the city which was responsible for his stipend.³⁷ By 1405-6 this was fixed at £10 a year. By 1476-7 the Mayor certainly appointed the Chaplain "with the assistance and counsel of the discreet men of the city". In that year the then Mayor, Richard Colnet, appointed Richard Dene as Chaplain in place of John Davyd who had died.³⁸ Later on the Chaplain acted also as Mayor's Chaplain. John Devenish's chaplain received 66/8d. and the Warden of the Infirmary 45/6d. Many keepers remained in office for long periods. Peter Beners was Custos and Chaplain in 1396-7 and remained till at least 1428-9.³⁹

36. St. John's had land outside of the Westgate: cf. Pontissara's *Register*, Vol. I, p. 401. Also MS. Rental of the Hospital.

37. *Black Book*, p. 123.

38. *Enrolments*, p. 430.

39. *Account Rolls*. Cf. also Roll of 1314-15: "John de Froille Custos, in his twentieth year."

St. John's and the Corporation. i. The early Winchester Gild Halls.

St. John's was much more than a mere hospital, however, to the civic authorities of mediaeval Winchester. The second purpose of this note is to consider where the governing body of Winchester met in the Middle Ages, and the part played by St. John's in the life of the Corporation.

Local government in mediaeval Winchester was never carried on in or from any of the buildings known to the citizens as a Gild-hall. When the Corporation met, with very rare exceptions it met in one of two places, either in St. John's House or in the city Hall of Court. In other cities the Merchant Gild ruled the Corporation, and though in Winchester the freedom of the City could only nominally be granted to those who were members of the Gild Merchant, a practice which went on till 1835, Mr. Furley has already shown that by 1276 the Gild was subservient to the Civic Authorities.⁴⁰ No separate Merchant Gild records have survived, and the names of entrants are only known from the city accounts in their various forms as kept by the Mayor, laghmen and baghmen and city chamberlains. A list of Gild entrants can only be compiled therefore from the middle of the fourteenth century. The notorious exception is that of Benedict the Jew, admitted member of the Merchant Gild of Winchester in 1268, an extraordinary admission known only from its enrolment on the Royal Patent Rolls.⁴¹ The Merchant Gild in Winchester did not regulate trade and local industry nor did it provide for its needy members. The civic authorities regulated trade and succeeded in cramping local industries very thoroughly. Infirm and needy citizens were provided for at St. John's, not by the gilds. Nor did the Merchant Gild in Winchester hold any property, with one exception, a piece of land outside of the Westgate.⁴² It did not even possess a Gild-hall as such, and this important omission leads naturally to a consideration as to where the civic authorities did in fact meet to govern the city.

It is true, of course, that in the first half of the twelfth century several buildings bearing the name of Gildhall occur in the Surveys of c. 1114 and 1148. The Henry I Survey is remarkable for its mention of two "Chenichtehalla", both on the north side of the High Street. That at the eastern end is described as "the Chenichtehalla where the Chenichtes used to drink their Gild in the time of King Edward" and held (temp. H. I) by two men. The other, at the western end, was occupied by Roger Fitzgerold in the time of King

⁴⁰. *Usages*, p. 15.

⁴¹. For his career, see M. Adler, *Benedict the Guildman*, *Miscellanies of the Jewish Historical Society of England*, Pt. IV, 1942. P.R.O. C 66/86: m. 17.

⁴². Enrolments, p. 21, 4 Edward III. "The Croft of John Makehayt outside Westgate which he holds from the Gild Merchant of Winchester."

Henry I. These two buildings we may regard as the earliest recorded Winchester Gildhalls in so far as they appear to have been meeting places for the Gilds of Knights (Chenichtes) whose original task may have been the defence of the city. The evidence concerning the Chenichtes of Canterbury has recently been discussed by Professor Sir Frank Stenton in *Anglo-Saxon England*. It will be noticed that both the Winchester halls were privately occupied by the time of King Henry I. It is possible that the eastern Knights' Hall occupied the site later taken by St. John's House and the western hall was probably the building referred to as "La Gialde" but in private hands by 1302.⁴³ The second Winchester Survey of 1148 mentions three halls. We should expect to find the western hall (below Westgate and before the land of God-begot in the earlier text) in a similar place in 1148, but this is not the case. In de Blois' time the halls were no longer described as Knights' Halls but as Gihald or Gihall. They appear to be separate buildings even though in the same occupation. The first is entered as being occupied by John, son of Radolph who paid the Bishop 7/- "for having the Gildhall". The second reference shows the same John paying a burgable rent of $5/8\frac{1}{2}d.$ to the Bishop and adds "and he has the Gildhall for 28s.". This large amount may imply some collective use of the building but it is dangerous to speculate about it. It is possible that these were the Halls used by the Weavers and Fullers of the city whom we know from other sources to have had their own Gilds by the time of Henry I's reign.

The third Hall in the Bishop's survey had been in Colebrook Street. It is described as "the Hantacheuesle which used to be here and where the good men of Winchester used to drink their Gild and it remains in the hands of the King". Thus the wording suggests that the Probi Homines were without a meeting-place in 1148. The situation of this hall in Colebrook Street, thus very near to Wolvesey Castle, would perhaps make it likely that the building had been destroyed in the Civil War, more particularly perhaps in de Blois' burning of the city in 1143. If this is so and if the Hantacheusle had been the centre of local government the loss of early city documents can be understood for they may have been burnt with this building. The appearance of yet another hall, the Chapmans Hall of the Pipe Rolls, does not produce any complications, though Round thought it might. It was never used as a Gildhall and was not the later building (as he thought possible) the old Gildhall on the corner of St. Thomas' Street, but was the Linen Seld which stood on the western corner of the entrance of Middlebrook Street.⁴⁴

43. Stow, 846, f. 5 (v) La Gialde, like Chapman's hall, had been in the possession of William de Dunstaple, Master of St. John's. Winchester College has the original deed of sale. *Catalogue of Charters*, 1884: no. 32.

44. Pipe Roll, Henry I, 1129-30; for the Hantacheuesle see *Addimenta*, p. 556.

The existence of one other Gildhall before 1270 must also be noticed. This stood on the west side of St. Thomas' Street apparently on a corner site where the lane went off which led to Southgate Street.⁴⁵

There is not much evidence therefore to suggest what sort of activity was carried out in those early Gildhalls. The Probi Homines met in Colebrook Street, the High Street Gildhalls may have been the meeting-place of the Craft Gilds of Fullers and Weavers. The city's own records of its local government, charters apart, do not properly begin until 1269, the date of the first surviving city court roll. At first all local decisions were recorded on court rolls, whether these were the decisions of the citizens called together as a common congregation, or the results of the legal proceedings of the city court presided over by the Mayor and Bailiffs. It was not until 1302 that any attempt seems to have been made to keep distinct records of these two aspects of local government, though at some early period in the Middle Ages a clear distinction emerged in Winchester between the judicial and non-judicial functions of the civic authorities.

ii. The City Hall of Court.

The legal proceedings of the city court proper continued to be recorded on court rolls. From 1302 wills and documents relating to real estate read in the city court according to the ancient usage, were recorded in two large Books of Enrolments, on the whole duplicates, one of which is now the British Museum MS., Stow 846. Only a fragment of the second book remains in the Winchester archives, though the city possesses a transcript made before the greater part was destroyed. This transcript is referred to here as the Book of Enrolments. Even after 1302 wills and private charters relating to land still occasionally found their way on to the Court Rolls. The decisions of the Corporation were also enrolled there as Ordinances and it was the difficulty of finding these different Ordinances on these rolls that eventually led to the writing down of the current regulations in the Black Book and later on in the Books of Ordinances.

Neither the City Chartulary, Stow 846, nor the Book of Enrolments states where the business of the city was carried out, and the court rolls only record the courts as being held "at Winchester". It is not until the Black Book (that is from 1511 onwards) that any regular note was made of the meeting-place. The practice, as recorded in Tudor times, perhaps indicates the mediaeval custom.

The double aspect of the work of the same body is reflected in its two meeting-places, neither of which is described as the Gildhall of the city. When the city court met to punish offenders

⁴⁵ *Selborne Charters*, Vol. II, p. 80, where the site passed from Andrew Sylvester to Christine de Estyle during the mayoralty of Simon the Draper (c. 1270).

it met in the "Hall of Court" of the city. Since all justice was the King's the building was usually called the Court of the King and indeed it actually occupied part of the site of the Norman Palace.⁴⁶ Only a small building was necessary, and it was opposite the city well, later the city pump, (referred to in the tarrage as a water pit), and to the south-west of the City Cross. In 1360-61, that is after the Black Death had desolated the centre of the city, a new Hall of Court was constructed at the eastern corner of the junction of St. Thomas' Street and the High Street. This new Hall of Pleas was on a site paying a ground rent to St. John's Hospital. The expenses of the construction were actually paid for first by Reginald de Sutham, Custos of the Hospital, and Thomas Hardy, the Supervisor of the said Hospital, that is probably the Clerk of Works. The city repaid them £16. 6s. 8d. for the construction of this new Hall of Pleas, which had a bell tower.⁴⁷ By the time that the city tarrage was re-written in 1417 a distinction was drawn between the new Hall and the old. The old Hall was in private occupation; "and there a tenement of the city of Winchester called Old Hall that Aubrey Wordman has for the term of his life paying to the Bailiffs of the same city 26/8d. and (for) a water pit before the door of the said tenement 8d."⁴⁸ The new Hall was a first-floor building over four cottages; "tarrage of four cottages of the Keeper of St. John's under the new Hall of Court of the City".⁴⁹ The only reference to the older Hall of Court as a Gildhall in city documents appears to be in 1379-80 when it is described as one of the boundaries of the tenement called the Tauerne de Paradys, a tavern which had St. Lawrence's Church on the other side.⁵⁰ It is referred to as a Gildhall in a judicial inquiry into the bounds of the city's lands and those of the Bishop in the fourteenth century.⁵¹ In the sixteenth and seventeenth centuries the new Hall was variously referred to as the Courthouse, the Council House, the Town Hall and the Gildhall, and was remodelled in its present Queen Anne form at the beginning of the eighteenth century. It should be emphasized that there is no evidence to connect either of these Halls, old or new, in any way with the activities of the Winchester Gild Merchant.

iii. St. John's House as a meeting place for the Corporation.

The administration of justice apart, in the later Middle Ages local government appears to have centred on St. John's House. Perhaps this was in some ways mere convenience of size. St. John's

46. Book of Enrolments, p. 71.

47. Book of Enrolments, p. 99.

48. Tarrage, m. 2.

49. *Ibid.*

50. Enrolments, p. 163. Mediaeval humour thus placed Paradise the inn near to the tenements known as Heaven and Hell.

51. Harleian MSS., 1761, f. lxviii.

was a large building and could accommodate a common congregation of citizens, a general assembly. The earliest record of private charters being enrolled in any actual building is that referred to above as taking place in the house of John de Templo in 1314-16. Private transfers of property which had to be publicly notified were sealed at St. John's when the Winchester Court met as a Court of Record. Whenever the Corporation's title to property was questioned, in later times at least, a meeting was held at St. John's for "a view of the records".⁵² It was at St. John's that decisions were also taken concerning royal charters.⁵³ City officials who had committed any serious crime against the Corporation were given a chance of justifying themselves at a general meeting in St. John's, and not taken straight to Court, *cf.* the case of John Lok (*c.* 1415), the keeper of the city cloth seal, who was accused of misusing the seal at a meeting held there to consider his crime. Long before the Tudor period city documents were kept at St. John's in the common chest of the city.⁵⁴

From the evidence of the Black Book, which only records meetings from the late mediaeval period onwards, it seems reasonably certain that the election of the Mayor always took place at St. John's. Between 1461 and 1471 Common Convocation met at least five times in the Gildhall, the Hall of Court and St. John's House. It also met in 1467 in the Chapter House of the Austin Friars, probably as neutral ground on which to meet representatives of the Bishop. Between 1514 and 1537 many meetings of the governing body are recorded, but the minutes as kept in the Black Book do not, in at least twenty-one cases, record where they were held. The others are almost equally divided between the Gildhall and St. John's, with the election of the Mayor usually taking place in the latter building. One Common Convocation is recorded as taking place in the Town Hall. For a brief period after 1524 St. John's was leased by the city to Bishop Fox's suffragan. After 1538 there would appear to have been little distinction in the mind of the Town Clerk between the kind of business that could be transacted at St. John's and that discussed at the Gildhall. Between 1538 and 1551 fourteen meetings of citizens are recorded, all except one being described as Common Convocations. The exception is a general assembly held in 1548 at St. John's. At least four meetings described as Common Convocations were held there between 1538 and 1549, but during the same period seven were also summoned to meet at the Gildhall.

The general evidence, therefore, may suggest that until the end of the fourteenth century general city business was transacted in St.

52. Proceedings in Borough Mote, 22 September, 1552, to 7 February, 1560, f. 1 v.

53. *Cf.* 16 October, 1560, when arrangements were made to ask for renewal of the governing charter after the election of the Mayor. Proceedings in Borough Mote, f. 37.

54. Court Roll, 1415; *Black Book*, pp. 31, 32.

John's House, and the city courts met in the Hall of Court. After c. 1400 the Hall of Court was used more and more for general business, and it became more usual to describe it as the Gildhall. St. John's remained as the meeting place used at least once a year for the election of the Mayor. The first mention that I have so far found of the City Court meeting in the Hall of Court described as the Gildhall occurs early on in the reign of Henry VI when a notorious case was heard there, that of Thomas Burton, Rector of St. Maurice, who was accused of what would now be called causing grievous bodily harm to a certain William Gregory. Burton pleaded that he was in orders, but was sent to the Westgate prison for three weeks for contempt of Court.⁵⁵

iv. The Fraternity of St. John's.

Associated with the Custos of the hospital in early deeds were the brothers and sisters, members that is of the fraternity of St. John of Winchester, who met in St. John's House. There is much to suggest that this fraternity was in fact the ruling oligarchy of civic life. In other cities the Merchant Gild ruled the Corporation and though in Winchester the freedom of the city could only nominally be granted to those who were members of the Gild Merchant, a practice which went on until 1835, Mr. Furley has already shown that by 1276 the Gild was subservient to the city authorities. The fraternity had the privilege of holding four lights round the Host for the Corpus Christi Day procession.⁵⁶ Another social highlight of the year was the Supper at St. John's House on the Sunday after the Nativity of St. John the Baptist, which was still held long after the Reformation despite attempts to make it illegal. There were of course numerous other Fraternities. In the city those of St. Anne and St. Thomas are mentioned in the Black Book; but it was the Fraternity of St. John which took the leading part in the social life of the city, a part played in other cities by specific Gilds. The question can be asked, though it cannot be answered, as to whether this important Fraternity was in fact the Gild Merchant or a Craft Gild. It may have been the Craft Gild of the Tailors, which we know met in St. John's. In theory its membership was made up of the Brothers and Sisters of the Hospital. An Ordinance of 1477 laid it down that all citizens were to be members of this Fraternity⁵⁷ which was the most important single owner of property in the City. The control which the Corporation possessed over Hospital property has already been noticed. In theory the Corporation itself might not hold property unless by special royal permission. They had a useful rent roll at their

55. Enrolments, p. 398.

56. *Black Book*, p. 47 (1437).

57. *Black Book*, pp. 163, 172.

disposal and they could sell Hospital property as they wished. In the eighteenth century this privilege was often abused and misappropriation led to public scandal and a famous lawsuit. The fact that the city fathers controlled the Hospital enabled them in practice to control also a very large amount of property in the city.

Thus in the Middle Ages the House and Hospital of St. John of Winchester played a leading part in civic life. It provided the Corporation with a useful meeting-place, it fulfilled many of the functions usually associated in other towns with the Gild Merchant, and it enabled the city to keep a strict control over real estate. Eventually, after the Reformation, city and Hospital became so completely unified in men's minds that no real distinction persisted between property of the Corporation and the property of the Hospital. For many years the Corporation used the second Hall of Court on the corner of St. Thomas' Street, which became generally known as the Gildhall, without even realising that the ground belonged to St. John's.

Such was the state of confusion by the end of the eighteenth century that the Mayor and Corporation were not at all sure which was St. John's property, and which belonged direct to the city. At an assembly of the four and twenty held on 7 November, 1833, "it was resolved at this meeting that it be recommended to the body at large that an investigation of the corporate property be instituted to discover if possible whether or not the Town Hall is or is not the property of the Corporation and that in the meantime remonstrances of the strongest kind be made to the Trustees of the charities against the claim set up by them". A little later on a committee of nine from the twenty-four was set up to examine the title of the corporation to the Gildhall and "as to the length of time they have enjoyed the undisturbed possession of the existing building on the site upon which it now stands".⁵⁸ At the time of writing negotiations are now on hand which will result in the transfer of this ancient site from St. John's to the Corporation of Winchester.

⁵⁸. Book of Ordinance, VII, f 9; f 10 (6).