

## No Memorial

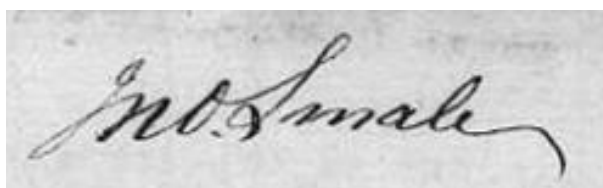
### John SMALE - buried 5<sup>th</sup> June 1818 Mary Ann SMALE - buried 13<sup>th</sup> April 1812

**John Smale** was buried in the Dissenters' Graveyard on 5<sup>th</sup> June 1818 aged 45.<sup>1</sup> He had written his will earlier that year leaving to his "*dear and beloved wife*" all his household furniture, plate, linen, china, printed books and pictures. His brother William and his sisters Mary, the wife of Walter Friend of Holsworthy, Ann Smale, Susannah, the wife of John Tarr of Moretonhampstead, and Elizabeth Smale were to receive five pounds each "*as a token of my brotherly regard*". The sum of £1200 was put in the hands of his trustees, William Benjamin Kennaway and Charles Bowring, so that his son, also called John, could complete his education and be provided with a situation as an apprentice.<sup>2</sup>

No baptism has been found for John Smale but his age at death implies a birth date of around 1773. Tracing the lives of his siblings indicates that they were the children of Robert Smale, a serge-maker, and Mary Germon, who had married in Moretonhampstead in 1768.<sup>3</sup>

John had moved to Exeter by 1803 when he was recorded on a list of those eligible to serve in the Militia. He was then living in Holy Trinity parish and working as a fuller.<sup>4</sup>

On 29<sup>th</sup> April 1804 John Smale married Ann Mardon at Holy Trinity church in Exeter.<sup>5</sup> Ann had also come from Moretonhampstead and was the daughter of John Mardon.



**Signature of John Smale from his marriage bond 1804<sup>6</sup>**

John and Ann lived in Holloway Street, Exeter and their first child, John, was born on 16<sup>th</sup> January 1805 and baptised at Bow Meeting on 17<sup>th</sup> February. Five years later they had a daughter, **Mary Ann**, who was born on 14<sup>th</sup> August 1810 and baptised at Bow Meeting on 9<sup>th</sup> September. Mary Ann died aged 20 months and was buried in the Dissenters' Graveyard on 13<sup>th</sup> April 1812.<sup>7</sup>

John's widow Ann survived him by over twenty years, dying aged 65 in January 1839. The *North Devon Journal* reported her death:

*"On the 1<sup>st</sup> inst., at No.6 Baring-Place, Exeter the residence of her only son, Mrs Ann Smale, aged 65, relict of the late Mr. John Smale, of Holloway-Street."*<sup>8</sup>

John and Ann's son John was educated at Manchester College in York, which was a dissenting academy. Returning to Exeter he trained as a solicitor and was an articled clerk to William Bowring from 1823 until Bowring's death in 1827, after this he was articled to George Ponsford Luke.<sup>9</sup> He then studied at the Inner Temple and was called to the Bar in 1842. He was a partner in the firm of Messrs Tyrell, Barton and Smale in Exeter for several years and was appointed Attorney General for Hong Kong in 1860, becoming Chief Justice there in 1866.<sup>10</sup> He was knighted in 1874 and died in London in 1882 and was buried in Highgate Cemetery.

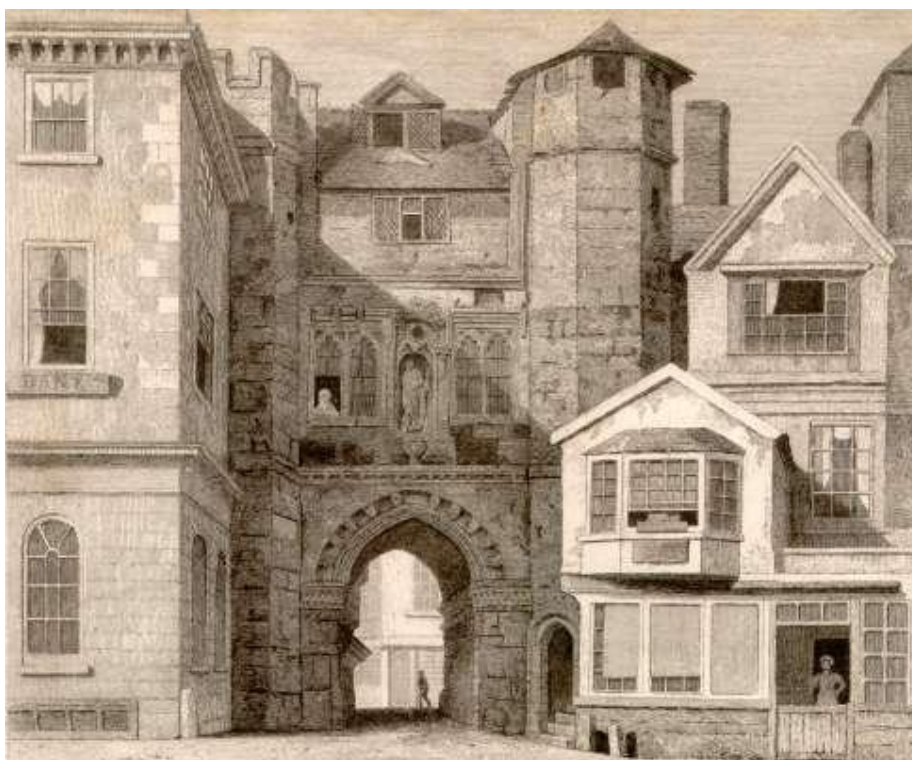
John Smale (senior) had four sisters and a brother as mentioned in his will; Susannah, Elizabeth (usually referred to as Eliza), Ann, William and Mary.

Susannah was baptised at Cross Meeting, Moretonhampstead in 1781<sup>11</sup> and married John Tarr (also known as John Torr) on 4<sup>th</sup> October 1817 at St Martin's church, Exeter. The witnesses were her brother John and sister Eliza.<sup>12</sup> John Torr was an ironmonger when they married but later became a farmer at Wreyland, when he died in 1870 he was styled as a gentleman. Susannah died in 1866 and was buried at the Cross Street Chapel in Moretonhampstead. The inscription on her gravestone reads:

*"To the memory of Susanna daughter of the late Robert Smale of Moreton, and the wife of John Torr of Wreyland. Died at Wreyland 1<sup>st</sup> April 1866 aged 84. Also of the above named John Torr who died at Wreyland on the 26<sup>th</sup> March 1870 aged 80."*<sup>13</sup>

They had one son, John Smale Torr, who was born in 1818. He was articled as a clerk to his cousin John Smale in 1834, then moved to London and practised as a solicitor there. He married twice and one of his sons, Cecil Torr, was the author of "Small Talk at Wreyland".

Elizabeth (or Eliza) Smale was baptised on 1<sup>st</sup> December 1785 at Cross Meeting, Moretonhampstead. During the 1820's she was the proprietor of a pastry shop and confectioners adjacent to Broadgate in Exeter's Cathedral Yard. <sup>14</sup>



**South View of the Broadgate at Exeter by F. Nash after J. Farington. c. 1822<sup>15</sup>**

In the 1820s it was proposed that Broadgate be taken down; the local newspapers printed many letters on the subject including this one in the *Exeter Flying Post* on 31<sup>st</sup> July 1823 which mentions Eliza Smale's shop:

“Mr. Editor

*In contemplating the result of the improvements now making in the streets of the city of Exeter, none affords more gratification than the intended enlargement of the opening from the High-street into the Cathedral-yard, at Broadgate, and it is to be hoped that the line of buildings on the southern side will be made from the corner of Mr. Cox's shop, to meet the City Bank close within the gate house, making a parallel line on the opposite side against Messrs. Clark and Smale's premises, leaving the space not less than 23 or 24 feet wide between the houses, whereof 4 feet on each side to be footways, and the residue, 15 or 16 feet, for horse and carriage way, by which plan the front shop of Mr. Clark's will not be affected, and probably some equivalent may remain of Miss Smale's premises that might be given up for what would require to be cut away from Clark's back rooms. Another grand object would be hereby obtained—a view of St. Peter's Cathedral from the High-street, which would be less conspicuous, if the opening is contracted at Cox's corner, and if the whole of Smale's front towards the yard is not thrown open to the street. If the front of Mr. Cox's house was cut back in a line with Mr. Lee's, it would be a further improvement.*

*A Public Accommodator.”*<sup>16</sup>

The business was taken over in the late 1820s by Sarah Mardon, who married James Murch in 1833. It continued to be run by their family into the 20<sup>th</sup> Century, becoming Tinley's in the 1930's and is now (2024) a branch of Pizza Express.<sup>17</sup> There may have been a family connection between Eliza Smale and Sarah Mardon; Sarah was born in Moretonhampstead in 1795 and it is possible that her father, George, was a brother of John Smale's wife Ann Mardon.

Eliza Smale died on 24<sup>th</sup> March 1840; her death was reported in the *Western Times* on 4<sup>th</sup> April:

*“On the 24<sup>th</sup> ult., at Moretonhampstead, after a lingering illness, aged 54, Miss Eliza Smale, formerly of the Cathedral Yard, in this City, confectioner, and youngest daughter of the late Mr. Robert Smale, of the former place, sergemaker.”*<sup>18</sup>

Ann Smale, who was baptised at Cross Meeting, Moretonhampstead on 4<sup>th</sup> February 1779 and her brother William (who was born c1774 but for whom no baptism has been found) seem not to have married and to have spent most of their lives in Moretonhampstead. In 1851 they were living together in Forder Street; William was a retired farmer.<sup>19</sup> William died on 15<sup>th</sup> January 1855 and Ann on 2<sup>nd</sup> January 1865; they were buried at Cross Street Chapel.<sup>20</sup>

Mary Smale married Walter Friend, who was a watchmaker and silversmith, on 6<sup>th</sup> February 1801 at Holsworthy<sup>21</sup> and they had nine children. Mary died aged 46 in 1820 and was buried at Cross Street Chapel, Moretonhampstead.<sup>22</sup>

## **Sarah Taylor**

October 2024

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<sup>1</sup>England and Wales, Non-Conformist and Non-Parochial Registers. RG4 965. Accessed on [www.ancestry.co.uk](http://www.ancestry.co.uk)

<sup>2</sup>Precis of Will of John Smale 1818. Records of the Prerogative Court of Canterbury PROB 11; 1606. Accessed on [www.ancestry.co.uk](http://www.ancestry.co.uk)

<sup>3</sup>Devon Marriages and Banns. Southwest Heritage Trust. Accessed on [www.findmypast.co.uk](http://www.findmypast.co.uk)

<sup>4</sup>Transcription of Militia List 1803, Parish of Holy Trinity, Exeter. Accessed on [www.genuki.org.uk](http://www.genuki.org.uk)

<sup>5</sup>Devon Marriages and Banns. Southwest Heritage Trust. Accessed on [www.findmypast.co.uk](http://www.findmypast.co.uk)

<sup>6</sup>Marriage Bond of John Smale and Ann Mardon. "England, Devon and Cornwall Marriages, 1660-1912", , *FamilySearch* (<https://www.familysearch.org/ark:/61903/1:1:QGY9-TMY5> : Fri Mar 08 22:34:46 UTC 2024), Entry for John Smale and Ann Mardon, 23 Apr 1804.

- <sup>7</sup>Both baptisms and burial of Mary Ann: England and Wales, Non-Conformist and Non-Parochial Registers. RG4 965. Accessed on [www.ancestry.co.uk](http://www.ancestry.co.uk)
- <sup>8</sup>North Devon Journal 3<sup>rd</sup> January 1839. Accessed at [www.findmypast.co.uk](http://www.findmypast.co.uk)
- <sup>9</sup>UK Articles of Clerkship. Series II, Class KB 106, Piece 13. Accessed at [www.ancestry.co.uk](http://www.ancestry.co.uk)
- <sup>10</sup>Obituary in Exeter and Plymouth Gazette 18<sup>th</sup> August 1882. Accessed at [www.findmypast.co.uk](http://www.findmypast.co.uk)
- <sup>11</sup>Susannah's baptism and those of her siblings at Cross Meeting, Moretonhampstead: England and Wales, Non-Conformist and Non-Parochial Registers. RG4 444. Accessed at [www.ancestry.co.uk](http://www.ancestry.co.uk)
- <sup>12</sup>Devon Marriages and Banns. Southwest Heritage Trust. Accessed on [www.findmypast.co.uk](http://www.findmypast.co.uk)
- <sup>13</sup>Graves and Memorials in the Unitarian Graveyard in Cross Street; [www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/](http://www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/)
- <sup>14</sup>[www.exetermemories.co.uk](http://www.exetermemories.co.uk)
- <sup>15</sup>South View of the Broadgate at Exeter. Copper line engraving by F.Nash after J Farington. 1822. South West Heritage Trust. <https://www.library-cat.swheritage.org.uk/archive/sc0898-DA4713>
- <sup>16</sup>Exeter Flying Post 31<sup>st</sup> July 1823. Accessed at [www.findmypast.co.uk](http://www.findmypast.co.uk)
- <sup>17</sup>[www.exetermemories.co.uk](http://www.exetermemories.co.uk)
- <sup>18</sup>Western Times 4<sup>th</sup> April 1840. Accessed at [www.findmypast.co.uk](http://www.findmypast.co.uk)
- <sup>19</sup>1851 England Census. Class HO107, Piece 1871, Folio 58, Page 6, GSU Roll 221019. Accessed at [www.ancestry.co.uk](http://www.ancestry.co.uk)
- <sup>20</sup>Graves and Memorials in the Unitarian Graveyard in Cross Street; [www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/](http://www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/)
- <sup>21</sup> England, Select Marriages, 1538–1973. Accessed at [www.ancestry.co.uk](http://www.ancestry.co.uk)
- <sup>22</sup>Graves and Memorials in the Unitarian Graveyard in Cross Street; [www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/](http://www.moretonhampstead.org.uk/glimpses-of-the-past/non-conformist-chapels/)