

19. Bankruptcy (1911-1912)

On the face of it, John Smith had enjoyed a successful career. He had played a major role in bringing Lynn's studio life from squabbling adolescence to respectable maturity. He had encouraged the arts; he had attracted a distinguished clientele that included royalty; he had joined the Royal Photographic Society; he had opened additional branches, adapted to change and maintained a well-appointed studio; and he had taken good photographs. It was a story of professional achievement that extended over three decades. There had, admittedly, been setbacks: at first, briefly, he had been unable to keep up with demand; he had been burgled; he had been cheated by his agents when he tried the canvassing system of winning business. Yet he had seemed to weather and rise above these difficulties.

There were, however, those who knew that something was wrong.¹ Members of Smith's family and people who looked to him for the payment of bills had been aware since the 1890s that there were problems. By 1907 their awareness had become more acute, but it was not until about 1908 that his clients were affected, for by that time Smith was showing signs of the deafness that would gravely impair his dealings with them.

In 1911 the complications reached the point of crisis. Smith's relations, unable to keep problems within the family any longer, persuaded the photographer to file for bankruptcy. Then, after taking years to develop, matters began to move swiftly. The *London Gazette* announced that Smith, 'trading under the style or firm of T. Smith and Sons', had entered his petition on 11th July and that, on the same day, the case had been passed to the Official Receiver for the summary administration of his affairs.² Less than a week later came the announcement that the first meeting of creditors would take place at the Receiver's Office in Norwich on 26th July, to be followed by a public examination in Lynn on 7th September.³ It was at the July hearing that the details of Smith's slow and tangled decline were first made public.

The Lynn studio had originally been set up as a branch of the family business, and, until his father's death at the end of the 1880s, Smith had simply been an employee. Control then passed to his mother, for whom he worked until 1892. At that point he took over responsibility for the studio and entered into the first stage of a financial commitment that would never cease to be a burden. He was not the only member of the family whom his father had to consider when drawing up a will. Apart from a widow, there were six children, of whom John was the eldest. The studio was a major part of the family inheritance, and it could not be simply handed over. The business had to be formally valued and then purchased from the trustees of Thomas Smith's will.

Valuation produced a figure somewhere between £300 and £400, and there was no expectation that the money would all be paid in one instalment. It was assumed, though, that after five years the debt would have been significantly reduced. Instead, the Receiver learned, 'Owing to considerable losses through burglary the following year, and from being robbed by two of his employees, only £10 was paid on account of this purchase.' The paltriness of this sum seems staggering, and the explanation for underpayment is a little confusing. Smith had indeed been hit hard by the burglary,

which actually occurred in 1895 rather than 1893, and which, as estimated in an earlier chapter, could have cost him around £50. Such an amount – the annual income of many of the town’s poorer families – could fairly be described as ‘considerable losses’. But, unless Smith had been defrauded at different times by two separate pairs of employees, the dishonesty of canvassers Robertson and Thompson had occurred back in 1886 and its impact on studio finances, however great, had been made some time before his father’s death.

It seems that, in addition to being bad with money, Smith was bad with dates. He was a little inaccurate about the burglary, and he had probably also misremembered his father’s death. Whilst the Receiver, when reviewing the facts, referred to the death as an occurrence of 1889 (a date presumably provided by Smith himself), Thomas had actually died in 1888. Anybody can, of course, get dates wrong. It is remarkably easy to do, when looking back. Small errors over the burglary and the death are, in themselves, not to be wondered at, but it is harder to explain why Smith assigned the canvasser incident to a period two stages later in the studio’s history of ownership. It may be that Smith was trying to increase sympathy for himself by presenting the incident as a further financial pressure since he took over the business. Alternatively, it may simply be that he was confused and agitated – a suggestion that will come to seem more likely when his later evidence to the Lynn court is considered. First, however, the Receiver’s summary of events must be used to account for the years between the £10 repayment and the petition for bankruptcy.

In 1897, with debts that had risen to £856 and assets worth £542, Smith tried to solve his problems by entering into a new commitment. He executed a deed of assignment, appointing trustees to sell some of his assets to fund an agreement for the part-payment of his debts. This had only limited success, raising perhaps (Smith really wasn’t sure) a quarter of the sum he owed. Then his sister stepped in.

Matilda, the second of Thomas and Mary Smith’s children, had stayed in Brigg, married chemist George Gibson,⁴ raised a family⁵ and was now in a much stronger financial position than her brother. For £100 she bought back the stock, fittings and furniture from the trustees, thereby enabling him to continue working. It appears that Matilda had business acumen as well as money, for she retained ownership of the items, and John hired them from her. How profitable this investment actually proved may, however, be doubted.

Somehow Smith struggled on and kept the studio going into the beginning of the new century and beyond. Nothing was his own, and there was never freedom from the pressure of creditors. One of the creditors, however, seems to have been more generous than demanding. His wife’s maternal uncle, Arthur Bourner, appears to have played an important part in supporting Smith, lending him a total of £100 over these years. (It was Bourner whom Florence Smith was visiting in 1911,⁶ when she was away from home on census night, perhaps seeking advice or a further advance.) His periodic contributions to Smith funds would have been enough to keep a respectable, if humble, working family housed, fed and clothed for well over a year.⁷ As security Bourner had Smith’s life insurance policy (of unknown surrender value), but when the Receiver was eventually called in, he declined to have his £100 included in the official list of debts.

For most of this period, Smith continued to maintain a brave public face, but from about 1908 his deafness became increasingly apparent, and then his studio business was seriously affected. Conducting simple transactions became ever more difficult, and his ability to relate to sitters, win their confidence and put them at their ease was greatly impaired. As a result, customer numbers fell sharply.

So, in 1911, Smith was forced to make a decision. Bournier sent somebody up to Norfolk to examine the state of his affairs, family members felt unable to prop up his finances any longer, and filing for bankruptcy was the only option.

Even then, Smith's miseries were not over. Between 11th July, when the receiving order was made, and the creditors' meeting a fortnight later, Smith's landlord levied a distress for a half-year's overdue rent of £25. The bailiff s arrived to seize goods worth that amount, though they found little to take: most of the furniture and effects belonged to Matilda Gibson and Smith's own assets were minimal. Some unspecified property was taken, however, and Florence Smith, obliged to seek immediate help, found an unnamed friend who provided some cash with which she bought back the items from the bailiff.

This, then, as it emerged at that July meeting, was the sorry state to which Smith had been reduced. It was in September, however, at the public hearing in Lynn, when he was closely examined about his affairs, that his humiliation reached its height. The same ground was covered, but Smith had to give a personal testimony, and in the press account's reported speech and direct quotation is heard the voice of a confused and broken man.

He was certain enough about his misfortunes, of which deafness was but the most recent. He had suffered 'a grave loss by burglary and a systematic course of robbery by two employees' that cost him, 'he believed', several hundred pounds. The studio itself had also been a burden 'because of the enormous cost of the upkeep of the place'. But when it came to being more precise about money, he floundered. His ledger and day-book, it transpired, provided only thin evidence of his dealings, and 'he had had no bank account for the past ten years or thereabouts'. Time and again the newspaper underlined his vagueness about financial matters:

He had not the slightest idea how much it came to. ... He had never known what these losses really amounted to. ... He had not the remotest idea how much the trustee ultimately received. ... He did not know what the surrender value was.

Much of this uncertainty doubtless reflected the fact that Smith was a poor manager of money, but it may, too, have been part of a more general and growing confusion. He was also, as has been seen, somewhat shaky on dates, misremembering those of his father's death, the burglary and the dishonest canvassers. He was undergoing a painful ordeal, and it would be understandable if he faltered: his fellow townsmen were hearing the details of his misery (and jotting them down for wider dissemination), and his failures were carefully enunciated across the courtroom at a volume sufficient for even him to hear.

At two points in the press report, the exchanges between the Registrar and Smith are recorded verbatim, and it takes little imagination to put oneself in Smith's shoes and feel his wretchedness:

Has your business lately been small? – It has dwindled and dwindled until I have scarcely moved at all.

It has fallen off largely? – Yes.

What do you attribute the falling off to? – I think that my deafness has been a very serious drawback to it. I have not been able to keep in touch with current things and I have lost through it.

You have done your best in the business? – I have indeed.

You have been pressed by creditors for some time past, have you not? – I have indeed.

For how long a time have you been insolvent? – Years and years, I have been worrying through it.

Four or five at any rate? – All that.

I suppose you realised that it was so? – Yes.

And having these small cash advances enabled you to tide over from time to time? – Yes.

There was little to be done. Even with the debt to Arthur Bourner written off, Smith's gross liabilities were £152 15s 8d, and his assets were worth very little. Most of the contents of 60 High Street belonged to his sister, while his trade stock, though of some value to a viable photographic business, would bring very little when sold off. Smith's days at the head of a studio were over.

Four months later the *London Gazette's* routine listings included notice that the Receiver had been released as trustee and liquidator in the case.⁸ In Lynn, though, change had not been kept waiting for the official announcement that Smith's affairs had been wound up. A new tenant had taken on his studio and was open for business.⁹

Smith's successor was George Whitfield Cosser, a Hampshire-born photographer who had settled in Essex,¹⁰ where his Colchester studio¹¹ became the hub for a series of satellite studios in Ipswich,¹² Devizes¹³ and Lynn.¹⁴ The Lynn branch was short-lived. Set up in 1911 (in time to be listed in Kelly's 1912 Directory), it had passed into the hands of Leopold Vilenkin, a Russian émigré, by May 1915.¹⁵ Of Smith himself, further records have not yet been found. John Smiths – even John Smiths of a similar age – are not easy to pin down without further details. Later census records, when released, may give some help. There was one apparent mention of him, when Aubrey's *Directory of Norfolk* showed him at the old address in 1916, but Aubrey's was not the most reliable of directories and had presumably made use of out-of-date information. Kelly showed Vilenkin at 60 High Street that year, and Vilenkin remained in the town until at least 1918.¹⁶ Smith had given up the studio five years earlier than the phantom listing. All that can be said with some certainty is that, in due course, he left the town, for no probable record of his death has been identified either in his adopted home of Lynn or in his native Brigg.

It is a sad fading from the record of a man who had been influential in the developing studio culture of the town, and whose career had, photographically at least, been of some distinction.

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- 1 The account of Smith's bankruptcy is based on *Lynn Advertiser* reports of 28th July and 8th
2 September 1911. Details without separate references are drawn from these sources.
3 *London Gazette*, 14th July 1911, pp 5308 and 5322.
4 *London Gazette*, 18th July 1911.
5 Civil index of marriages, Dec 1877, Glanford Brigg, volume 7a, page 1407.
6 1891 census: RG11, piece 3284, folio 108, page 13.
7 1911 census: RG14, piece 3632, registration district 42, enumeration district 3, schedule 4.
8 *Cornhill Magazine*, 1901.
9 *London Gazette*, 27th February 1912.
10 Kelly's *Directory of Norfolk*, 1912.
11 1911 census: RG14, piece 10289, registration district 198, schedule 1.
12 D & J Appleby, *The Magic Boxes*, Essex Record Office, 1992.
13 Kelly's *Suffolk Directory*, 1912 & 1916; *Kelly's Ipswich Directory* 1912-1918.
14 Copyright application to Stationers' Hall: The National Archives, COPY 1/525/76 & 77.
15 Kelly's *Directory of Norfolk*, 1912.
16 *Lincolnshire Echo*, May 18th 1915.
Civil registration birth indexes: September 1918, King's Lynn, volume 4b. page 422,
(Birth of Gregory Vilenkin).