



Staff Sergeant Frank Seymour Smith



Played with Adelaide University



Football Club – A Grade (1911 & 1912)

Intervarsity Football (1910, 1911 & 1913)

Degree – LLB (1914)

Background

Coinciding with the Centenary of Anzacs our incentive behind the series of biographical publications is the Adelaide University Football and Cricket Club's desire to honour our players who served in the Great War (1914 - 1918). These brave men put on hold their academic, professional and sporting careers for King and Country in the name of peace and freedom. The AUFC/AUCC WW1 Memorial Committee is endeavouring to identify every one of our players who served and prepare life stories on all. This is to ensure their sacrifices and further contributions to society will be recognised by future generations.

On Anzac Day 2015, the Centenary of the Gallipoli landing, a memorial plaque was unveiled on the Adelaide University Oval Pavilion and this was followed by the erection of a picket fence between the pavilion and the scoreboard with each picket bearing a plaque with the name of an AUFC/AUCC player who served.

The following documentation relates to the life of Frank Seymour Smith. It is compilation of information and photographs collected from a variety of historical sources.

The AIF Project

<https://aif.adfa.edu.au/showPerson?pid=279386>



Frank Seymour SMITH

Regimental number	62143
Place of birth	Semaphore South Australia
Religion	Church of England
Occupation	Barrister
Address	North Adelaide, South Australia
Marital status	Married
Age at embarkation	32
Next of kin	Wife, Mrs C J Smith, c/o Mrs Temme, Mitcham, South Australia
Enlistment date	30 April 1918
Rank on enlistment	Private
Unit name	1-6 (SA) Reinforcements
AWM Embarkation Roll number	23/111/4
Embarkation details	Unit embarked from Adelaide, South Australia, on board SS <i>Gaika</i> on 6 August 1918
Rank from Nominal Roll	Staff Sergeant
Unit from Nominal Roll	43rd Battalion
Fate	No details entered on Nominal

Service Record

<https://recordsearch.naa.gov.au/SearchNRetrieve/Interface/ViewImage.aspx?B=1774938>

Final leave from 18-7-18 To 25-7-18

CERTIFIED TRUE COPY

A. F. H. HARRIS

AUSTRALIAN MILITARY FORCES.

AUSTRALIAN IMPERIAL FORCE.

Attestation Paper of Persons Enlisted for Service Abroad.

No. 62143 Name { Surname SMITH
in full { Christian Name FRANK SEYMOUR
Unit 4th Gen. Rgt. "S" UK 465
Joined on 30 Apr 1918 Laos 18th Bn.

Questions to be put to the Person Enlisting before Attestation.

You are hereby warned that if after enlistment it is found that you have given a wilfully false answer to any question set forth in this Attestation Paper, you will be liable to be tried for the offence.

- What is your Name? Frank Seymour Smith
- In or near what Town were you born? Pay Book No. 703630
In or near the Town of Synaphone
In the State or Country of South Australia
- Are you a natural born British Subject or a Naturalized British Subject? (N.B.—If the latter, papers to be shown.) Natural Born
- What is your Age? (Date of birth to be stated) 32 1/2 years
2nd Feb. 1886
- What is your Trade or Calling? Barman
- Are you, or have you been, an Apprentice? If so, where, to whom, and for what period? NO
- Are you married, single, or widower? Married 1 Child
- Who is your next of kin? (Address and relationship to be stated) (wife) SMITH CORA JEAN.
26 MELBOURNE ST. N. ADELAIDE
SOUTH AUSTRALIA.
- What is your permanent address in Australia? 176 North St
Adelaide SA 9
26 MELBOURNE ST. N. ADELAIDE
SOUTH AUSTRALIA.
- Do you now belong to, or have you ever served in, His Majesty's Army, the Marines, the Militia, the Colonial Reserve, the Territorial Force, Royal Navy, or Colonial Forces? If so, state which, and if not now serving, state cause of discharge
- Have you stated the whole, if any, of your previous service?
- Have you ever been rejected as unfit for His Majesty's Service? If so, on what grounds?
- (For married men, widowers with children, and soldiers who are the sole support of widowed mother)—Do you understand that no separation allowance will be issued in respect of your service beyond an amount which together with pay would reach ten shillings per day?
- Are you prepared to undergo inoculation against small pox and enteric fever?

Have you ever suffered from—		
10. NO	13a. (i.) Consumption or Tubercular Disease, or Chronic Cough?	NO
11. YES	(ii.) Fits of any kind?	NO
12. NO	(iii.) Rheumatism or Asthma?	NO
	(iv.) Mental or Nervous Disease?	NO
13. YES	(v.) Has any member of your family suffered from any of the above diseases? If so, state particulars	NO
14. YES		

I, Frank Seymour Smith, do solemnly declare that the above answers made by me to the above questions are true, and I am willing and hereby voluntarily agree to serve in the Military Forces of the Commonwealth of Australia within or beyond the limits of the Commonwealth.

And I further agree to allot not less than two-fifths of the pay payable to me from time to time during my service for the support of my wife + three-fifths of the pay payable to me from time to time during my service for the support of my wife and children.

Date 30 APR 1918

F. Seymour Smith
Signature of Person Enlisted.

* This clause should be struck out in the case of unmarried men or widowers without children under 16 years of age.
† Two-fifths must be allotted to the wife, and if there are children three-fifths must be allotted.

D.349/4.37.—C.2814.—20M.

Biography

Early Life

Frank Seymour Smith was born at Semaphore on the 2nd of February 1886, the son of Thomas George Smith and Clara May Hopkins. He was the fifth of eight children. Thomas passed away aged 60 years in December 1909 when Frank was aged just 23. Thomas had been a tailor at Port Adelaide and was a big fan of the Port Adelaide Football Club and its Chairman from 1880 - 1882.

In 1896, Frank S. Smith, aged 10, became member number 3731 in "the Adelaide Observer" newspaper's children's column. His address at that time was Finniss Street, North Adelaide. From an early age Frank was involved in swimming competitions. In March 1900, aged 14 he won the championship at the public schools' carnival.



In February 1901, Frank won the 100 yards for boys under 16 at the Glenelg Amateur Swimming and Water Polo Club Carnival. He was considered to be a 'prominent swimmer' in February 1903.

In March 1901 Frank came second in the Our Boys' Institute Camp elocutionary competition with his piece entitled "Boys' Rights", however he eventually was given the prize as the boy who originally gained first place was over the age limit for the competition.

Schooling

Frank did his early schooling at the North Adelaide Public School but went on to complete his Senior Examinations in three stages, passing History and Physical Geography and Geology under the private tutorship of Mr. G.G. Newman in March 1907, English in December 1908, and Latin and Physiology in March 1909 (again under Mr. G.G. Newman).

In 1904, aged 18, Frank was an official at the Glenelg Swimming Carnival and was playing football for the Albion Club.

Early Career

It is unclear when Frank commenced working, however it may have been as early as 1907, as he completed his Senior Examinations part-time. Frank was required to have passed Senior Latin before he could become an articled clerk. He appears to have become an articled clerk with Kenny and Smith in about April 1909. This is based on later reports in 1914 where F. Villeneuve Smith applied to the court on Frank's behalf regarding the date he could be admitted to the bar (articles for a law clerk took five years at that time). From early 1909, Frank's name begins to appear in the papers as F. Seymour Smith and F Seymour-Smith to avoid confusion with F.V. Smith.

In 1909 Frank played football for South Adelaide II in the South Australian Association and it is likely that he played for them in 1910 as he was referred to as "ex South Adelaide" when he joined the Adelaide University team in 1911.

Adelaide University

Frank commenced studying law subjects at Adelaide University in 1910. From early in 1910, he was appearing in court on behalf of F.V. Smith. Frank gained his Final Certificate in Law¹ in 1914.

Frank competed in the 50 yards Handicap at the South Australian Amateur Swimming Carnival and ran the 100 yards open handicap at the Y.M.C.A. interstate tournament, both held in March 1910.

Frank married Cora Jean McHugh (aged 23), the daughter of George Thomas McHugh at the Church of the Epiphany, Crafers on the 30th of June 1913 and the couple's daughter, Constance May Smith was born on the 20th of November 1913.

University Sport

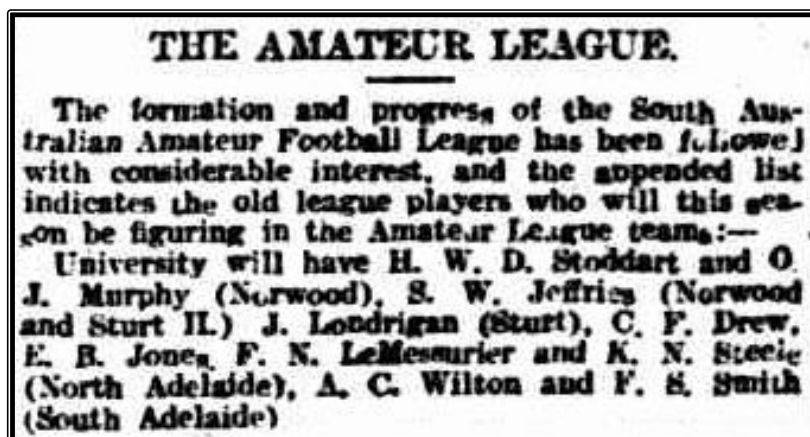
Rowing

In January 1910, Frank represented the Adelaide University Rowing Club in the Inter-Rowing Club Handicap (50 yards) and the Inter Clubs Teams' Race at the annual Adelaide Rowing Club swimming races at the Glenelg Baths.

Football

Frank represented Adelaide University at the Intervarsity matches against Melbourne University in 1910, 1911 and 1913.

When the Amateur League was formed in 1911, Frank began playing for Adelaide University and represented them in both 1911 and 1912. He was a member of the Club's first two premiership teams. Frank generally played on the wing and sometimes in the centre.



¹ The Final Certificate in Law was an alternative qualification to a Law Degree (LLB) to gain admission to the Bar. The Articled Clerk had to complete the relevant law subjects part-time, while completing five years of practical experience at a law firm.

In 1911 Frank represented the Amateur League in a match against the Gawler Association and in 1912 he played for Adelaide University in a match against St Peter's College.

1910 INTER-VARSITY TEAM



BACK ROW: Boundary Umpire, H.B. Willsmore, S.W. Matters, S.W. Jeffries, J.W. Blacket, L.A. Hayward, A.C. Wilton, L.H. Haslam, Boundary Umpire.
MIDDLE ROW: L.W. Davies, O.J. Murphy, E.B. Jones (Vice-Captain), H.W.D. Stoddart (Captain), J.W. Londrigan, C.F. Drew, W.W. Cooper.
FRONT ROW: K.A. McCarthy, F.S. Smith, W. Plunkett (Central Umpire), F.N. Le Messurier, K.N. Steele.

F.S. Smith – Front Row – Second from Left

UNIVERSITY TEAM PREMIERS 1911



Back Row - C. F. Pitcher, F. Schmidt, J. Symon, R. Badger, E. L. Baylis, A. E. Kain, L. G. Caust, A. C. Wilton, K. N. Steele, H.B. Willsmore, L. J. B. Hurley, S. D. Ronald, and L. A. Hayward
Middle Row - J. J. Forrester (trainer), S. W. Jeffries, C. F. Drew, H. W. D. Stoddard, T. N. Le Messurier, E. B. Jones, and T. Margitich (Trainer)
Front Row - C. G. H. McDonald, A. Williams, F. Seymour-Smith, B. Coleman (Umpire), W. J. E. Phillips, T. Williams, and W. W. Cooper

F.S. Smith – Front Row – Third from Left

Pre-War Career

Frank was admitted to the bar on the 1st of August 1914.

Mr. Frank Seymour Smith was admitted to the Bar to-day. Mr. F. V. Smith, who moved the motion, referred to the new solicitor's energy, perseverance, and determination. His Honor Mr. Justice Gordon wished Mr. Smith every success. The latest practitioner completed his studies at the Adelaide University, and was an articled clerk in the office of Messrs. Denny and Smith.

Frank was a member of the Literary Societies' Union and was elected a member of their parliament in October 1914 and by March 1915 he was the Honorary Solicitor for the National Coursing Club.

1915



F.S. Smith

In June 1915 Frank competed in a rifle match between the Adelaide Women's Rifle Club and the Law Rifle Club, fired on the School of Mines miniature range.

The Lawyer's Team



F.S. Smith – Front Row – Second from Left

Back: Messrs. A. B. Hardy, Geo. Gunson, C. T. Bray, W. S. Bright, C. T. Hargrave, E. Benham, S. H. Skipper.

Front: Messrs. C. A. Edmunds, F. S. Smith, N. A Webb, H. V. Rounsevell, Geo. McEwin, Angus Parsons.

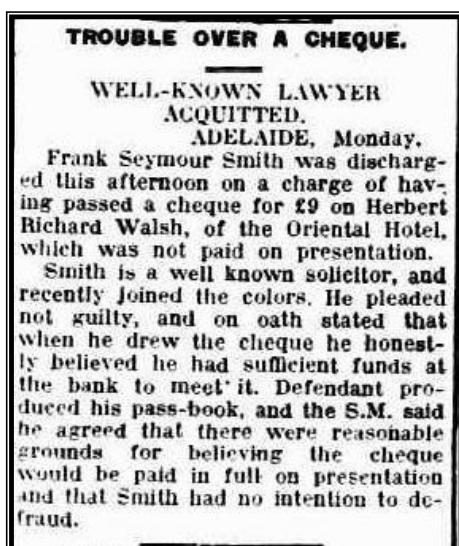
In November 1916, Frank was living at the Esplanade, Henley Beach when he ran for election to the Henley Beach Council; he failed to gain election. Frank was Honorary Solicitor for the SA Amateur Swimming Association.

In about March 1917, Frank and Cora's son, Maxwell Seymour Smith was born. Tragically, Maxwell passed away on the 9th of October 1917 aged just 7 months.

World War I Service

On the 30th of April 1918, Frank enlisted for service in WWI (SN 62143). He was just over 32 years of age, 5'5", 155 lbs, with a medium complexion, brown eyes and dark hair.

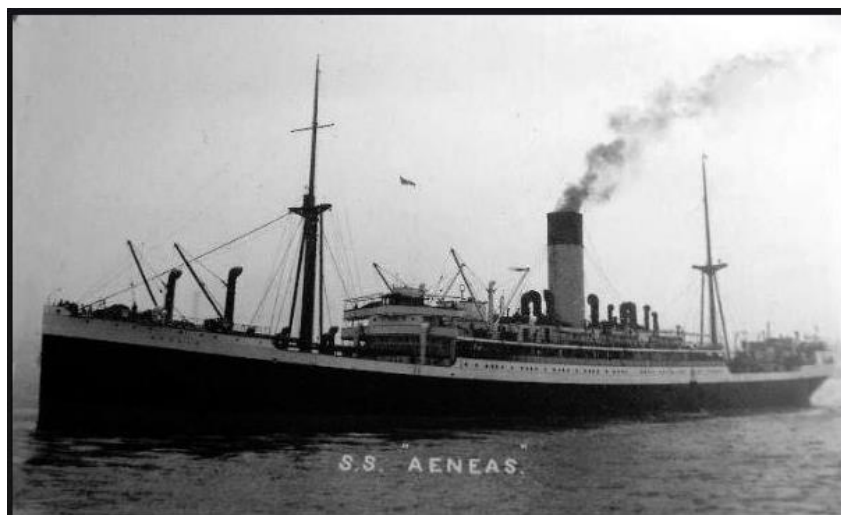
After he enlisted, Frank got into difficulty over a passing a cheque which was dishonoured. He was found not guilty of fraud shortly before his embarkation date.



He embarked from Adelaide, South Australia, on board *SS Gaika* on 6 August 1918 and disembarked in London on the 13th of October 1918. Frank was allocated to the 43rd Battalion from the 9th Training Battalion but was still in Depot in the UK when hostilities ceased. He served at Tidsworth and Codford.

Tragedy struck the Smith family while Frank was still serving overseas, his youngest brother, Murray Albion Smith died on the 15th of May 1919, aged 24 and twenty-three days later another brother Everard George Smith died on the 7th of June 1919, aged 31 at the Isolation Hospital, Adelaide. This was at the height of the Infuenza Pandemic.

Frank served in France from July to September 1919 and was promoted to Staff Sergeant. Frank returned to Australia on the *HMAT A60 Aeneas* and was discharged on the 30th of January 1920.



Post War Career & Family Life

In January 1920, Frank resumed his practice as a barrister and Solicitor at Brookman's Buildings (Ground Floor), Grenfell Street, Adelaide. By November 1921, Frank was practicing in partnership with Ralph Frederic Newman under the firm name of F. Seymour Smith & Newman. This partnership was dissolved in February 1922.

On the 19th of May 1923, Frank's elder sister, Zoe Francis died, aged 44.

In June 1923, an application was made before the Full Court to strike the name of F. Seymour Smith off the roll of practitioners of the Supreme Court following a charge of unprofessional conduct. Frank had failed to remit funds to a client which he had collected on her behalf. Frank claimed that the death of his sister and some other troubles had unsettled him. Years later he stated that 'he had had great domestic worries on account of sickness and death in his family and as a result he sought relief in drink and neglected his practice.' Frank was struck off the roll on the 9th of July 1923.

Things then went from bad to worse for Frank, as several people came forward to claim that Frank had written them cheques on a non-existent bank account. Frank was arrested at Brighton and granted bail, he failed to appear in court, and was arrested at Broken Hill. He was later sentenced to imprisonment.

STRUCK OFF THE ROLL.

"Unprofessional Conduct."

Mr. T. S. O'Halloran, as counsel for the Law Society, submitted a motion in the Full Court on Monday, presided over by the Chief Justice (Sir George Murray, Mr. Justice Gordon, and Mr. Justice Angus Parsons), asking the Court to order that the name of Frank Seymour Smith should be struck off the roll of practitioners of the Supreme Court. Mr. Smith did not appear, and was not represented.

Mr. O'Halloran said that substituted notice of the motion had been served on the practitioner, in the manner authorized by the Court. The subject of complaint appeared in a letter signed by Gladys Mortimer, which had been referred by the council of the Law Society, to the statutory committee for investigation. The enquiry was held on May 21, when Mr. Smith was not present, and was adjourned until June 1, and again until June 5. On the two latter occasions Mr. Smith attended, and acknowledged that he had perused the notes of the evidence taken on May 21, and he consented to the statutory committee proceeding as if he had been present at the first hearing. The following members of the statutory com-

mittee were present at those enquiries:— Messrs. A. W. Piper, K.C. (Chairman), J. M. Napier, K.C., G. M. Evan, and P. E. Johnstone. Their report found the following facts proved by the evidence:— (a) That the petitioner was on December, 1922, at Port Adelaide, authorized by Gladys Mortimer, as her solicitor, to receive for her a weekly sum of £1 10/ as money payable to her by her husband, John Mortimer, for her maintenance. (b) That Gladys Mortimer instructed the practitioner and he promised to remit fortnightly to Gladys Mortimer at her address in or near Melbourne, Victoria, the moneys which he should receive pursuant to the authority so given to him. (c) That the practitioner received from John Mortimer's solicitor, in payment of the moneys payable to Gladys Mortimer for her maintenance, £18 in all, on dates and in sums specified from December 2, 1922, to March 19, 1923. (d) That the practitioner did not forward the £18 or any part thereof to Gladys Mortimer, and had not at any time paid her or accounted to her for the same or any part thereof. (e) That the omission of the practitioner to forward and pay the moneys to Gladys Mortimer was without any justification or excuse.

The statutory committee found and reported the practitioner to be guilty of unprofessional conduct in not paying to Gladys Mortimer the moneys amounting to £18 which he had received as her solicitor and on her behalf.

On this report Mr. O'Halloran moved that the name of Frank Seymour Smith be forthwith struck off the roll of practitioners of the Supreme Court.

An order was made in the terms of the motion, and costs against the practitioner were ordered.

EX-SOLICITOR SENT TO GAOL.

The case in which Frank Seymour Smith (37), ex-solicitor, of Port Adelaide, was charged with having unlawfully obtained £4 from David Christie, licensed victualler, of Brighton, on June 25, by means of a valueless cheque on the Commercial Bank of Australia, Limited, at Glenelg, was finally disposed of before Messrs. J. W. Yeatman and J. A. V. Brown in the Brighton Police Court on Wednesday morning. Smith previously was granted an adjournment on bail for three days, but he absconded. He was arrested on a warrant by the Broken Hill police, and was brought back to Brighton by M.C. Murphy (Brighton).

When the case was called on yesterday, Smith pleaded not guilty, and applied for an adjournment until to-day. The Court refused the application, whereupon he changed his plea to "guilty." M.C. Murphy, who prosecuted, said the cheque was paid by Smith to Mr. Christie for board and lodging, and accused assured him it was all right. It was subsequently found that Smith had no account at the bank. The Court ordered 30 days' imprisonment, with hard labour, in the Adelaide Gaol.

At the Port Adelaide Police Court subsequently, before Mr. G. W. Halcombe, S.M., Smith was charged, on the information of Inspector J. E. Noblet, with having, on June 20, at Port Adelaide, unlawfully obtained from E. P. Bowler and E. P. Shaw (trading as Bowler & Shaw),

tailors and outfitters, of Port Adelaide, a pair of gents' underpants, a singlet, and two handkerchiefs, valued at £1 9/6, and money to the amount of £1 10/6 by passing a valueless cheque drawn on the Commercial Bank of Australia, Limited, Port Adelaide, for the sum of £3. The defendant pleaded guilty. Ernest Percival Shaw stated that the defendant came to his shop in Commercial road, Port Adelaide, at 3.30 p.m. on June 20, and purchased the articles mentioned in the information. He tendered a cheque on the Commercial Bank for £3. Witness gave him 30/6 change. The cheque was paid in through the Commonwealth Bank, and was returned marked "no account."

The defendant said he had been exceedingly foolish. The loss of a loved sister, and other trouble, had unsettled him. He had been working in conjunction with the office of Messrs. Dempster and Dempster, who had business with the Commercial Bank. He had intended to practice in the Port entirely on his own account, and when he issued the cheque he had intended to open an account at the Commercial Bank. He had issued another small cheque for £4, for which he had been sentenced to 30 days' imprisonment at the Brighton Court that morning. When he had served the sentence to be imposed he would do his utmost to reimburse Messrs. Bowler & Shaw. There was one boon he would ask the Magistrate, and that was that in sentencing him he would refrain from comment.

The S.M. said he would gladly comply with the request, for the position was a very painful one to him. A sentence of two months' imprisonment was ordered.

Further tragedy struck Frank when his wife Cora Jean passed away on the 7th of January 1924 at North Terrace, Adelaide aged just 33. Frank and Cora's daughter, Constance, was aged just 11 when her mother passed away.

Frank left South Australia and was an auctioneer and estate agent in Victoria and he resided at 5 Campbell St, Sandringham, Victoria in 1924. He went to Queensland in 1925 and secured a position as manager of a large legal practice.

In December 1926, he returned to Melbourne and obtained a post as managing clerk for a well-known barrister and solicitor, a position he still held in December 1928 when he applied for restoration to the rolls.

As part of his case for restoration Frank claimed that 'His habits had been characterised by sobriety and industry, and for a considerable time he had been a total abstainer. He had made full redress and restitution to those whom he had wronged, and he now sought to have his name restored to the roll of practitioners of the Supreme Court in order that he might be permitted to apply to the Supreme Court of Victoria for admission to practice as a barrister and solicitor in that State.'

As part of the process for readmission the rolls, Frank was required to advertise in the newspapers. He was living at Crisp Street, Hampton, Victoria at the time. The readmission process however, established that Frank had not made full redress and restitution to those he had wronged in SA and he was not restored to the rolls.

"WICKED BLUFF"

READMISSION REFUSED

Case of Frank Seymour Smith

"A wicked bluff which nearly got through" was how Mr. T. S. O'Halloran, K.C., this morning described to the Full Court an application by Frank Seymour Smith for readmission to the South Australian Bar.

The application was refused.

Smith, who was formerly a practitioner of the Supreme Court of South Australia, has a business address at 327 Collins street, Melbourne, where he is a managing law clerk.

Sir George Murray (Chief Justice), Mr. Justice Richards, and Mr. Justice Piper were on the Bench.

The Law Society of South Australia, which had opposed the application, was granted costs. Mr. O'Halloran, with Mr. H. Frisby Smith, represented the society.

Mr. S. C. G. Wright, who appeared for applicant, stated that on account of certain matters Mr. G. C. Ligertwood, who had represented Smith, had returned his brief. He (Mr. Wright) has been instructed to ask for leave to withdraw the application.

"Deliberate Misrepresentation"

Mr. O'Halloran said that additional evidence had disclosed no fewer than half a dozen new matters, any one of which would have justified the necessity of at least suspension, and probably the removal of the name of applicant from the rolls had it still been on.

The conduct of Smith throughout had been a deliberate attempt to mislead everybody, and began with the barristers and solicitors he had induced to make affidavits on his behalf. Applicant had said that he had told the solicitors of the facts of the criminal charge respecting two cheques on which he had been sent to gaol, but later admitted that he had not told them the truth.

Applicant had misled those lawyers, and had attempted to mislead the court. He went further than that, because at the previous hearing he had instructed Mr. Ligertwood to tell the court that he owed no money in South Australia, whereas in 1923 he was approximately £600 in debt. Not one penny had been paid. That amount had been increased today by probably £150 to £200. Smith had deceived his counsel in regard to that, and had also again attempted to deceive the court.

"There is no reason," said Mr. O'Halloran, "why this man, who holds himself out to the court to be in receipt of £8 a week, who has bought £200 to £300 worth of law books, and £600 to £700 worth of furniture for his home, should not pay costs."

Mr. O'Halloran then put in two additional affidavits containing evidence in support of the objection by the Law Society to the application.

Cheque Dishonored

That of Archie Alexander Thornton, licensed land broker, of Alliance Building, Grenfell street, Adelaide, set out that on Wednesday, April 10, 1929, Smith called at his office and said, "I have been giving evidence respecting my application for restoration to the rolls. I am broke and have to be in court in Melbourne on Monday, but I have not a bob. Will you lend me some money to get back?"

Thornton said, "I do not feel like doing it. I have no money. Go to some of your other friends. I have been helping you for some time," Smith said, "You are the only one I can look to. I will give you my cheque. It will be met. I have £12 to my credit at the bank, and am having a good settlement on my arrival in Melbourne, which will give me ample funds to meet any cheque I give you."

Thornton said, "Do you assure me, on your honor, that if I do this for you there will be no humbug?" Smith replied, "I have never let you down. I will give you a bonus. You give me your cheque for £20 and I will give you mine for £22 10s. I will promise you, as a man, that the cheque will be met."

Thornton then drew a cheque for £17, and with £3 in cash handed it to Smith. The cheque for £22 10s drawn by Smith was returned dishonored, and he (Thornton) had not received any consideration in payment.

An affidavit of Minnie Jane Williams (formerly Uphill), widow, of 13 Lindley avenue, Prospect, stated that she had been a client of Smith when he was a solicitor. Smith had told her that he could invest £30 for her at 10 per cent. She paid him £50 and later a further £50. Subsequently Smith told her that he had never invested the money, but had retained it, treating it as a loan to himself. Later she assigned her claim for the £100 to Mr. F. G. Michell, solicitor of Adelaide, and received £30.

Mr. W. L. Stuart, Master of the Supreme Court, to whom the matter had been referred by the Full Court in April for enquiry, reported that the statement by applicant that the £150 lent to him (Smith) by Mr. R. J. Tapley was used to cover expenses when Smith had enteric fever was untrue. The Master also found that other statements made by Seymour Smith respecting banking accounts were false.

Frank had re-married by 1931. His second wife was Albertha Agnes "Bertha" Braid, a widow whose husband had died in 1919. Victorian electoral rolls show the couple living at 6 Gordon St, Mont Albert and Frank was described as a Company Manager. Frank was living in Melbourne when his sister, Zetta Emma passed away in June 1931.

At some stage the Frank and Albertha had a son, Frank (Jnr).

In 1932, Frank was back in South Australia and living at Largs Bay when he brought a case before the courts against his brother Claude Hopkins Smith regarding the estate of Emma Smith (their grandmother).

Brothers Again In Court

The case in which two brothers, Frank Seymour Smith and Claude Hopkins Smith, were concerned, and which was turned out by Mr. W. V. Ray, S.M., in the Adelaide Police Court and then by Mr. G. W. Halcombe, S.M., in the Port Adelaide Police Court, was again brought on, before Mr. E. M. Sabine, P.M., in the Adelaide Police Court yesterday.

Seymour Smith charged Claude Smith, whose place of business is in Gawler place, with having, on April 1, fraudulently converted to the use of Stella Willmott Deas, of Sydney, £3 10 received by him from E. Jemson, of Exeter. Mr. T. S. O'Halloran, K.C., appeared for the defendant.

After Mr. Seymour Smith had opened his case, which had reference to trust funds in an estate, Mr. E. M. Sabine, P.M., said—"I think it would be a waste of your time and mine, Mr. Smith, to go on with this case. This is not a matter for the Police Court. These proceedings should not have been brought here at all. I hold there is no case to answer, and the defendant is discharged."

Mr. Sabine made an order that nothing said in court which reflected on the defendant should be published. There was nothing in the opening to show fraud.

Frank was before the courts again in February 1936 for behaving offensively in a right-of-way off Semaphore Road.

FORMER SOLICITOR BEFORE COURT

Fine of 5/ Ordered

When Frank Seymour Smith, a former solicitor of Semaphore, appeared before Mr. Sanderson, S.M., in the Port Adelaide Police Court today on an adjourned charge of having behaved offensively in a right-of-way off Semaphore road, Semaphore, shortly after midnight on Saturday, he pleaded that the magistrate should dismiss the charge as trivial.

He said that he desired to avoid a conviction as one might seriously affect his proposed application to the Supreme Court of South Australia to have his name restored to the roll of solicitors.

"The offence is only venial, but I could not dismiss the complaint without a penalty," remarked Mr. Sanderson. He ordered a fine of 5/ with £1 costs, in default imprisonment for three days.

"In view of the circumstances I do not regard this as a matter of great moral indignation. I hope it does not stand in your light when you make your application," remarked Mr. Sanderson to defendant at the close of the case.

In November 1933, F. Seymour Smith was secretary of the Semaphore Progress and Ratepayers' Welfare Association and he was living at 70 Wills Street, Largs.

In 1937, F. Seymour Smith was living at Semaphore and involved in local council matters. F. Seymour Smith was secretary on the Lefevre's Peninsula Secession League, a group attempting to gain independence from the Port Adelaide Corporation and was standing as an anti-pre-selection Independent candidate for the Semaphore electorate. The final mention of Frank Seymour Smith in the South Australian papers relates to an August 1937 court case brought by a plumber against Frank Seymour Smith of Exeter for defaulting on a bill. The fragments of information in this paragraph appear to relate to Frank but cannot definitely be tied to him and conflicting evidence from the Victorian electoral rolls shows that in 1936 Frank was retired and he and Albertha Agnes were living at 3 McEvoy St, Kew Victoria.

World War II

In January 1940 Frank enlisted for service during WWI (SN V825860), his file is not yet open to the public however his wife Albertha Smith was named as his next-of-kin. Frank was living at 3 McEvoy St, Studley Park, Kew, Victoria in November 1940 when he wrote to the Department of Defence, requesting a copy of his discharge papers in relation to his WWI service.

3 McEvoy St.
Studley Park
Kew, E. H.
20-11-40.

To
O. C.
Base Records
Canberra.

C. 2595
25 NOV 1940

Sir,

would you cause to be forwarded to me a copy of my Discharge from the old A.I.F. My original Discharge - despite a most exhaustive search therefor - cannot be located and I require this copy for production at the Ministry of Munitions. If you will advise me of the cost I shall at once remit the fee to you. Thanking you for this courtesy.

Particulars

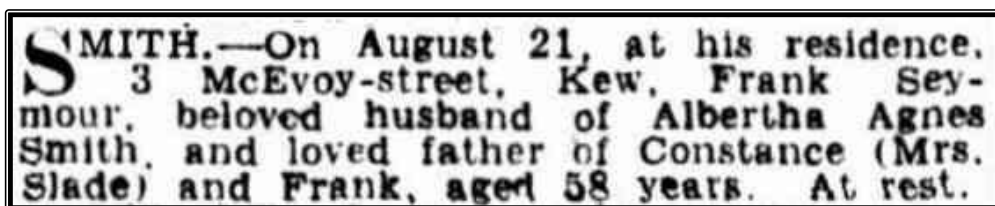
Reg. No.	Name	Unit
62143	SMITH, Frank Seymour	43rd Bn.

Yours faithfully
F. Seymour Smith

P.S. I enlisted as a Barrister in Adelaide

Death

Frank Seymour Smith passed away in Victoria in 1944, aged 58, he had been living at Kew Victoria and is buried at the Box Hill Cemetery.



Albertha was still at 3 McEvoy St, Kew in 1954. She died in 1962 aged 72. Frank's daughter, Constance May Slade (nee Smith), passed away in 1912, aged 98.

Profile Compiled by: Beth Filmer AUFC/AUCC WW1 Memorial Committee

Sources and Acknowledgements:

The AIF Project <https://www.aif.adfa.edu.au/>
RSL Virtual War Memorial <https://rslvirtualwarmemorial.org.au/explore/>
The National Archives of Australia <http://recordsearch.naa.gov.au/>
<https://rslvirtualwarmemorial.org.au/explore/people/375012>
<https://rslvirtualwarmemorial.org.au/explore/people/610292>
Australian War Memorial <https://www.awm.gov.au/collection/>
The Adelaide University <http://www.adelaide.edu.au/records/archives/>
Adelaide University Football Club History, Fred Bloch
The National Library of Australia <http://trove.nla.gov.au/newspaper/>
(Trove Newspaper articles tagged – Frank Seymour Smith)
SA Genealogy <https://www.genealogysa.org.au/resources/online-databases.html>
Ancestry.com.au
Rob O'Shannassy AUFC/AUCC WW1 Memorial Committee Researcher