

BEAUTY SMITH

THREE TIMES TRANSPORTEE AND SUSPECT IN THE MURDER IN THE RED BARN

Peter Maggs

On St George's Day, 1828, the news broke in *The Times* of a murder that was going to transfix the British public for the next four months. The body of Maria Martin had been discovered buried in the Red Barn at Polstead, Suffolk. The prime suspect, William Corder, Maria's lover, was soon arrested in Ealing, West London, and following his trial and conviction, he was hanged in front of a large crowd at Bury St Edmunds in August of the same year. Corder was the dissolute son of a prosperous farmer in Polstead; Maria was the pretty daughter of Thomas Martin, the local mole-catcher. Maria was, however, no blushing virgin; at the age of 26, she had already given birth to three illegitimate children by three different fathers, Corder acknowledging paternity of her third child.

In his defence in court, William Corder claimed that Maria had stolen one of his pistols and shot herself following a violent quarrel in the barn; he did, however, admit to having buried her body. Hours before he was hanged, he finally admitted that he had shot her himself, but he always denied stabbing her; during his trial three surgeons had confirmed that Maria's body, even though it had been in the ground for a year, showed clear evidence of stab wounds.

Corder's denial that he stabbed Maria was a mystery; if he *had* done it, what was the point of denying it? But a greater mystery, apparently accepted without question at the time, was the fact that the body had been discovered after her stepmother 'dreamed' that Maria had been murdered and buried in the Red Barn. This happened many months after Maria was last seen by anyone. She had gone to meet Corder disguised in man's clothing to avoid arrest, as he

had told her, for burdening the parish with illegitimate children. They had agreed to rendezvous in the barn with a view to them going to Ipswich to get married. Nearly a year after Maria had been last seen, Anne Martin, Maria's step-mother, only nine years older than Maria herself, persuaded her husband to search the barn for Maria's body. It was discovered after he had probed the floor with his mole-spike...

The Red Barn murder spawned broadsheets, puppet shows, books - fact and fiction, stage dramas and in recent years, films and television. Several writers have offered theories, some of them quite sensational, to explain how it was that Anne Martin knew where Maria's body was buried, and why it was that Corder always denied stabbing Maria.

Key to most of these theories was one Samuel Smith, and the only certain clue we have to his identity comes from a long and detailed book on the Red Barn murder first published a few months after Corder was hanged. The eccentric author, 'J Curtis', was a short-hand court-reporter who worked for one of the newspapers. He specialized in hangings; he claimed to have been present at 'every execution in the metropolis and ... neighbourhood, for the last quarter of a century.'¹

Curtis went to Polstead, talked with many of the locals, sat with Corder in his cell and attended the trial - the proceedings of which were reproduced in detail - and attended the hanging. He documented the case minutely, his book extending to over 470 pages.²

In the section on William Corder's background, Curtis described Samuel Smith:

‘At Polstead there resided a man of the name Samuel Smith alias Cooper... [known as] *Beauty* Smith...a notorious thief who had been twice transported within the last sixteen years for pig-stealing...This desperado returned home a short time before the sudden disappearance of Maria Marten [sic]...’³

‘Beauty’ Smith was a known associate of William Corder. He was a bad lot, a petty thief who specialized in stealing farm animals. Curtis describes how Corder had been involved with Smith in the stealing of a pig. By the time of Corder’s trial however, Smith had been convicted in Chelmsford of stealing an ass, and was sentenced to be transported for life. He was on board the *Leviathan*, a prison hulk at Portsmouth, awaiting a ship for New South Wales. At the behest of the magistrates concerned with the Red Barn affair, he was questioned as to whether he had any knowledge of Maria Martin’s murder. It had been reported that while in Chelmsford gaol, Smith had frequently alluded to Corder, opining that he ‘would be hanged one day or the other...’ He denied all knowledge of Maria Martin and claimed that his comments on William Corder were purely in respect of the pig-stealing episode.

Several authors, seeking to explain the discrepancies in the Red Barn murder, have claimed that Smith was involved. The most sensational of these claims, made by Donald McCormick in 1967, alleges that Maria regained consciousness some time after Corder had shot her. He had left the barn to find a spade to bury her body, thinking that she was dead, but she woke up and Smith, who was hiding in the barn, ‘noticing that Maria was still alive and in great pain, stabbed her...’⁴ Smith was alleged to have been having an affair with Maria’s step-mother, Anne Martin, and that’s how she knew where Maria was buried. McCormick repeated an earlier claim made by Gibbs and Maltby that Anne was also in a relationship with Corder...⁵

In fact, it turns out that the stab wounds had a far more prosaic explanation. Shortly after William Corder was hanged, the governor of Bury Prison, Mr Orridge, was reported in *The Sunday Times* as having have resolved the mystery.⁶ The stab

wound to the heart, which was thought to have been the fatal injury, was caused by one of the inquest jurymen who:

‘...anxious to discover how far decomposition had advanced, plunged a knife into the body between the ribs, and at the precise point where the surgeons presumed that a sword had penetrated.’

It seems likely that other stab-like injuries to the body were either caused by overenthusiastic members of the inquest jury, or by Thomas Martin’s mole-spike. In his evidence he said that after he had ‘poked about’ in the barn with his mole-spike:

‘Something came out with it like flesh. I smelt of it, and it was very disagreeable.’

The Red Barn affair is under new investigation and the suspicions regarding Maria’s stepmother’s dreams remain, together with the possibility of a conspiracy and the involvement of other persons. Naturally, the individual of most interest is Beauty Smith. Curtis’ book had claimed that Smith had already been transported twice for various offences, and since this seemed to be unlikely, it was appropriate to look at his history.

The name ‘Smith’ always makes the genealogist’s heart sink, but in this case there are useful labels: the association with Polstead, the alias ‘Cooper’ and the fact that Australian convict records usually state the name of the ship the convict arrived in. From Smith’s different prison records, his year of birth can be deduced as variously 1765, 1773, 1777, 1778 and 1780. The mean of these is 1775. Identifying with any confidence the provenance of Samuel Smith is probably impossible; certainly it is beyond the scope of the present investigation. There were Smiths (and Coopers) in Polstead, but no Samuel Smith born in the date range of interest. There was a Samuel Smith christened in Nayland in February 1774, and another in Hitcham in July 1777. Nayland is the next but one parish to Polstead and Hitcham is also quite close. Both fathers were also Samuels, and this is interesting because *The Bury and Norwich Post*, on 22 April 1801 reported:

‘At the quarter sessions [in Norwich], Samuel Smith, senior was convicted of stealing two hogs, the property of John Howlett, of Earlham, and sentenced to be transported for 7 years ... Samuel Smith, junior ... was acquitted.’

From ‘Samuel Smith’s, alias Cooper’s’ subsequent declared ages, and if he was one of the defendants in the case in Norwich, he would have been Smith junior; the modus operandi was identical to his subsequent history. There is no record of Smith senior’s time either on the hulks or in Australia so what became of him is unknown. However later in the same year, in the Quarter Sessions held at Colchester on 5 October 1801, Samuel Smith of Polstead was found guilty of stealing six pigs, the property of Rev William Ward of Mile End, near Colchester.⁷ One of the witnesses against Smith was John Richardson also of Polstead. Smith was sentenced to be transported for seven years ‘beyond the seas...’⁸

Samuel Smith was sent to the prison hulk *Prudentia*, moored at Woolwich. The *Prudentia* records, in 1803, give his age as 25. Those sentenced to transportation were mustered in the hulks and employed in ‘Hard Labour in raising sand, soil, and gravel from ... the River Thames...’ while they awaited a ship to take them to Australia. However, the law allowed the prisoners to serve their sentence on the hulks, and this is what Samuel Smith did, escaping actual transportation.⁹ He was lucky; the colony in New South Wales was barely 13 years old and life there was very tough - for the transportees as well as the authorities guarding them. On average fewer than 300 convicts were transported each year of Smith’s incarceration; the Napoleonic War had broken out in earnest in 1803, and vessels were scarce. Smith was released from the *Prudentia* exactly seven years after his conviction, on 5 October 1808.

Of what he did for the next six years there is no reliable record, but in 1814, during the Essex summer assizes at Chelmsford, the *Chelmsford Chronicle* reported that on 12 March of that year Samuel Smith and Thomas Butterworth were seen driving away four pigs and one hog, value £13, the property of Zacharia Piggot and his son.¹⁰ Smith and Butterworth were unable to give a good

account of themselves or how they became possessed of the animals and on 27 July 1814, both were sentenced to seven years’ transportation.

In the first instance, Smith, now aged 34, was sent to *Captivity*, a hulk moored at Portsmouth.¹¹ On 23 March 1815, along with 300 other prisoners, he was transferred to the *Baring* which left for New South Wales on 20 April, arriving in Sydney, via Madeira and Rio de Janeiro on 7 September.¹² He was assigned to work for Mr Throsby. Charles Throsby was an ‘explorer, grazier, magistrate, member of the upper house and [sometime] surgeon’. Among other things he built Glenfield in Liverpool, now a suburb of Sydney, and it was probably there that Smith was sent as an assigned worker in 1815. He was still there in 1816 and 1817 but on 3 November 1817, he was convicted by Mr Thomas Moore, JP, and sent to Newcastle for one year.

Newcastle was a penal colony where the most difficult prisoners were sent. It was seventy miles north of Sydney and those sent there were subjected to the hard labour of mining coal, cutting trees or lime-burning to make mortar. The work was exhausting, the weather was either unbearably hot or too cold and the environment, with poisonous snakes, ‘sandflies, mosquitoes, cholera and dysentery...’ was highly unpleasant.¹³ Added to that Smith was surrounded by 550 of ‘the most turbulent and refractory characters...’ in New South Wales. The nature of his offence was not, unfortunately, recorded, but the contemporary newspapers reported that various other offenders had been sentenced to two years in Newcastle for breaking into a store, three years for stealing a pair of boots and three and seven years respectively for house-breaking. Smith was probably convicted of petty thieving of some description.

It is a measure of Samuel Smith’s resilience, or the fact that he was just the type to fit in at Newcastle rather well, that after a year he was back in the Sydney area, assigned to work for Mr Bayly. Bayly was very probably Nicholas Bayly, who owned a thousand acres at Cambramatta, Bayly Park, just north of Liverpool. Two years later, in 1820, Smith was back working for Mr Throsby again and in 1821 he was assigned to Thomas

Moore - the magistrate who had sent him to Newcastle; Moore also had an estate in Liverpool. It is interesting to note that in the convict records of Samuel Smith after he returned from Newcastle, his term of transportation was given as life. This must have been incorrect, because he obtained a certificate of his term of transportation having been completed in August 1823.¹⁴ He had been a prisoner for just over nine years, which amounts to seven years in New South Wales, one year in Newcastle and 13 months between date of sentence and arrival in Australia.

In 1826, 72 former convicts, 'seven percent of those becoming free to do so...' left New South Wales, most of them, presumably, for England.¹⁵ The cost of a steerage ticket from London to Australia in the ship *Berwick* was 35 guineas - thirty-six pounds fifteen shillings, equivalent to more than £1,500 today.¹⁶ As an assigned convict, Smith would have had to have worked for ten hours per day, Monday to Friday and six hours on Saturday, but the rest of the time was his own. If he chose to work 'the full day' for his master, or sell his labour elsewhere, the surplus time entitled him to a shilling a day, around £18 a year.¹⁷ If he spent no money at all - since he was fed by his master - he could have saved more than £100 during his seven-year term.

Thus in August 1823, Samuel Smith, ex pig-thief, ex Newcastle detainee, twice sentenced to be transported, advertised in the *Sydney Gazette and New South Wales Advertiser* that he was leaving the colony on the *Berwick*, and 'request[ed] claims to be presented.'¹⁸ It was normal practice for those departing to make such a declaration. He could have paid for his passage with savings and the sale of his land grant of thirty acres (given to those who had completed their term of transportation). Possibly he stole the cost of a ticket or won it gambling. He may have worked his passage, although he knew nothing of sailing. The *Berwick*, a 426 ton three-masted ship had arrived in Hobart in June 1823:

'... with a very great number of passengers on board...after a long and tedious passage of six months from England.'

That the passage was long and tedious was confirmed when several of the passengers sued the skipper, Captain Jeffery, for the poor conditions on board.⁹

Berwick arrived in Sydney in August, and spent four months unloading and then loading a cargo, probably timber. In January 1824, she sailed for England via the Cape of Good Hope. She arrived in Portsmouth on Sunday 11 July 1824.¹⁹

But Smith was a confirmed and multiple time-serving recidivist. Perhaps he just couldn't help himself or he knew no other way of making a living, but barely three and a half years later he was apprehended once more and charged with stealing an ass. The Lent Assizes at Chelmsford in March 1828 found him guilty of stealing the animal from Rev P Wright of Marks Tey. This time, Samuel Smith was sentenced to be transported for life.²⁰ He was sent to the hulk *Leviathan* moored at Portsmouth, where it was noted on the records that he had previously been convicted of a felony. It was while he was there that he was questioned about his knowledge of Maria Martin's murder. On 26 August 1828 he shipped out on the *Royal George*, bound once more for New South Wales.

The record of his presence on the *Royal George* is most illuminating, and provides much of the evidence of his criminal career. His name was given as Samuel Smith alias Cooper, his age was 55 and he was 5 feet 4½ inches tall, with a ruddy complexion and brown-grey hair. It notes his occupation as 'farmer's man and shepherd', and that he was 'Here formerly as Samuel Smith in *Baring*, went home in the *Berwick*...'

The Royal George, skippered by Captain Embleton, and carrying 158 male prisoners guarded by 30 men of the 63rd regiment, arrived in Sydney on Christmas Eve 1828.²¹ And Samuel Smith, who must have known his way around by this time, was assigned once more to Glenfield and Charles Throsby. But it was Charles Throsby junior, Charles Throsby's nephew, who was his new master. Charles Throsby senior had committed suicide about six months before Smith arrived.

Smith managed to stay out of trouble for the next eight years, because in February 1837, he was granted his Ticket of Leave. The ticket of leave, a type of parole, allowed him to work on his own account but only within the district of Bong Bong, an area some miles south west of Sydney, where the ticket had been granted. All was apparently well for the next nine years, but in 1846, the *Sydney Morning Herald* reported a trial that had taken place at the Berrima Circuit Court on 14 September:²²

‘Samuel Smith was indicted for having, at Wombat Brush, on 20 June 1845, assaulted and violated one Emma Fletcher alias Ridgeway.’²³

Smith pleaded not guilty and was ‘defended by Mr Sutton’, who abandoned the case because Smith insisted on cross-examining the witness himself. To quote from the newspaper report:

‘The prisoner was an old man of eighty, who was in the service of Mrs Proctor at Wombat Brush, and the girl he was said to have abused was an orphan, apprenticed to that person. The girl was apparently twelve years old, but there was no tangible proof of her age. The girl swore positively to a criminal connection with the prisoner, which appeared to be of some standing.’

The jury found Smith guilty of common assault, and he was sentenced to two years in Sydney Gaol. His ticket of leave was cancelled.²⁴

What happened to Samuel Smith after this is impossible to say. On his release from gaol in September 1848 he would have had to have returned to assigned labour, although there is no record of that. Whether he was as old as eighty at the time of his trial is a moot point; he was at least seventy, and his own physical labour was all he had to survive on. It seems unlikely that he would have lived for much longer.

Samuel Smith’s sobriquet ‘Beauty’ was never explained anywhere. Possibly he was a handsome man; more likely it was an ironic title due to a disfiguring scar or an unfortunate appearance. Nevertheless regardless of what he looked like, given his documented history both before and after the Maria Martin affair, was he involved in her

murder? The first thing to say is that there is no evidence whatsoever to connect him to the murder other than the fact of his acquaintance with William Corder when they allegedly conspired in the pig stealing. In his book, *The Red Barn Mystery*, Donald McCormick claims that Smith confessed to Thomas Griffiths Wainewright, the artist and poisoner who had been transported for life to Van Dieman’s Land (Tasmania) in 1837, that he had stabbed Maria Martin in the Red Barn. According to McCormick, Wainewright had been an acquaintance of William Corder in London... Smith was said to have been a gardener in Hobart where the confession took place, but it is clear from his history that he could never have left New South Wales after 1828, and Wainewright could not have left Van Dieman’s Land after he arrived there in 1837 for the same reasons;²⁵ he died in Hobart in 1846.²⁶ It was, therefore, impossible for them ever to have met in Australia.

From what is now known of Samuel Smith’s career before the Red Barn murder he certainly was a ‘notorious thief ... and desperado’ as J. Curtis had described him, and he had already been sentenced to be transported twice as was claimed. Apart from a number of undocumented short terms in gaol, he had spent seven years on the prison hulks in Woolwich, seven years in New South Wales as a transportee, a year in the strict penal colony in Newcastle and best part of a year at sea going to and coming from Australia. But with all of that he had never been convicted of any violent crime. The subsequent episode with the twelve-year-old girl was sickening, but was it symptomatic of a murderous temperament?

The jury is out on Samuel Smith subject to the uncovering of further evidence. Meanwhile, the investigation into what really happened in the Red Barn in Polstead on Friday 18 May 1827 goes on.

Acknowledgements

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The Australian Dictionary of Biography (on line) was used for information on Nicholas Bayly, the Throsbys and Thomas Moore.

Notes

1. *The Great Metropolis*, [James Grant], vol II, Second Series, London, Sanders & Otley, 1837.
2. *An Authentic and Faithful History...of Maria Marten...*, by J Curtis, Thomas Kelley, London, 1849 (first published 1828). In a bizarre and gruesome epilogue to the affair, a copy of Curtis's book was bound in the tanned skin of William Corder and is currently in the Moyses's Hall Museum in Bury St Edmunds.
3. Virtually all published material refers to Maria Marten, when it is quite clear from parish records and original documents from the trial that her name, and that of all members of her family, was *Martin*.
4. *The Red Barn Mystery*, Donald McCormick, John Long, London, 1967.
5. *The True Story of Maria Marten*, Dorothy Gibbs and Herbert Maltby, *East Anglian Magazine*, 1949.
6. *The Sunday Times*, 17 August 1828.
7. William Ward was eventually appointed bishop of Sodor and Man in 1827, the same year that the Red Barn murder took place.
8. *Bury & Norwich Post*, 14 October 1801 and Essex Record Office Quarter Sessions, Sb6/9.
9. Act of Parliament, 1779, 19th Geo. III., cap. 74.
10. *Chelmsford Chronicle*, Friday 5 August 1814.
11. HO9; piece 8; Convict Prison Hulks: Registers and Letter Books.
12. HO 10; piece 1/2 Australia Settler and Convict Lists, 1787-1834 and *The Sydney Gazette and New South Wales Advertiser*, 9 September 1815.
13. *The Fatal Shore*, Robert Hughes, The Folio Society, London 1998, p.402.
14. *Sydney Gazette and New South Wales Advertiser*, 4 September 1823. The newspaper notice is ambiguous; those reported had received either a Ticket of Leave or a Certificate [of completion of sentence]. In view of what happened next, ie Smith's return to England, it must have been a certificate.
15. *Convicts and the Colonies*, A G L Shaw, Melbourne University Press, 1966, p.144.
16. *Hobart Town Gazette and Van Dieman's Land Advertiser*, 26 July 1823.
17. *The Fatal Shore*, *ibid.* p.266.
18. *Sydney Gazette and New South Wales Advertiser*, 28 August 1823.
19. Four years later, the ship was wrecked homeward bound from Bombay to London with the loss of the captain, first mate and thirteen crew.
20. *Chelmsford Chronicle*, 14 March 1828.
21. *Sydney Gazette and New South Wales Advertiser*, 26th December 1828.
22. *Sydney Morning Herald*, 14 September, 1846.
23. Wombat Brush, now called Canyon Leigh, is around 80 miles south west of Sydney.
24. It was from details on Smith's ticket of leave, that the man charged with assault on the child was positively identified as Samuel Smith alias Cooper.
25. The Ticket of Leave was issued subject to the prisoner remaining strictly within the area where it had been granted.
26. *Oxford Dictionary of National Biography*, online.

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