

## William Woolgar, Broad Cooper

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### “QUEEN-SQUARE – AN EXTRAORDINARY CASE

Matthew Rossiter, a broker's porter, was brought to the office in custody of George Goodenough, one of the constables of St. Margaret's parish, and charged before the Sitting Magistrate, (P. Colquhoun, Esq.) by Samuel Cosgarn, Esq. formerly a purser in His Majesty's Navy, but now resident in Kensington, with forcibly entering a public-house belonging to him, called the Pine-apple, in Williams street, Westminster, taking forcible possession of the bar, and turning his servants who were there out of the house.

Prosecutor stated, that in the month of February last, he took the said public-house, the Pine-apple, and put into it as his servant Anne Sweeney, a widow-woman, for the purpose of making a livelihood. He said all the furniture of every description, plate, &c, in the house belonged to him, Anne Sweeney having nothing there but her wearing-apparel. He alone was answerable to Messrs. Henry Meux and Co. for the rent of the house, of which they were proprietors, and also for all the beer they sent in; the same also to the distiller, &c.; that Catherine Molloy, sister to Mrs. Sweeney, was also put in by him to live with her sister as a servant or assistant. She was present when the transaction took place, and would be able to give the Magistrate a particular account of it.

Catherine Molloy, sister to Mrs. Sweeney, deposed, on oath, that in the morning of yesterday, just after she had opened the bar, the prisoner at the bar, in company of a person of the name Marnell, Messrs. Hill and Hutton, No. 416, Oxford Street, brokers, and James Stone, constable of St. Ann's parish, entered the house, the front door of which was open, came into the bar, demanded and took from her the keys of the various drawers, seized on all the keys hanging up in the bar, opened a drawer in which was silver and halfpence to the amount of nearly 2l [£2], which they took possession of, broke open an adjoining drawer, in which there was nothing; Hill took 9 silver spoons and all the articles of plate in the bar. They then seized the club book, Excise-book, and papers of every description; then told her to go about her business; paid a pot-boy more than was due to him, and then turned him and her out of doors. Witness went and informed prosecutor of what had taken place; her sister, Mrs. Sweeney being in the country from ill health. In the evening, by order of prosecutor and his legal advisers, she went, accompanied by others, to the house, into which they got without any difficulty, where they found three men keeping possession, but all the boxes and drawer broke open, the property taken away, and, in fact, the house was stripped. Prisoner, who was one of those who attended in the morning, and began the transaction was sent to the watch-house. The other two men were allowed to go and inform their employers.

William Woolgar, broad-cooper to Messrs. H. Meux and Co. deposed that his employers let the house to prosecutor, who was answerable both for the rent and all the beer sent in, that they knew nothing of Mrs. Sweeney except as a servant, put in by prosecutor to carry on the business.

The Magistrate asked Mr. Hutton and his partner, under whose orders prisoner Rossiter had acted, what they could say in defence of such extraordinary and unjustifiable conduct.

Mr. Hutton produced a written authority from a person named Thomas Marnell, who stated himself therein to be the lawful husband of Anne Sweeney, who informed him and his partner that she had many debts, and that it was his intention to sell the property so seized and divide it equally among the creditors Hill and Hutton.

Mr. Kennedy, a respectable shoemaker in Oxford-street, who had recommended Marnell to them, stated that he was present at the marriage of Marnell with Mrs. Kennedy eleven years ago and that Marnell had been abroad several years and but lately returned.

Mr. Colquhoun informed Hill and Hutton that they had acted very illegally, and had got themselves into a terrible scrape. He would therefore advise them to return all the property instantly.

Mr. Fielding [who came in during the examination] informed the parties, that though they had acted under some colour, yet they had gone much farther than that colour would warrant. The Grand Jury were now sitting, and if prosecutor chose to lay before them his bill of indictment, and if the jury found it a true bill, all the parties in the transaction would be liable to be apprehended for a felony, on a bench-warrant, and no bail could be admitted. His worthy brother Magistrate had, however, advised the mildest mode of proceeding, viz. to return the property immediately, and leave the prosecutor to his action for trespass vi et armis: in which, however, they who defended would have reason to dread heavy damages.

Mr. Colquhoun severely censured Hill and Hutton for bringing a constable of St. Ann's parish to act in the parish of St. Margaret's.

The parties promised to deliver back the property immediately.