

## Generation 1

### William Hoyle

William, the elder son of William Hoyle and his first wife Barbara (née Redfearn) was born on 11<sup>th</sup> July 1773. As the then Attorney and Gent, and later to be 'of Hooton Levitt and Aughton Hall', at the age of 26 William married Mary Johnson, daughter of George Johnson of Retford, Nottinghamshire, on 16<sup>th</sup> August 1798, at Sutton by East Retford, Nottingham. Within twelve years they had produced 6 children, all of whose baptisms were registered at Maltby, Rotherham.<sup>1</sup>

Catherine Hoyle	21 Jul 1799
William Fretwell Hoyle	6 Feb 1801
Robert Cutforthay Hoyle	15 Nov 1804
Nathan Hoyle	28 Oct 1806
Judith Hoyle	25 Oct 1808
Mary Hoyle	27 Apr 1810

Further substantiating information is provided by Burke's Genealogical and Heraldic Dictionary and also the Pedigree of Hoyle of Hooton Levett Hall, 1874.<sup>2</sup>

William Hoyle, Esq, of Hooton Levett Hall, co York, b 11 July 1773; *m* 18 Aug 1798, Mary, dau of George Johnson, Esq, of Lound, co. Notts, and Martha his wife, and had issue:

- I William Fretwell. His heir
- II Robert Cutforthay, b 6<sup>th</sup> Nov 1804, *m* 9 May 1838 Ann, dau of \_\_\_ Dickon, Esq, of Beal and Kellington. Heir to the Aughton Hall estate by will of his father, and has issue,
  - 1 William Dickon, b 17 May, 1838
  - 2 Robert Cutforthay, b 15 Mar, 1848
  - 3 Ernest Johnson, b. July, 1847
  - 1 Mary Annie
  - 2 Emiline Margaret
  - 3 Catherine Ann
- III Nathan, b. 21 Oct 1806; d 14 Jul 1818
  - I Catherine Bonville, *m.* 6 March 1821, Francis Parker, Esq, of Ickles, co. York, and d. 10 Feb. 1836, having had issue,
    - 1 Thomas William, b. 19 April 1832
    - 1 Eliza
    - 2 Catherine Ann, *m.* John Taylor, Esq, of Bakewell, co. Derby and has issue
    - 3 Judith
    - 4 Lucy
  - II Judith, *m.* 20 April, 1831, John Hall, Esq, of Kiveton Park, co. York. She d. 28 Aug. 1848, having had issue,
    - 1 John, b. 7 June 1833; d. 11 Oct 1849
    - 2 William Hoyle, b. 14 Aug. 1839
    - 3 Samuel Auton, b. 30 Oct 1842
    - 1 Margaret, b. 9 Sep 1831
    - 2 Mary
    - 3 Judith Anne
    - 4 Jane
    - 5 Ellen
  - III Mary, *m.* Edward Lamphier Jones, Esq, London

William featured in a number of trade directories, including the Universal British Directory of 1791, which found him listed as Hoyle, William (attorney). He was also Steward of the Manors of Rotherham and Kimberworth and local solicitor to the Earl of Effingham.

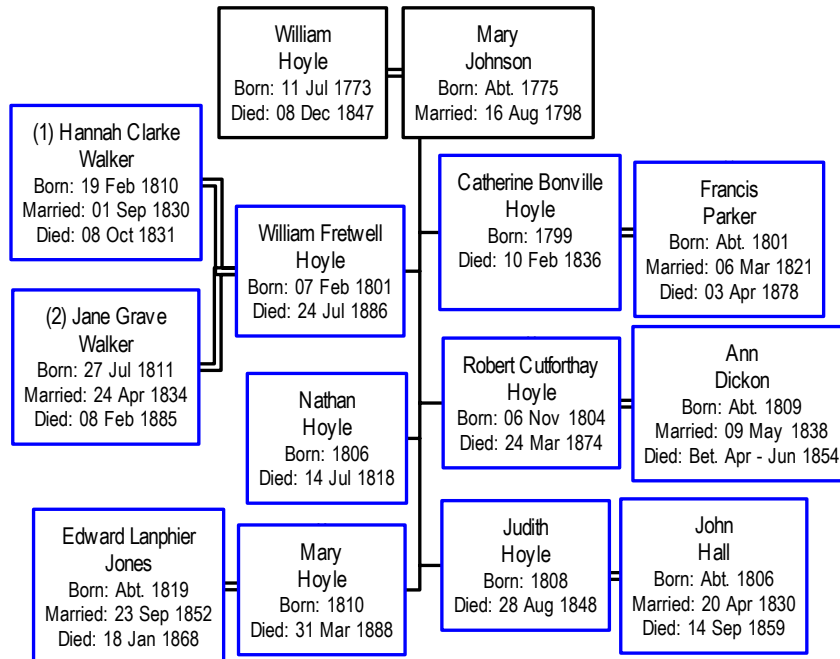
By the 1841 census of 6<sup>th</sup> June, William's wife Mary Hoyle appears to have died, but he has been found, living in the 'township of Hooton Levett, in the Parish of Maltby.'<sup>3</sup>

William Hoyle	68	Gentleman
Mary Hoyle	31	Daughter

Hannah Webster 19 Servant  
 Sarah Renshaw 21 Servant

All the children, except the unmarried Mary, were by now off William's hands. We know that the third child, Nathan Hoyle had died aged only 11, and that the eldest child, Catherine, who had married Francis Parker, also predeceased her father. We also know that the other three children were married by 1841.

William died at the age of 74 on 8<sup>th</sup> December 1847 and his death was registered at Halifax for the Jan-Mar quarter of 1848. His last Will and Testament, drawn up on 2<sup>nd</sup> March 1847, and proved in London on 9<sup>th</sup> September 1848, makes for interesting reading. The full text is appended to this section of the Hoyle account. For easier reading I have inserted punctuation and paragraphs. Reference to the document will be made in the subsequent sections relating to his surviving children.<sup>4</sup>



### Last Will and Testament – William Hoyle (1773-1847)

This is the last Will and Testament of me, William Hoyle of Hooton Levet in the parish of Maltby in the County of York, Gentleman, made this second day of March one thousand eight hundred and forty seven.

I give and devise my messuages, tenancies, lands and real estate called Hooton Levet, situate in the Parishes of Maltby and Aughton-en-le-Morthen in that said county, and also my pews in Maltby Church with the rights and appurtenances therein to belonging, unto my son William Fretwell Hoyle, his heirs and assignees for ever.

I also give, devise and bequeath unto my said son William Fretwell Hoyle, his heirs, administrators and assignees, one of my shares in the River Dun Navigation<sup>5</sup> and my two shares numbered 167 and 168 in the Dearne and Dove Canal Navigation.

And I give, devise and bequeath unto my son Robert Cutforthay Hoyle, his heirs, executors, administrators and assignees, one other share in the River Dun Navigation and two shares numbered 193 and 194 in the Dearne and Dove Navigation, and also the sum of five thousand pounds to be paid to him by my executors hereinafter named at the expiration of twelve months after my decease.

I also give and bequeath unto my daughter Judith, the wife of John Hall of Kiveton Park, and to her executors, administrators and assignees, to and for her own absolute use and disposal, one share numbered 370 in the Dearne and Dove Canal. I also forgive to the said John Hall the principal sum of one thousand and five hundred pounds, which he stands indebted to me, and do hereby direct the trustees of this my will at his requests, costs and charges to release to him the securities which I hold for that sum.

I also give, devise and bequeath unto my daughter Mary, her heirs, executors, administrators and assignees, my one other share in the River Dun Navigation and the share numbered 371 in the Dearne and Dove Canal.

I also give and bequeath all my household furniture, linen, china, cattle, crops and farming utensils in and upon my

premises at Hooton Levet unto my said son William Fretwell Hoyle, his executors and administrators.

And as to all my moneys, securities for money, and other my real and personal estate and effects, whatsoever and wheresoever belonging to me at the time of my decease, I give and bequeath the same unto my said son William Fretwell Hoyle and John Clarke<sup>6</sup> of Hellaby Hall, farmer, their heirs, executors, administrators and assignees, according to the nature thereof respectively, upon trust to sell, dispose of and convert into money such part of my estate and effects as shall not consist of money, and to call in and compel payment of all securities and monies owing to me, and to pay thereout, at the expiration of twelve months after my decease, to my son in law, Francis Parker, the sum of one hundred pounds, and to the said John Clarke the sum of one hundred pounds, and then to lay out and invest the sum of three thousand six hundred and fifty pounds, with full power to vary and change that security, whereon the same may be invested as and when they or the survivor of them shall deem requisite, and pay the interest and accrual income thereof to my daughter Judith during the term of her natural life, for her own use and so that the same shall not be subject to the debts or control of her present or any future husband, and so that she may not assign or anticipate the accruing payment thereof, and that her receipt alone, notwithstanding her coverture, shall be sufficient discharge for the same, and from and after the decease of my said daughter Judith upon further trust, and I give and bequeath the said sum of three thousand six hundred and fifty pounds unto all and every, or such one or so many, the children of my said daughter Judith, and in such parts and proportions as my said daughter shall, by any deed or writing or by her last Will and Testament legally executed, direct or appoint the same.

And, in default of such direction or appointment, unto all and every of the children of my said daughter Judith, who shall live to attain the age of twenty one years, share and share alike, such shares to be paid to them on attaining that age, and the interest thereof, after the decease of my said daughter, to accumulate till payment, and then to lay out and invest the further sum of two thousand six hundred and fifty pounds, upon the like terms and subject to the like provisions, in favor of my said daughter Mary and her children and, in default of children, to such person or persons, and in such parts, shares and proportions as my said daughter Mary shall by her last Will and Testament direct.

And, subject to such legacies, and payment of my just debts and funeral expenses, I give, devise and bequeath the residue of my said trust monies, estate and effects unto my said son William Fretwell Hoyle, his heirs, executors, administrators and assignees for his own use and benefit.

And in case any of my said children shall die in my lifetime, leaving lawful issue, such issue shall be entitled to the portion of share and other the estate and interest devised and bequeathed to his, her or their deceased parent or parents.

And I devise all estates vested in me as mortgaged to the said William Fretwell Hoyle and John Clarke, and the survivor of them, and the heirs and assignees of such survivor, subject to the trusts and equities affecting the same.

I nominate, constitute and appoint my said son William Fretwell Hoyle and the said John Clarke joint trustees and executors of this my will and hereby declare that the receipt of them, or either of them, shall be an effectual discharge to all persons whomsoever for any money payable to them under this my will, and shall exonerate the person or persons to whom the same shall be given from all responsibility as to the application of the money thereby expressed to be received, and also that the receipts of my said daughters Judith and Mary shall, notwithstanding their covertures, be an effectual discharge to my said trustees for all monies payable to them under this my will.

Also that my said trustees shall and may, out of the said trust estate, pay and discharge all such costs, charges and expenses as they shall severally expend, or be put unto, and all reasonable charges for loss of time employed in or about the execution of the trusts hereby in them reposed.

And I authorize and empower my said trustees, in their discretion, to advance and apply any part of the said trust monies, or the interest thereof, to which any of my grandchildren shall, during his or her minority be presumptively entitled, for and towards his or her or their maintenance, education, putting out apprenticeship or marriage portion as my said trustees may think advisable.

And also that my said trustees and executors shall be charged and rechargable only with such money as they shall severally actually receive, and shall not be answerable for involuntary losses, or for the acts or defaults of each other, but each of them for his own acts deeds and defaults only.

And I hereby declare that if either of them, the said William Fretwell Hoyle or John Clarke, or any Trustee to be appointed under this clause, shall depart this life, or be unwilling to execute the trusts of this my Will, it shall be lawful for the surviving or continuing trustee, or the executors or administrators of such surviving or continuing trustee, with the concurrence of my said daughters, or such of them as shall be then living, to substitute by any writing under their hands or hand any person or persons, in whom, alone or as the case may be jointly, with my surviving or continuing trustee my trust estate shall be vested upon the trusts herein expressed.

And I revoke all other wills by me heretofore made. In witness whereof I have to the three first sheets of this my last Will and Testament contained in four sheets of paper set my hand and to this fourth and last sheet thereof my hand and seal – W Hoyle – (L F) Signed, sealed, published and declared by the said Testator William Hoyle as and for his

last Will and Testament in the presence of us, who present at the same time at his request, and in the presence of each other, have hereunto subscribed our names as witnesses - Chas Tinsley of Rotherham – Hy Cattle of Rotherham – Thos Sharpe d[itt]o

The Will of William Hoyle late of Hooton Levett in the parish of Maltby in the County of York Gentleman deceased was proved at York the twenty eighth day of March in the year of our Lord one thousand eight hundred and forty eight before the Reverend Richard Bosley(?) Clerk Surrogate of the Right Worshipful Granville Harcourt Vernon Master of Arts, Commissary and Keeper General of the Exchequer and Prerogative Court of York lawfully constituted by the oaths of William Fretwell Hoyle, the son, and John Clarke the joint executors therein named to whom Administration was granted of all and singular the goods, chattels and ??? of the said William Hoyle deceased they having been first sworn only to administer. Joseph Buckle Deputy Registrar

PROVED at London 9th Sept 1848 before the Judge by oath of William Fretwell Hoyle the son out of the executors to whom Admon was granted having been first sworn by Comon duly to administer power reserved of making, the like grant to John Clarke the other executor when he shall apply for the same.

To get a sense of the value of William Hoyle's estate, £1 in 1850 would be worth £58.53 in 2010 terms. Based on that ratio, the monetary bequests quoted in William Hoyle's last Will and Testament would convert as follows.

£100	£1,583
£1,500	£87,795
£2,650	£155,105
£3,650	£213,635
£5,000	£292,650

The above amounts add up to £750,768 but this does not represent the full worth of the estate. For instance, on the death of his daughter Judith, William directs that £3,650 be put aside for each of her children, a brood which at the time the Will was drawn up numbered eight, all minors. No monetary value has been put on the real estates and goods and chattels of Hooton Levett and Aughton-en-le-Morthen, nor, when all calls upon the estate had been acquitted, how much son and heir, William Fretwell Hoyle, was entitled to.

Mention was made in the Will of some shares owned by William Hoyle, and which he bequeathed as follows.

William Fretwell Hoyle	1 share in River Dun Navigation. Shares 167 & 168 in the Dearne & Dove Navigation
Robert Cutforthay Hoyle	1 share in River Dun Navigation. Shares 193 & 194 in the Dearne & Dove Navigation
Judith Hoyle	Share 370 in the Dearne & Dove Navigation
Mary Hoyle	1 share in River Dun Navigation. Share 371 in the Dearne & Dove Navigation

I do not know what monetary value can be put on these various shares, but the following account of the Dearne and Dove Canal indicates that the William Hoyle's investment may not have been his most prudent financial venture.<sup>7</sup>

Before the arrival of the canals, Barnsley was served by transport along very poor roads. One route ran from the wharf at Swinton on the Don Navigation, which had been completed in 1751, through the villages of Wath and Wombwell, up the Dearne Valley to Barnsley. Good coal seams had been found around Barnsley, particularly in the valleys running westwards from the River Dearne, around Elsecar, Worsbrough and Silkstone. Quite suddenly, in 1792, competing proposals were made to exploit this coal by the construction of canals.

In August 1792, the Don Navigation Company resolved to try and make the River Dearne navigable up to Barnsley. This navigation would have left the Don below Mexborough and followed the river valley, through the Darfield gap, to Barnsley and on up the valley to Barugh and to Haigh. Simultaneously, the Aire and Calder Navigation in the north put forward proposals for what became the Barnsley Canal from the River Calder at Wakefield to Barnsley and up the valley to Barugh. Very soon, the Calder and Hebble Navigation joined the fray, with a very difficult proposal for a canal from Horbury over the high watershed at Bretton and down into the Dearne valley at Haigh.

On 20 October 1792, the rival promoters from the Don and the Aire & Calder held a famous meeting at the White Bear Inn (now the Royal Hotel) in Barnsley and agreed to join their canals just south of Barnsley at Hoyle Mill and go forward with separate but complementary proposals. The Dearne & Dove proposals had now changed radically. A canal from the transhipment wharf at Swinton was suggested. This climbed over the high ground above Swinton through a 472 yard tunnel, into the Dearne Valley. It then clung along the valley side, climbing eventually to the summit at Stairfoot before emerging again into the Dearne Valley, high above the river, to reach the junction with the Barnsley Canal. There were two long branches, each with a reservoir, in the valleys leading to Elsecar and Worsbrough. The promoters of the Barnsley Canal agreed to extend their line northwards from Barugh up the

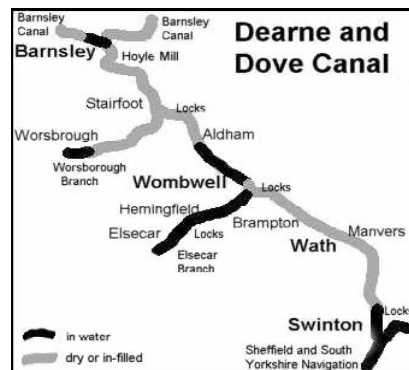
Dearne Valley to Haigh. This extension, which was never actually built, was partly put forward to forestall the Calder & Hebble proposals.

The two Acts, for the Dearne & Dove and the Barnsley, were passed by Parliament on the same day in June 1793. The Calder & Hebble had been persuaded to withdraw their proposals. Share capital of £60,000 was agreed for the Dearne & Dove and the demand for the purchase of shares was so high that a split was agreed of one third to landowners on the line of the canal, one third to residents within seven miles and one third to Don Navigation shareholders. A further mortgage facility of £30,000 was incorporated in the Act.<sup>8</sup>

Construction started immediately in the charge of engineer Robert Mylne. Engineers involved at an earlier stage included John Thompson, William Fairbank and Robert Whitworth. William Jessop, who had overall charge of the Barnsley Canal proposals, declined an invitation for involvement in the Dearne & Dove because of lack of time. On 3 December 1798 the canal was opened from Swinton to the end of the Elsecar Branch. This Branch was partly financed by £5000 lent by the colliery owner, the Earl Fitzwilliam. The proposal in the Act for a lockless Elsecar Branch, involving deep cuttings, was changed in 1796 to a more realistic line with six locks.

Construction costs by August 1797 had used up the share capital of £60,000 and the company was unable to persuade anyone to lend them money on the authorised mortgage. They staggered on until 1800 when a further Act authorised an extra £30,000 call on shareholders and mortgage facilities of £10,000. Construction was continuing slowly. On 1 January 1799 the canal was opened to the foot of Stairfoot Eight Locks at Aldham, three miles from Barnsley. It was not until 12 November 1804, eleven years after construction began, that the canal was completed to the junction with the Barnsley Canal. The latter had reached Barnsley five years earlier in 1799.

The dimensions of the canal provided locks big enough to accommodate typical Don Navigation vessels (58 feet x 14 feet 10 inches) and a rather miserly average depth along the canal of 4 feet 6 inches. The main line from Swinton to Hoyle Mill was slightly under 10 miles long with 18 locks in three groups, 6 at Swinton, 4 below the Elsecar junction and 8 below the Worsbrough junction. The total rise was 127 feet, an average of 7 feet at each lock. There was also a stop lock at the Barnsley junction. The Elsecar Branch, slightly over 2 miles long, had 6 locks rising 48 feet and a reservoir. The 2 mile Worsbrough Branch had no locks and a much larger reservoir to feed the summit. The final cost was £100,000.



The main traffic down the canal was, of course, coal. A thriving market for this coal was developed in Lincolnshire. Other merchandise included lime, limestone, pig iron, timber and, particularly, corn which increased considerably as the population increased. In 1810, 73,384 tons were carried, of which 22,395 tons (30%) came off the Barnsley Canal, 26,462 tons (36%) off the Elsecar Branch and 20,312 tons (28%) off the Worsbrough Branch. The remaining 4,215 tons (6%) were presumably picked up along the main line. By 1830 the Canal was carrying 181,000 tons each year. This represents the passage of about 70 fifty ton boats along the canal each week or, put another way, some 12 boats might pass along the canal each day in each direction.

To provide water for this traffic, the Worsbrough reservoir depth was increased in 1826 by 42 feet and its acreage from 20 to 42. However, all was not well. In 1833 the Don Navigation complained of the lack of depth in the canal compared with the Barnsley Canal. Then in 1840 the first railway arrived, the North Midland from Rotherham to Normanton. This had one benefit for the Dearne & Dove. The railway cutting alongside the Adwick canal tunnel necessitated the realignment of the canal and the replacement of the tunnel by a joint canal/railway cutting.

As a consequence of the railway competition, the Canal Company reduced their tolls by one third in 1841. Then in 1846 the Don Navigation bought out the Canal Company. Four years later, in 1850, the Don Navigation was amalgamated with the South Yorkshire railway which in turn became part of the Manchester, Sheffield & Lincolnshire Railway in 1874. Finally, in 1894 the canal interests were split off to form a new company, the Sheffield & South Yorkshire Navigation, but unfortunately the railway company still held the lease on the canal and was reluctant to spend a lot of money on maintenance and repair. However, constant maintenance and repair was what was needed as the Dove and Dearne Canal ran right across an area that was being heavily mined for coal.

The Dearne & Dove Canal was always, after the arrival of the railways, a liability to whoever owned it. In 1884 a 25 yard breach occurred on the Worsbrough Branch which cost £19,000 and 6 months to repair. The whole canal was expensive to maintain because of mining subsidence and traffic was continually declining. This contrasted with the Barnsley Canal where, under Aire and Calder control, the locks were lengthened to 79 feet and the headroom and depth increased to successfully encourage sufficient traffic to offset the heavy maintenance costs.

Although the Dearne & Dove's decline was continuous, small sections of it remained in existence for longer than the Barnsley Canal. Abandonment began in 1906 with the closure of the Worsbrough Branch to navigation, although

water was still fed to the summit. Also in 1906, the S & SYN formally abandoned the attempt to maintain any more than 42 feet depth on the summit. By 1909, the canal owners began to permit the mining of coal from under the canal. Vain attempts to prevent subsidence were thus ended. In 1928 the Elsecar Branch was closed following subsidence. In 1934 the last boat navigated through to Barnsley and the main line was closed except for almost a mile at Barnsley and the same distance at the other end from Manvers Main Colliery to Swinton. In 1934 the S & SYN obtained an Abandonment Bill but did not put it into effect. It was reported that 10 feet of coal had been taken from under the Canal.

In 1942 the remaining section near Barnsley was closed but up to 1952 there was coal and tar traffic from Manvers Main Colliery to Swinton. Finally, in 1961, by a British Transport Commission Act, the canal was abandoned except for the last half mile and four locks at Swinton. These were maintained to supply materials and water to the glassworks at Swinton. Water can still be pumped up from the S & SYN and the locks still exist, the first two forming Waddington's boatyard. The last boat up the locks to the glassworks, at the end of 1977, was Ablen, Captain 'Deafy' White.



## Notes

<sup>1</sup> IGI Family Group Record.

<sup>2</sup> Burke's Dictionary of the Landed Gentry, p731; Pedigrees of Yorkshire Families (West Riding) Vol 1 (of 3 vols) compiled by Joseph Foster, Printed by Wilfred Head, Plough Court, Fetter Lane, London, printed 1874, and selling for 6 guineas per volume – an expensive publication (2010 equivalent value of around £300 per volume).

<sup>3</sup> Sheffield Indexers; HO107/1332/2/p21.

<sup>4</sup> FreeBMD Death Index 1837-1915; copy of the last Will and Testament, William Hoyle, obtained from the National Archives.

<sup>5</sup> Don and Dun were interchangeable names for this river.

<sup>6</sup> The hamlet of Hellaby has been recorded from the 11<sup>th</sup> century. Never more than a hamlet, it was entirely dependent on its one estate without either a church or a public house. The last of the male line was William Hellaby, cattle dealer. It was his daughter, who as heiress to the estate married John Fretwell of Braithwell, around 1530 during the time of Henry VIII. While the Hellaby family name ended, it survived as the name of the estate and the hamlet. The daughter died around 1560 and the lands came into the Fretwell family. They chose, however, to continue living in the nearby village of Braithwell. The man responsible for the building of Hellaby Hall was the gt-gt-gt grandson of John Fretwell, Ralph Fretwell, who was baptised in Sheffield on 23<sup>rd</sup> June 1631. Ralph Fretwell went to Barbados where he established a sugar cane plantation and, when granted an export licence by Charles II, imported horses bred on the Hellaby Estate to Barbados to turn the sugar mills. He was also thought to have owned a large part of Philadelphia and he was appointed a Chief Justice. In 1671 he became a Quaker and in 1674 was removed from office because of his beliefs. Numerous prosecutions followed for allowing negroes to attend religious meetings in his house, for not paying church dues and for not carrying out Militia duties. He returned to Hellaby around 1688 and commenced the building of Hall which was completed in 1692. But Ralph did not get on with his wife and he returned to Barbados, where he died in 1701. His daughter Dorothy married John Pyott, and it was to her that the estate and adjoining farmlands descended. John and Dorothy had a daughter, also called Dorothy, who married Peter Johnson, Recorder of York. They had one daughter only, Dorothea, who became heir representative of the estate, and when she married Sir John Eden of West Auckland, the Hellaby Estate came into the Eden family, the most prominent member of the family being Lord Avon, Sir Anthony Eden, former Prime Minister. The Edens did not live at Hellaby, but let the Hall out to various people, including the Clarke family, one of which was Samuel Clarke who was an active Methodist and the main introducer of Methodism in Maltby. (LMF research and booklet prepared by current owners of Hellaby Hall).

<sup>7</sup> [www.bddct.org.uk/history/history\\_dd.html](http://www.bddct.org.uk/history/history_dd.html); [www.penninewaterways.co.uk/dearne/ddc2.htm](http://www.penninewaterways.co.uk/dearne/ddc2.htm).

<sup>8</sup> Equivalent amounts in 2010 terms - £3,361,800 and £1,680,500.