

No True Bill: The Case Against Martin Brennan

On 30 June 1900 the *Herts Advertiser* reported on the Summer Assizes held at Shire Hall, Hertford, before Sir James Charles Mathew. The newspaper recorded that “In the case of Martin Brennan (22), labourer, charged with feloniously killing and slaying George Smith, at St Albans on 4th June, the Grand Jury found no true bill”.

This charge of manslaughter related to an incident outside the Cock & Flowerpot pub, 120 Fishpool Street. There was an altercation between Martin Brennan and George Smith where, it would appear, Smith was pushed to the pavement by Brennan as an organ grinder played and children danced. Smith died from his injuries at home at 124 Fishpool Street in the early hours the following day. Brennan was promptly arrested in the pub at 7am that same Tuesday morning and taken to the city’s police station where he was remanded until Thursday.

The wheels of justice moved quickly. That Wednesday, the inquest was held at the Black Lion pub in Fishpool Street with a jury of residents drawn from neighbouring streets. The main witnesses were Smith's widow, Emma,



The former Cock & Flowerpot today, 120 Fishpool Street (© Stuart Macer)

and her lodger, Herbert Sibley, a cowman. Both maintained that the deceased was teetotal. However, the formidable Kate Peeke of 51 Fishpool Street, who had been present at the altercation, stated that Smith was a heavy drinker. In contrast, Brennan, who she’d known for around six months, was a sober and well conducted man. While the witnesses diverged, medical testimony provided by two local doctors was straightforward: Smith died from a fall leading to bleeding of the brain, not from a man’s fist. The jury’s verdict reflected the doctors’ opinion.

An important feature of this story is that Brennan was represented both at the inquest and also at the subsequent

court hearing by Mr Lathom, a solicitor from Luton. Brennan was a regular summer migrant from Ireland who came to work for the Earl of Verulam as a carpenter and was lodging at the pub. Judging from the newspaper reports, his evidence under Lathom's careful guidance was that Smith had used insulting anti-Irish language against him.

At the magistrates' hearing the following day, less than 72 hours after the altercation, Brennan was defended by Lathom in a packed courtroom (now St Albans Museum). The same witnesses from the inquest gave evidence complemented this time by a good character reference on behalf of Brennan from Alfred Cutler, farm bailiff to Lord Verulam. Even so, after long consideration, the bench decided that, with such conflicting evidence, Brennan should be sent for trial. He was granted bail, his two sureties being Rev. William Carson, minister at Spicer Street church, and Cutler the farm bailiff.

The compressed timescale of events from the Monday incident to the Thursday court appearance is remarkable by today's standards. Moreover, on 26 June, just three weeks later, the

county assizes with its Grand Jury met to consider the case. The jury included Charles Woollam, the well-known St Albans dignitary. No True Bill was recorded and Brennan was discharged.

Martin Brennan was a hard-working carpenter's labourer from Ireland and of a quiet and sober demeanour. Perhaps against the odds, justice for this man was duly served by the legal system of 1900 when a Grand Jury operated in Hertfordshire. Key members of the community, including Carson and Cutler, rallied round. The fact that Brennan was in the employ of the Earl of Verulam must surely have helped his case. The character reference by Cutler the farm bailiff, probably influenced the Grand Jury, as did Cutler's surety for Brennan's bail. Brennan also had an astute solicitor who structured a first-class defence.

Fishpool Street had become a backwater by 1900 following the opening of Verulam Road in 1826. The case reflected the colourful life of the street with its pubs and weekly organ grinder. Attitudes towards alcohol and Irish immigrant workers were also significant.

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