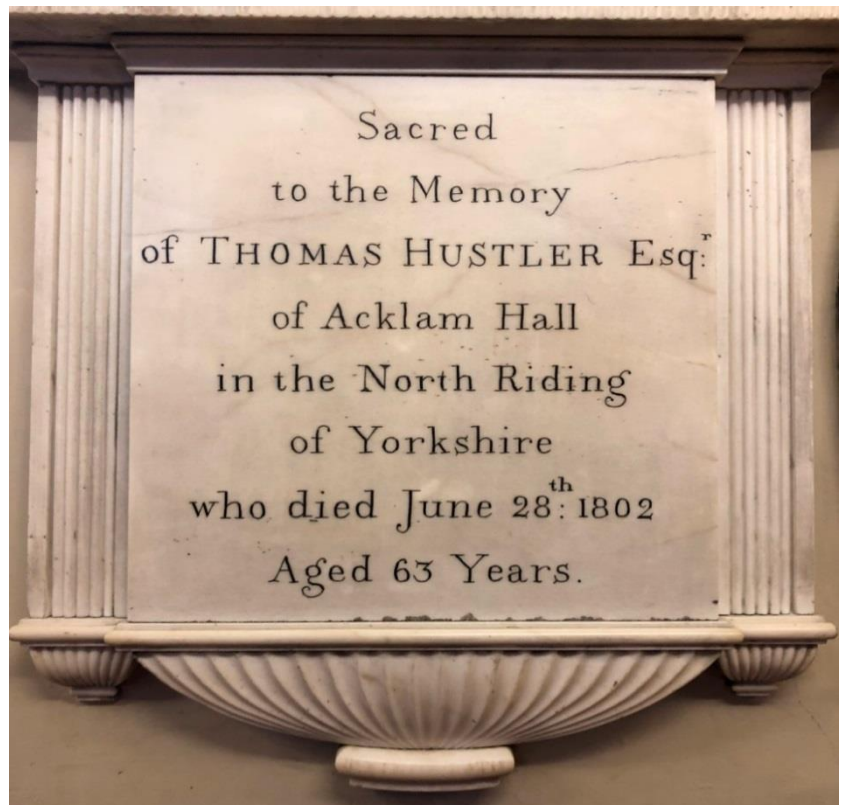
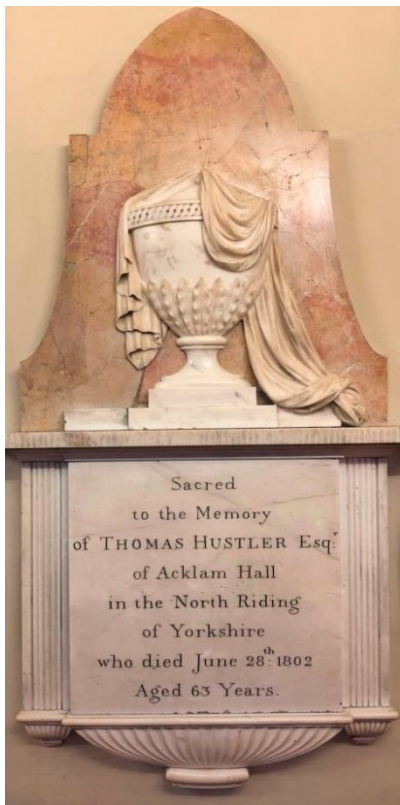


## Thomas Hustler Esq. (1738/9-1802)

*“Thomas Hustler Esq. of Acklam Hall in the North Riding of Yorkshire” was born **Thomas Peirse** in 1738/9. He died aged 63 on 28<sup>th</sup> June 1802 and was buried at St. Swithin’s Church, Walcot, Bath on 2<sup>nd</sup> July 1802. His name was mis-spelt ‘Hurstler’ in the burial register. He is commemorated on a marble plaque on the south wall of the church. The plaque bears the sculptor’s name T(homas) KING, a prominent monumental mason of the time in Bath.*



The memorial plaque on the ground floor south wall of St. Swithin’s Church (Stephen Bird).

*For a member of the landed gentry and the subject of such a splendid memorial, Thomas Hustler is remarkably difficult to find in the historic documentary record. While several men named Thomas Peirse and others named Thomas Hustler are known at or around Acklam in the eighteenth and early nineteenth centuries, none are recorded as being born in 1738/9 nor as dying in Bath in 1802. By careful reading of the genealogies, however, it is possible to identify Thomas with reasonable certainty.*

*To date, no portrait of Thomas has been traced, so it is not known what he looked like.*

## The Hustler and Peirse families

Thomas Hustler, born Thomas Peirse in 1738/9, was the sixth generation of the Hustler family to live at Acklam Hall in the village of Acklam, now a suburb of Middlesbrough, in North Yorkshire.

In 1637 the Acklam estate was bought by a cloth merchant from Bridlington called William Hustler. He wanted a country estate close to the River Tees from where he could trade. For nearly three hundred years it was owned by successive generations of the Hustler family. The Hall was built in 1680-83 in the contemporary Dutch Palladian style by Hustler's grandson, also William Hustler (1661-1730). This William was knighted by King Charles II in 1678 and, according to family tradition, the King visited Acklam Hall in 1684. Sir William was a deputy-lieutenant for North Riding and served as MP for Northallerton and Ripon from 1695 to 1710. He was an active member of the Society for the Promotion of Christian Knowledge (SPCK).



Detail of John Speed's Map of the North Riding of Yorkshire in his *Theatre of the Empire of Great Britain* (1611). Acklā (Acklam) can be seen 2½ miles east of Stockton and 2 miles south of Middelburgh (Middlesbrough), both on the River Tees. Worsall, also on the Tees, is further upstream near Yarum (Yarm). The parish of Acklam once included the township of Leventhorp (Linthorpe) and the non-conformist Anglican congregation of Middlesbrough.

Sir William Hustler died in 1730 and the Acklam estate passed via his widow to his widowed daughter Anne Peirse. After she died, it passed to his youngest daughter, the unmarried Evereld Hustler.

Thomas Hustler Esq, who died in Bath in 1802, was the third generation of his family to be born



with the name Thomas Peirse. The first Thomas Peirse married Anne Hustler in 1700. In 1732 their son, the second Thomas Peirse, and his brother Richard, built a stone wharf and warehouses nearby on the Tees at Low Worsall, a few miles upstream from Stockton at the river's highest tidal point. For many years they ran a profitable agricultural trading business from the settlement that grew up around the wharf, even naming the place Peirseburgh. At its height their trade extended as far as Scandinavia and Northern Europe. However, by the 1770s improved roads downstream and the construction of a bridge at Stockton rendered the business unprofitable and by 1779 Thomas was bankrupt.

The third Thomas Peirse, the subject of the plaque in St. Swithin's Church, was born in 1738/9. His early years were probably spent at Worsall Manor which was developed by his father as his trading business grew. Burke (1850) states that in his early years Thomas worked as an alum trader at Low Worsall. He married Constance Lutton in York in 1766 and, according to a history of the nearby village of Yarm ([englandsnortheast.co.uk/yarm](http://englandsnortheast.co.uk/yarm)), the following year the Peirse family moved to Acklam Hall. Thomas and Constance had four children – Evereld, Constance, Thomas and William, although, as no dates of birth have been found, it is not known in what order they were born. As was common at the time, family names recurred in successive generations.



Late seventeenth / early eighteenth century engraving, *Acklam in Cleveland in the County of Yorke, the Seat of the Hon. Sir Wm Hustler Kt.* The River Tees can be seen in the background. (Google images)

In 1783 the unmarried Evereld, who had inherited the Acklam estate, wrote a will making over the estate to Thomas Peirse on condition that he take the name and arms of Hustler. Graves (1808), W.D.B.? (1844) and Burke (1850) all describe the inheritor as “her nephew Thomas Peirse”, although the Victoria County History (1923) describes him as “her great-nephew Thomas Peirse”. These conflicting accounts render it unclear as to which Thomas Peirse inherited the estate. The father was the more senior, was head of his household and had established himself locally as a successful merchant before becoming bankrupt in 1779, only

four years before Evereld made her will. Was the old lady giving him some security? As seen above, the younger ('Bath') Thomas Peirse, had already been resident in Acklam Hall since 1767. He seems to have been an only child and thus represented the last opportunity to perpetuate the Hustler name and blood-line at Acklam. As the last surviving Hustler this would have been important to Evereld – enough to make the bequest of the estate conditional on the recipient changing his name to Hustler.

Evereld died in January 1784. Without knowing when the older Thomas Peirse died, it may never be possible to resolve this question with any certainty. He had married Jane Staines in 1737 and by 1784 would have been very old. If the older Thomas Peirse were the inheritor, his son must also have changed his name from Peirse to Hustler at some point as he eventually died as Thomas Hustler in Bath in 1802. Whichever Thomas it was, he duly changed his surname by Royal Licence to Hustler in 1784 and, in gratitude to Evereld, dedicated a fine memorial to her in Acklam Church.

In the south wall, there is a neat marble monument, with the following inscription :

Sacred to the memory of **EVERELD HUSTLER**  
the youngest and only surviving Daughter  
Of **SIR WM HUSTLER** of this place, **KNIGHT**,  
by Dame **ANNE**, Relict of *Sir Matthew Wentworth*  
of *Bretton*, in the County of *York Bart.*  
She was born the 18. of August, 1698,  
and died the 11th January 1784.  
Her Life was an Example of most extensive Benevolence,  
united with the Practice of every religious and social Duty ;  
Her Death a Lesson of that Composure and Resignation,  
which the Hope of Immortality, grounded on a well-spent Life,  
Could alone inspire.  
**THOMAS HUSTLER ESQR.** (late **PEIRSE**) her *Nephew*  
dedicated this slender Tribute of Gratitude and Affection  
to his kind *Benefactress.*

○ ○ ○

Memorial to Evereld Hustler in Acklam Church (Burke 1833-5) dedicated by Thomas Hustler.

If it was the 'Bath' Thomas that dedicated Evereld's memorial, why did he describe himself as her nephew rather than her great-nephew? Possibly it was to strengthen his credentials as a Hustler. This interpretation assumes that subsequent genealogists took the 'nephew' reference at face value and thus inadvertently conflated Thomas with his father in the written record, thereby leaving out a generation.

The picture was doubtless further complicated by the fact that Thomas also had an aunt as well as a great-aunt called Evereld. Having an Anne and an Evereld in two successive generations did not assist interpretation of the family succession! See the family tree on p.7 below.

In 1787, only three years after he inherited Acklam Hall, the 'Bath' Thomas made his will (The National Archives PROB 11/1378/108). In it he described himself as "*late of Acklam in the county of York but now of Gay Street in the city of Bath*"; the 'now' gives this assertion an air of permanence. However it should be noted that, even in the later eighteenth century when Bath's pre-eminence as a resort of pleasure was on the wane, it was customary for members of the



landed gentry to spend prolonged periods in lodgings in the city enjoying its entertainments or seeking a cure for, or relief from, a medical condition, while maintaining their country seat as their permanent residence. Gay Street, where the houses were not too large, was a popular street in which to take lodgings. Jane Austen and her mother stayed at no.25 for a year in 1805/6 after the Revd. George Austen, Jane's father, had died. He too was buried at St. Swithin's Church because Green Park Buildings, where they had been living, was also in Walcot parish, despite being much further away. The Revd. and Mrs Austen had been married in the early eighteenth-century church that preceded the present building and George had served as curate there.



The upper part of Gay Street, Bath, just below The Circus which can be seen in the background. No.21 is on the right; today it is occupied by Alan Turner Solicitors (Stephen Bird).

It is not known how Thomas divided his time between Acklam Hall and Bath, nor whether he frequented St. Swithin's Church when resident at Gay Street, which then lay within Walcot parish. Bath Abbey, the only city church of the time to eclipse St. Swithin's as a fashionable place of worship, was a similar distance away and there were non-conformist chapels much nearer to Gay Street in Brock Street, Milsom Street and Queen Square if that style of churchmanship was his preference.



*Walcot Church, 1784; engraving by T. Bonnor showing St. Swithin's as it would have looked in Thomas Hustler's time. (Bath & North East Somerset Council).*



*The Circus, 1773; engraving (artist unknown). The entrance to Gay Street is on the far side; no.21 was fifty yards down on the left hand side. (Bodleian Library)*



Despite the suggestion of permanent residency in his will, there is to date no firm evidence that Thomas Hustler owned a house in the fashionable Gay Street. The City Rate Books do not list him as a property owner, and the street directories are similarly unforthcoming until 1800 when a 'Mrs Hustler' is listed as living at 21 Gay Street. Was this Thomas's wife Constance relocating to Bath to care for her husband as his health started to fail? (It is unlikely to have been their daughter-in-law Charlotte whom their son William had married that year).

However there is evidence that Thomas engaged with social activity in Bath. Henry Brown has brought to my attention the Bath Chronicle newssheet of Wednesday May 2 1798 (below) in which Thomas is listed with eight other individuals as a Subscriber to the Dress Balls at the nearby New Assembly Rooms. The notice in which the list is given records the Room's owner as being unable to cover his costs from 'subscriptions and receipts'. If this was a sign that times were tight, there is no evidence of it in the cartoon of a dress ball in the Assembly Rooms published in the same year by Thomas Rowlandson (also below).

**BATH, Wednesday May 2.**  
*New Rooms, April 30th, 1798.*  
 The Public are respectfully informed, the FANCY BALLS at these Rooms, are now concluded, — but that there will be  
**TWO MORE DRESS BALLS;**  
 To which Subscribers to either Ball will be admitted, in conformity with the regulation adopted by the Company in the last and preceding Season.  
 (153)  
**RICHARD TYSON, M. C.**

---

*New Assembly Rooms, April 30th, 1798.*  
**THE RENTER** of these Rooms having represented to us, that the present Subscriptions and Receipts are inadequate for defraying the increased Expenses of this Undertaking:  
 WE, the undersigned, being Nine or more Subscribers to the DRESS BALLS, do hereby give Notice, that a **GENERAL MEETING** of the said Subscribers will be held here on Monday next the 7th of May, at twelve o'clock at noon precisely, to take into consideration the Statement of the Renter, and to adopt such measures as may appear requisite for the ensuing Season.

Granado Pigott	Joseph Fraire
Taslim Scrope	William Barlow
George Colebrooke	J. G. Muirhead
John Mober	Thomas Hustler
William Breckton	Thomas Matthews
James Fitzgerald	D. H. Woodward.
William Clavill	



Extract from the Bath Chronicle of May 2 1798, listing Thomas Hustler as one of the Subscribers to Dress Balls at the Assembly Rooms (Bath Record Office).

*The Upper Assembly Rooms* in 'The Comforts of Bath' series by Thomas Rowlandson, published in 1798. The caricature shows a dress ball in full swing in the Ball Room (Victoria Art Gallery, Bath & North East Somerset Council).

It is possible that by 1798 Thomas' health was already on the wane. On 28th June 1802, he died aged 63. On 2<sup>nd</sup> July he was buried at St. Swithin's Church, Walcot.

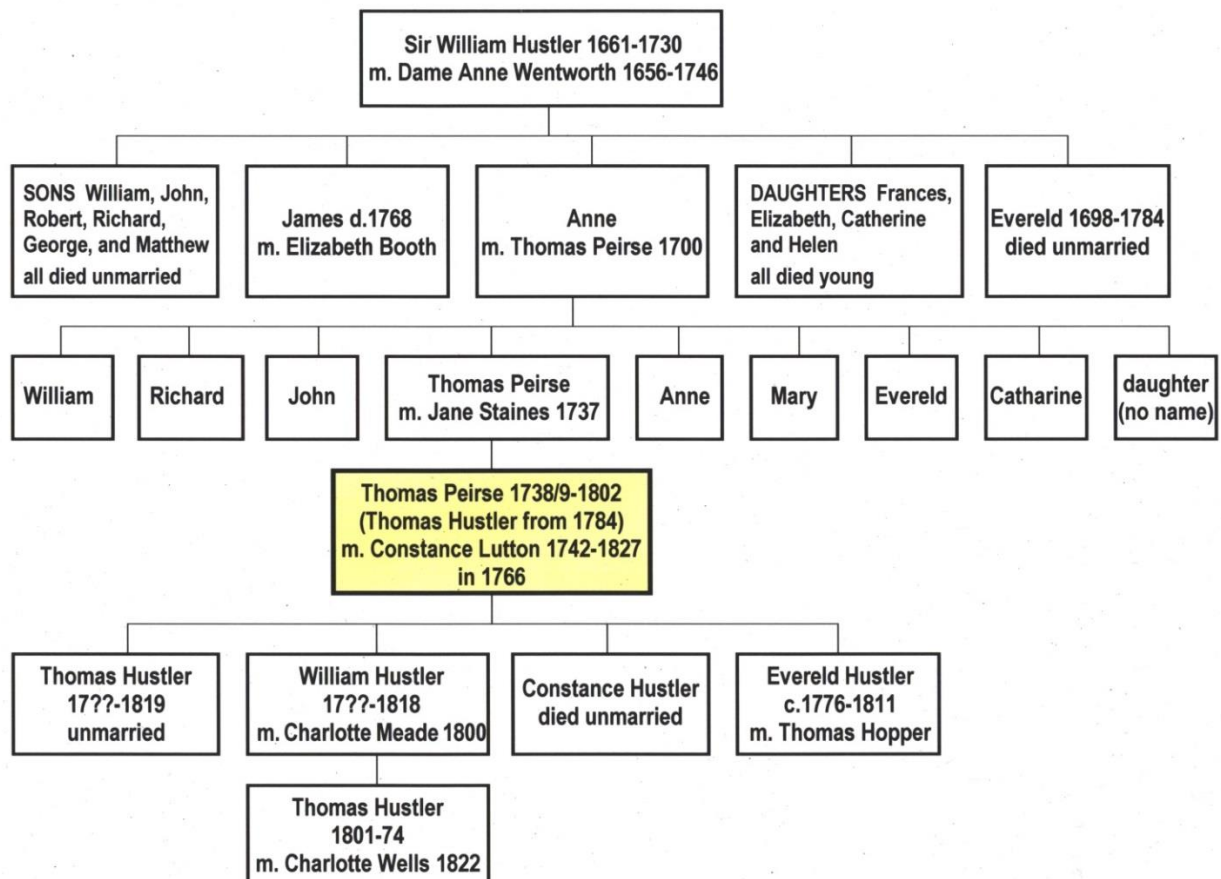
Unlike many examples around it on the walls of St. Swithin's Church, Thomas's memorial makes no mention of who commissioned or paid for it. His widow Constance died twenty-five years later back at Acklam and no other Hustlers are memorialised at St. Swithin's, nor recorded in the Bath Burial Record at any other Bath church. The wording may have been dictated by Thomas's successors who considered their names irrelevant if they were to have no future presence in Bath. Or it may have been dictated by Thomas himself prior to his death, proud of his inheritance and wishing to be known forever as "Thomas Hustler Esq, of Acklam Hall in the North Riding of Yorkshire."



Exterior and interior of St. Swithin's Church, Walcot, Bath (Stephen Bird).

## Suggested family tree of the Hustler succession.

This family tree of the Hustlers between the late seventeenth and early nineteenth centuries is unauthenticated and has been put together from such records as could be found during the research for this paper. There are therefore almost certainly gaps in it. However as the information found to date indicates, it suggests that Thomas Peirse, later Hustler (1738/9-1802), may have been without siblings and the only child of his generation.





## Later history

Thomas Hustler, who died in Bath in 1802, was survived by his two sons, Thomas and William, and one of his daughters, yet another Evereld. None are known to have lived in Bath. The elder son Thomas died unmarried in 1819 and the estate passed to his nephew, yet another Thomas and son of William who had died the year before. All of them were outlived by their mother Constance Hustler, who eventually died at Acklam in 1827.

The Hustler family occupied the Hall for another century until it was sold to Middlesbrough Corporation in 1928. In 1935 it reopened as Acklam Hall Grammar School for boys, which was eventually succeeded in 1995 by Middlesbrough FE College. The College moved out in 2011. Following extensive restoration to its former glory, the Hall reopened in 2016 as a splendid wedding venue, restaurant and business space, managed by Acklam Hall Ltd. [Contact details: Acklam Hall, Hall Drive, Acklam, Middlesbrough TS5 7DY 01642 822000, [info@acklamhall.co.uk](mailto:info@acklamhall.co.uk), [www.acklamhall.co.uk](http://www.acklamhall.co.uk).]

Acklam Hall was given listed building status in 1951. It remains Middlesbrough's only Grade I listed building. Today its Dutch gables have gone but it retains many other original features. These include a magnificent painted pine open well staircase with ball and artichoke finials and a balustrade carved in spirals and helixes. There is a fine rose window in the roof at the top of the staircase. The hallway has heavily ornamented ceilings similar to those at Holyrood Palace in Edinburgh (c.1680). The coat of arms of the Hustler family can be seen above the main door, with the figure of a talbot on top. This extinct breed of hunting dog became the emblem of Acklam Hall Grammar School when it occupied the Hall in 1935.



Acklam Hall today (© Acklam Hall Ltd)



Arms of the Hustler family.

## Sources

In researching the man behind the memorial plaque in St. Swithin's church, various sources have been consulted. The incomplete nature of the historic documentary record is indicated by the fact that none of the sources consulted actually record a Thomas Hustler who died in Bath in 1802. This fact is known only from the plaque and the church burial records.



In other ways, too, the sources are far from complete, with many dates of births, marriages and deaths missing. It is unlikely that each genealogy was compiled from primary sources but simply drew on existing, earlier, sources which its author took to be correct. This has meant that errors in early accounts were repeated in later publications. There are also inconsistencies between them and, in a few places, some facts have been found to be incorrect. Indeed it has become clear that in some places, with so many Thomases to record, a whole generation has been omitted. Only the V.C.H. (1923) and Burke (1937) recognise this, the V.C.H. by referring to the inheritor of the Acklam estate from Evereld as her great-nephew, and Burke (1937) by listing an additional Thomas Peirse in his genealogy.

There is further confusion over marriages. W.D.B.(?) (1844) and Burke (1850) both record Thomas Peirse as being “thrice married” – to Sarah Staines in 1737, to Mary Robinson and to Constance Lutton. The omission of a generation from these accounts has resulted in the conflation of two generations into one. The date of 1737 for a marriage to Sarah Staines would be expected for the second Thomas Peirse and it was natural that it was followed in 1738/9 by the birth of their only son, the third Thomas Peirse (Burke 1850), who died as Thomas Hustler in Bath in 1802. It is not known to which Thomas Peirse Mary Robinson was married and no children by her are recorded. However findmypast.com confirms that Constance Lutton married a Thomas Peirse in 1766, surely the man who was to become Thomas Hustler Esq. of Acklam Hall and who died in Bath in 1802, but would have been only 27 or 28 years of age at the time.

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