

March 1877 - WEST BILNEY

### **Lynn Advertiser**

**FIRE** On Sunday evening two large bean stacks, the property of Mr. John Brasnett, farmer, West Bilney, were entirely destroyed by fire, which was first discovered at 5.45 pm. The Lynn fire brigade was summoned and were quickly on the spot, but were unable to save the stacks, although they succeeded in keeping the flames from a hay stack which was close by. The stacks were insured in the Alliance fire office and are valued at £100. The work was evidently that of an incendiary. The flames were soon extinguished. At seven o'clock on Monday evening, the haystack, which stood about seven yards from the others, was discovered to be on fire. Enquiries were made by the police with the object of discovering who had set fire to the property, but without effect, but a servant girl who had been engaged the previous Thursday, and had an excellent character given her was suspected, and upon being interrogated by Mr. Brasnett, in the presence of the police, she admitted having caused both fires.

There was a second charge against her of setting fire to a stack of hay, the property of John Brasnett on the 28th February. Mr Carlos Cooper held the brief for the prosecution. Mr Simms Reeve defended. Only the first charge was entered into. The facts have appeared fully in our reports of the charge against the accused before the local magistrates.

Mr. Reeve pleaded eloquently on behalf of the prisoner. The young girl had hitherto borne a most unblemished character, and was charged with this most serious offence. The question for the jury to consider was – were they satisfied upon all the facts that this girl did or did not commit this offence. Mr. Reeve said that the reason why he put the question to Mrs. Brasnett about prisoner's impediment to her speech because it was often an evidence of the mind being in some way affected, and this was a point which he would strongly urge.

His Lordship could not permit Mr Reeve to urge this plea to him. He should tell the jury most strongly that there was not a particle of evidence to show that the girl's mind was affected, or that she was not responsible for her actions.

Mr. Reeve said he would not for one moment set up the contention that the girl was not responsible for what she had done.

His Lordship: That is the purport of what you say.

Mr. Reeve said he dare not and would not take upon himself responsibility for recommending a girl like that to plead guilty on such a serious offence. There was one point which might or might not be of any importance, and that was that the prosecutor did not hear anyone go out of the house or return. The girl's mistress might have done but it was a mere inference as to the person being the prisoner as it was not likely that Mrs Brasnett

would have become used to the girl's footsteps in so short a time. Again it did not follow that because a girl was seen near the stacks that it was the prisoner, and if the jury were to infer anything from that circumstance it should rather be in her favour than not. He asked them whether it was not very strange that a girl like that should go and set fire to the stack, and then go and call the attention of her master and mistress to it. Mr Reeve concluded a very forcible address by urging that such craftiness was most unlikely in one so young as the prisoner.

His Lordship then summed up. Mr Reeve had endeavoured to excite their compassion for the prisoner, but they were there in execution of a public duty. Was not the master entitled to some compassion? Here was valuable property which might bring loss to the owner at any moment, and the danger had come, not from anyone outside, but from a person who had been entrusted with the care of the house and property. He did not quite know on which side compassion ought to urge them to act; and he would say don't compassion one or the other. They were there to see that justice was done, law properly administered and property in a dangerous position and of great value should not be destroyed by a malicious act. Mr Reeve had done his duty in weaving the usual cobwebs around the case and (his lordship) was merely sweeping them away. Mr Reeve knew how to talk to them, although he dare not speak freely in his presence yet he insinuated that which he dare not openly say.

Mr Reeve: I beg your Lordship's pardon. I dare say what I dare insinuate before your lordship or any judge in England.

The Judge: Mr Reeve you are very irregular. You have no right to reply upon me, though you have upon your opponent and I don't like to be interrupted when I am summing up a case. His Lordship then concluded his observations by instructing the jury that if they had reasonable doubt, not to convict. Prisoner's good character and the absence of evidence as to motive were wide of the question which was what was the evidence, and what did it convey to their minds.

The jury found the prisoner guilty with a very strong recommendation to mercy.

**His Lordship:** On what grounds?

**The Foreman:** On the grounds of age.

**His Lordship:** I shall of course take that into consideration when passing sentence; but is there any other ground?

**The Foreman:** Yes; on the ground of insufficient evidence. (Much laughter, which was immediately suppressed.)

**His Lordship:** (sternly) Oh, don't laugh; that is not a recommendation to mercy; it is a ground for acquitting her. You don't follow what your duty is. If you are not satisfied with the evidence you must acquit her. I must put the case to you again. You must understand

the charge against the prisoner is that she set fire to her master's stacks, and it is for you to be satisfied, as reasonable men, whether she did do it before returning your verdict. Who knows better than the girl who did it? And she herself says – "I did it and I am very sorry for it" I do not altogether agree with you for taking the girl's age as much into consideration. In another case you might recommend a prisoner to mercy because he was old. Where is one to stop? You must come to a conclusion as to whether you find her guilty or not.

The Foreman again consulted the jury, and a verdict of guilty was recorded.

Mr Cooper mentioned that there was another charge against the prisoner.

His Lordship said it was not necessary to proceed with that.

Mr Reeve remarked that the parents of the girl were very poor, and submitted a letter referring to the prisoner for his lordship's perusal.

His Lordship said that if she were a year younger, he might have been able to take care of her elsewhere. He would postpone the sentence.

THURSDAY

THE CASE OF ARSON AT WEST BILNEY

Alice Mann, who was convicted the previous day of setting fire to stacks belonging to Mr John Brasnett at West Bilney on 27th February, was brought up to receive sentence.

The learned Judge said that the prisoner had been found guilty of a very serious crime. Under the circumstances the sentence he should pass, considering the gravity of the offence, was a mild one. It was clear the prisoner required discipline of some length, and he therefore passed upon her a sentence of twelve months imprisonment with hard labour.