

*Mary Smith 3rd **
(uxor Mary Turner)

POLICE NUMBER 443 ¹	LITERACY read only
TRIAL DATE 1 February 1841	AGE ON EMBARKATION 26
TRIAL PLACE Central Criminal Court (Old Bailey), London	AGE ON ARRIVAL 26
OFFENCE larceny from the person	HEIGHT 4' 8 ³ / ₄ "
SENTENCE 10 years	COMPLEXION fresh
GAOL REPORT 2 months House of Correction before, poor, single	HEAD oval
PREVIOUS CONVICTIONS twice in gaol before, acquitted each time	HAIR light brown
SURGEON'S REPORT good	VISAGE full
ON THE TOWN no	FOREHEAD medium
MARITAL STATUS single	EYEBROWS brown
CHILDREN 0	EYES light hazel
FAMILY	NOSE short
NATIVE PLACE Museum Street, Holborn, London, England	MOUTH medium
TRADE ON EMBARKATION	CHIN round
TRADE ON ARRIVAL housemaid, nursemaid, plain needlewoman	MARKS stout made, E S J C and A H on right arm, John Chambers M J L P Charles Winter I Love on left arm

c1815 **Born** at Museum Street, Holborn, London, Middlesex, England.²

1 February 1841 Tried at the Central Criminal Court, London, England with Ann Bane³ indicted for larceny from the person in stealing on 29 January 1841 1 breast pin value 7 shillings from the person of William Hawes, a traveller, in Long Lane, Smithfield; pleaded guilty; sentence 10 years transportation.⁴

Statement of witness William Hawes:
I am a traveller to all parts of London. On the 29th of January, between six and seven o'clock in the evening, I was in Long-lane, Smithfield – Bane came and spoke to me, and wanted me to treat her to a pint of porter – I said I had no money – she still continued to walk along the pavement, took hold of my arm, and called the other prisoner up on my other side – we walked on for five or ten yards together, and then Smith chucked me under the chin, and drew the pin out of my scarf, and ran away – Bane had at that time hold of my arm – I left Bane, and ran after Smith – this pin now produced is mine.⁴

Statement of witness John Brand, City Police Constable No.229:
I was coming down the lane, and saw the prosecutor running after Smith – I took Smith, and the prosecutor said there was a second one with her, who had bold of his arm – I looked round – Bane was across the road, and was talking to two girls – I got her, and then, just as I got to Smith again, I saw her throw her hand out, and I saw this pin on the ground, by her right foot – I laid hold of both the prisoners – a man coming by took up the pin, and gave it me.⁴

5 April 1841 Departed Woolwich, England on the *Rajah*.⁵

19 July 1841 Arrived at Hobart on the *Rajah*.⁵

c24 July 1841 Upon arrival at Hobart, detained on board for assignment; not immediately assigned.⁶

31 December 1841 Mustered in the service of Mr J Parker, High Plains.⁷

¹ TAHO, CON40/1/10 p.49 No.443 [image 52] (Mary Smith); TAHO, CON19/1/1 p.251 [image 129] (Mary Smith (3)); ML, CY 1282 p.153 (Mary Smith (3)); ML, CY 1197 p.153 (Mary Smith); ML, CY 958 p.441 (Mary Smith)

² TAHO, CON19/1/1 p.251 [image 129] (Mary Smith (3))

³ Ann was found not guilty.

⁴ *Old Bailey Proceedings Online*, t18410201-676 (Ann Bane & Mary Smith)

⁵ AJCP, ADM 101/63 *Rajah*

⁶ ML, CY 1282 p.140 (Mary Smith, Museum St); ML, CY 1274 p.262 (Mary Smith 3)

This biography supplements our book *Patchwork Prisoners* available from www.researchtasmania.com.au.

- 29 June 1842 Charged at the Police Court, Hamilton by Constable White with being drunk yesterday in the service of Mr Jabez Parker; plea guilty; verdict guilty; sentence 4 days and nights in solitary confinement.⁸
- 29 November 1842 Charged at the Police Court, Hamilton by her master Mr Parker with misconduct in being absent without leave from her service all night; plea guilty; reprimanded.⁹
- 9 December 1842 Charged at the Police Court, Hamilton by her master Mr Parker with misconduct in being in a public house; plea guilty; reprimanded.¹⁰
- 31 January 1843 Returned to Government to the Police Office, Hamilton from from the service of Mr Parker, sent to Cascades Female Factory, Hobart for assignment.¹¹
- 11 October 1843 Husband-to-be Leonard Turner approved for a Ticket of Leave.¹²
- 8 January 1844 Application for permission to marry Leonard Turner¹³ (*Sarah*, Ticket of Leave) sent to the Muster Master.¹⁴
- 5 January 1844 Application for permission to marry Leonard Turner sent to the Secretary; approved.¹⁴
- 14 January 1844 Notice given of approval for permission to marry Leonard Turner; Mary in assigned service at Hamilton; Leonard a ticket-of-leave holder.¹⁵
- 16 February 1844 **Married** Leonard Turner at St Peter's Anglican Church, Hamilton; Mary aged 27, illiterate; Leonard aged 25, labourer, illiterate; witnesses James Hansson and Mary Lawson.¹⁶
- 21 December 1844 Charged at the Police Court, Hamilton by District Constable Elley with misconduct in being out after hours; plea guilty; verdict guilty; reprimanded.¹⁷
- 28 January 1845 Charged at the Police Court, Hamilton by Constable Presgrove with misconduct in being in a public house drinking yesterday, when a probation pass-holder; plea guilty; verdict guilty; sentence 3 days and nights in solitary confinement.¹⁸
- 7 February 1845 Charged at the Police Court, Hamilton by Constable Presgrove with misconduct in being drunk and with disorderly conduct in the streets in crying out murder and inciting her husband to assault a constable; plea guilty; verdict guilty; sentence 6 months hard labour at Cascades Female Factory, Hobart, and conduct to be reported in 3 months.¹⁹
- Husband Leonard Turner charged at the Police Court, Hamilton by Constable Presgrove with assaulting him in the execution of his duty in a public street at Hamilton on 6 February; plea guilty; verdict guilty; fined £3, in default of payment 2 months hard labour at the House of Correction, Hobart, fine paid; holding a Ticket of Leave.²⁰
- Statement of Constable Preston:
*Yesterday I apprehended the prisoner's wife for drunkenness and being disorderly. Turner came to me and took the woman from me and assaulted me with his fist 3 times.*²⁰

⁷ AJCP, HO 10/51 p.396 No.443 (Mary Smith)

⁸ TAHO, LC208/1/3 p.324 (Mary Smith)

⁹ TAHO, LC208/1/3 p.384 (Mary Smith)

¹⁰ TAHO, LC208/1/3 p.392 (Mary Smith)

¹¹ TAHO, LC208/1/3 p.413 (Mary Smith & Sarah Davis)

¹² *Hobart Town Courier*, 20 October 1843 p.4 (Leonard Turner)

¹³ Leonard Turner was transported for 14 years on the *Sarah* in 1837, tried at Norfolk Quarter Sessions on 29 June 1836 for stealing a boiler; single, farm labourer, aged 19, native place Tacklestone, Norfolk; Ticket of Leave 13 October 1843, Conditional Pardon 29 September 1846 (TAHO, CON31/1/44 p.24 No.1023 [image 26] (Leonard Turner), TAHO, CON18/1/20 [image 64] (Leonard Turner)).

¹⁴ TAHO, CON52/1/2 p.199 (Leonard Turner & Mary Smith 443)

¹⁵ *Hobart Town Gazette*, 12 January 1844 p.48; 19 January 1844 p.83; 26 January 1844 p.119; 2 February 1844 p.178 (Leonard Turner & Mary Smith)

¹⁶ TAHO, RGD37/1/4 1844/1447 Hamilton (Leonard Turner & Mary Smith)

¹⁷ TAHO, LC208/1/4 p.135 (Mary Smith)

¹⁸ TAHO, LC208/1/4 p.147 (Mary Smith)

¹⁹ TAHO, LC208/1/4 p.156 (Mary Smith)

²⁰ TAHO, LC208/1/4 p.156 (Leonard Turner)

21 February 1845	Ticket of Leave granted; gazetted 25 February. ²¹
27 May 1845	Husband Leonard Turner recommended for a Conditional Pardon for the Australian Colonies. ²²
12 December 1845	Husband Leonard Turner charged with misconduct; sentence 10 days in solitary confinement; ticket-of-leave holder. ²²
23 December 1845	At Hamilton. ²³
29 December 1845	Charged at the Police Court, Hamilton with stealing a watch the property of Mary Ward; discharged as Mrs Ward states she gave the watch to Mary Smith to take care of. ²⁴
24 January 1846	Charged at the Police Court, Hamilton by Constable Thomas Francis with misconduct in being in a public house tipping; plea guilty; verdict guilty; admonished. ²⁵
28 February 1846	Charged at the Police Court, Hamilton by Ann Lovell with a common assault in assaulting and beating her at Hamilton on 21 January; witnesses Ann Lovell, Israel Smith and evidences; plea not guilty; verdict guilty; sentence 2 months hard labour at Cascades Female Factory, Hobart. ²⁶ Husband Leonard Turner charged with the same offence; sentence 1 month hard labour with imprisonment out of chains at the New Wharf, Hobart. ²⁶
29 September 1846	Husband Leonard Turner approved for a Conditional Pardon for the Australian Colonies. ²²
2 December 1846	At Hamilton. ²³
1 February 1847	Charged at the Police Court, Hamilton by Constable W Reeves with misconduct in being drunk and out after hours on 30 January; plea guilty; verdict guilty; sentence 4 months hard labour with imprisonment at Cascades Female Factory, Hobart. ²⁷
31 September 1847	At Hamilton. ²³
27 October 1847	At Hamilton. ²³
21 March 1848	Charged with misconduct in the service of Cleburne; discharged and returned to Brickfields Hiring Depot, Hobart. ²³
3 July 1848	Application for a Conditional Pardon; to apply again in 6 months. ²⁸
28 December 1848	Application for a Conditional Pardon. ²³
23 January 1849	Recommended for a Conditional Pardon. ²³
5 February 1850	Conditional Pardon approved. ²³
1 February 1851	Free by servitude ²³
2 April 1851	Certificate of Freedom issued. ²³

Notes

- Mary's husband may be the Leonard Turner who departed Hobart for Melbourne on 22 September 1852 as a steerage passenger on the *William Melville*.²⁹

²¹ *Hobart Town Gazette*, 25 February 1845 p.234 (Mary Smith 3rd 443)

²² TAHO, CON31/1/44 p.24 No.1023 [image 26] (Leonard Turner)

²³ TAHO, CON40/1/10 p.49 No.443 [image 52] (Mary Smith)

²⁴ TAHO, LC208/1/4 p.345 (Mary Smith)

²⁵ TAHO, LC208/1/4 p.352 (Mary Smith)

²⁶ TAHO, LC208/1/4 p.363 (Mary Smith & Leonard Turner); TAHO, CON31/44 p.24 No.1023 [image 26] (Leonard Turner)

²⁷ TAHO, LC208/1/4 p.486 (Mary Smith)

²⁸ TAHO, CON47/1/1 (Mary Smith 443)

²⁹ TAHO, CUS36/1/552 (Leonard Turner)