BOX:

46

FOLDER:

535

DESCRIPTION:

Abbotts, Thomas

DATE:

09/13/81

535

Witnesses:

William H. Keene.

Off. Thomas Foley.

Counsel,

Filed 13 day of Sept 188/

Pleads

THE PEOPLE

vs.

Jr. Brooklyn 325 Legonth Cooper

P.

Thomas H. Abbotts.

INDICTMENT.

LARCENY.

DANIEL C ROLLINS,
BENJ. K. PHELPS,

District Attorney.

Part 3rd Sept. 14. 1881

A True Bill. Pleads P.G.

Foreman.

6 mos Pen

P.S.

POLICE COURT—FIFTH DISTRICT.

CITY AND COUNTY OF NEW YORK, } ss.

Thomas Hallow being duly examined before the undersigned, according to law, on the annexed charge: and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz:

Question. What is your name?

Answer. Thomas Hallow

Question. How old are you?

Answer. 34 years

Question. Where were you born?

Answer. Ireland

Question. Where do you live?

Answer. Brooklyn

Question. What is your occupation?

Answer. Cooper

Question. Have you anything to say, and if so, what,—relative to the charge here preferred against you?

Answer. I am not guilty of the charge I do not know anything about it

P. A. Abbatts

Taken before me, this 30th day of August 1887

Morgan O'Brien

Police Justice.

District Police Court William H. Skene

CITY AND COUNTY OF NEW YORK, } ss.

of No. the Hudson River Railroad Depot Hudson & Beach streets,
being duly sworn, deposeth and saith, that on the 29 day of Aug 188
at the Ward of the City of New York,
in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent,

the following property viz.: three tubs of butter all of the value thirty dollars

the property of the Hudson River Railroad Company as Common Carriers & in the charge of deponent

, and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and carried away by Thomas Talbot now present, whom this deponent saw take & steal & carry away the property above designated & described from the Depot of the Railroad Company in the aforesaid Street

William H Skene

Sworn before me this 30 day of Aug 188

POLICE JUSTICE.

836

DISTRICT POLICE COURT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

William H Skene

Hudson River R R Depot

vs.

City of Black & Nudson

Thomas Abbott

AFFIDAVIT—Larceny.

DATED Aug 30 1867

Sherbourne

MAGISTRATE.

Thomas Foley

OFFICER.

WITNESSES:

$1000 T. C.

Samuel Landers

Court of General Sessions ~~of the Peace~~ of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Thomas H. Abbotts

The Grand Jurors of the City and County of New York by this indictment accuse

Thomas H. Abbotts

of the crime of Larceny

committed as follows:

The said Thomas H. Abbotts

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty-ninth day of August in the year of our Lord one thousand eight hundred and eighty one at the Ward, City, and County aforesaid, with force and arms,

One hundred pounds of butter of the value of thirty cents each pound.

of the goods, chattels, and personal property of ~~one~~ The Hudson River Rail Road Company a corporation incorporated under the laws of the State of New York. then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DANIEL C ROLLINS,

BENJ. K. PHELPS, District Attorney.

BOX:

46

FOLDER:

535

DESCRIPTION:

Anderson, George

DATE:

09/06/81

535

Saml S. Fairgrieve
Office Kelly

Counsel,
Filed 6 day of Sept 188 1
Pleads

THE PEOPLE

vs.

George Anderson

INDICTMENT.
LARCENY.

DANIEL C ROLLINS,
BENJ. K PHELPS,
District Attorney.

A True Bill.

Foreman.

Sept. 6 1881

Guilty

S.P. 2 years.

FORM 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.:

Police Court—~~Third~~ District. 18

Samuel J Fairgrieve

of No. 119 & 121 Broome Street, being duly sworn, deposes

and says that on the 22 day of August 1881

at the City of New York, in the County of New York, was feloniously taken, stolen, and carried away from the possession of deponent.

the following property viz: Four pieces of Worsted Dress Goods (125 yards)

of the value of about one hundred Dollars

the property of Charles G Landon. Theodore D Howell and Chas Black copartners and in care and charge of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen, and carried away by George Anderson (now here) from the fact that deponent saw said defendant take steal and carry away the aforesaid property

Samuel J Fairgrieve

Sworn to, before me this 22 day of August 1881

Police Justice.

Police Court—Third District.

CITY AND COUNTY OF NEW YORK. } ss.

George Anderson being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to h[illegible] states as follows, viz:

Question. What is your name?

Answer. George Anderson

Question. How old are you?

Answer. 23 years

Question. Where were you born?

Answer. United States

Question. Where do you live?

Answer. No home

Question. What is your occupation?

Answer. Butcher

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. I am not guilty
George Anderson

Taken before me, this 7th *day of* Aug 1879

Marcus Ulrich

POLICE JUSTICE.

BAILED.

No. 1, *by*

Residence

No. 2, *by*

Residence

No. 3, *by*

Residence

No. 4, *by*

Residence

No. 5, *by*

Residence

No. 6, *by*

Residence

POLICE COURT—~~THIRD~~ 1st DISTRICT.

AFFIDAVIT—LARCENY.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Samuel S. Fairgrieves

vs.

414 Broome

1 George Anderson

2

3

4

5

6

Dated 12 aug 1881

Otterbourg Magistrate.

B. Kelly Officer.

14 Precinct

Clerk.

Witnesses Brig officers from Central office to identify him

$ 2500 to answer

at General Sessions

Received at Dist. Att'ys Office,

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Court of General Sessions of the Peace of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Anderson

The Grand Jury of the City and County of New York by this indictment accuse

George Anderson

of the crime of Grand Larceny

committed as follows:

The said George Anderson

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the Twenty Second day of August in the year of our Lord one thousand eight hundred and eighty one at the Ward, City, and County aforesaid, with force and arms,

One hundred and twenty five yards of cloth of the value of eighty cents each yard

of the goods, chattels, and personal property of one

Charles G. Landon

then and there being found, feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DANIEL G ROLLINS,
BENJ. K. PHELPS, **District Attorney.**

BOX:

46

FOLDER:

535

DESCRIPTION:

Andrew, George

DATE:

09/28/81

535

Witnesses:
John Hartmann:

Counsel,
Filed 28 day of Sept. 188/
Pleads

THE PEOPLE

vs.

45
Arrested

P.

George Andrew.

INDICTMENT.

Larceny from the person.

Act of Lee, Hollowoods.

DANIEL C ROLLINS,
BENJ. K. PHELPS,

District Attorney.

A True Bill.

J. Catlin Jr.
Foreman.

Sept 29. 1881

Pleads P. L. per.

S. P 2½ year.

3rd District Police Court

City & County
of Newyork ss

The People of the State of New York
on the complaint of

John Hartman

vs

George Andrews } Grand Larceny
} from the Person

John Hartman being duly sworn
and Examined deposes and says as follows

2. What is your name your age your
place of residence and your business,
A. My Name is John Hartman I am 33
years of age, reside at No 226 Thompson
Street, and I am a frame Guilder —

2. What Complaint do you make against
George Andrews (now here)
A. on the 18th day of September 1881 in the day time
said George did steal from my possession
and from my person the following property
good and lawfull money of the United
States consisting of one Note
of the denomination and of the Value
of One dollar, and Silver & Copper Coin

of Various denominations, each of the
Value One dollar and Thirty seven Cents
said property being in all of the Value
two dollars & Thirty seven Cents

2. Whose property was it
my property

2. What reason have you to believe
that said Andrew has taken stolen
and carried away your Money

A. I had said Money in the left hand
pocket of the vest then worn upon
my person and Joseph Benninger
of No 181 Pratt Street, informs me
that he saw said Andrew take hold
of me and take the aforesaid Money
from my Vest pocket, and officer
Etienne Bayer of the 10th Precinct
Police informs me, that he arrested
said Andrew and found said Money
in the side pocket of the Coat worn
by said Andrews, and that said
Andrews acknowledged that the
Money found by him, was my property

Sworn & before me this } Theo Hartmann
19th day of September 1861 }

Thos A. Mauer
Police Justice

City & County
of New York } ss

Joseph Benninger being duly
sworn and examined deposes & says as follows

Q. What is your name, your age your place
of residence and your business

A. My name is Joseph Benninger I am 34
years of age reside at W. 181 Mott Street and
I work at Machine Work

Q. on the 18th day of September 1881 did
you see George Andrews (now here) steal from
the person of John Hartman

A. I saw said Andrews take purse of Hartman
While in Chrystie Street and saw him
take some money out of his pocket

Sworn to before me this
19th day of Septr 1881 } Joseph Benninger

Police Justice

City & County
of New York } ss

Etienne Berger being duly
sworn deposes & says as follows

Q. on the 18th day of Septr 1881 did you
arrest George Andrews (now here)

A | I arrested Lewis in Chrystie Street, and found two 37/100 dollars in his coat pocket, he acknowledged to me that the money belongs to John Hartman on the 26th Complainant

Sworn & subscribed Etienne Bayer
this 19th day of Sept 1881

Chas A Adams Police Justice

Sec. 198—200.

2 DISTRICT POLICE COURT.

CITY AND COUNTY OF NEW YORK, } ss.

George Andrew being duly examined before the undersigned, according to law, on the annexed charge: and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he see fit to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiven cannot be used against him on the trial,

Question. What is your name?

Answer. George Andrew

Question. How old are you?

Answer. 45 yrs

Question. Where were you born?

Answer. Greece

Question. Where do you live, and how long have you resided there?

Answer. 9 Elizabeth Street off & on

Question What is your business or profession?

Answer. Pedlar

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. I took the money from him for safe keeping. he was drunk & had a lot of boys about him, who I feared would rob him.

his
George X Andrew
mark

Taken before me this 19
day of January 188

Police Justice.

BAILED,

No. 1, *by* .....

Residence ..... *Street,*

No. 2, *by* .....

Residence ..... *Street,*

No. 3, *by* .....

Residence ..... *Street,*

No. 4, *by* .....

Residence ..... *Street,*

Sec. 208, 209, 210 & 212.

Police Court— 3 District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

John Martinan
226 Thompson st

1 George Andrew

2 .....

3 .....

4 .....

Offence, Larceny 90 $ from the person

Dated Sept 19 188 1

Flamm Magistrate.

Buyer 10 Officer.

..... Clerk.

Witnesses Dan'l Offer.

No. ..... Street.

Joseph Baumgr

No. 181 Mott Street,

No. ..... treet.

SEP 24 1881
DIST ATTORNEY

6

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named George Andrew guilty thereof, I order that he be admitted to bail in the sum of Five Hundred Dollars and be committed to the Warden or Keeper of the City Prison until he give such bail.

Dated Sept 19 188 1

Chas G. Flamm *Police Justice.*

..... *Police Justice.*

I have admitted the above named .....

to bail to answer by the undertaking hereto annexed.

Dated *188*

..... *Police Justice.*

There being no sufficient cause to believe the within named .....

guilty of the offence within mentioned, I order h to be discharged.

Dated *188*

..... *Police Justice.*

Court of General Sessions ~~of the Peace~~ of the City and County of New York.

THE PEOPLE OF THE STATE OF NEW YORK,

against

George Andrews

The Grand Jury of the City and County of New York by this indictment accuse

George Andrews

of the crime of

Larceny from the person

committed as follows:

The said George Andrews

late of the First Ward of the City of New York, in the County of New York, aforesaid,

on the eighteen day of September in the year of our Lord one thousand eight hundred and eighty-one at the Ward, City, and County aforesaid, with force and arms,

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a United States Treasury Note of the denomination of One dollar and of the value of One dollar

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a Bank Note of the denomination of One dollars and of the value of One dollar.

Divers coins of a number, kind and denomination to the jurors aforesaid unknown and a more accurate description of which cannot now be given of the value of one dollar and thirty-seven cents

of the goods, chattels, and personal property of one John Hartmann on the person of the said John Hartmann then and there being found, from the person of the said John Hartmann then and there feloniously did steal, take and carry away, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~DANIEL O'ROLLINS,~~
~~BENJ. K. PHELPS, District Attorney.~~

And the Grand Jury aforesaid, by this indictment, further accuse the said George Andrews of the CRIME OF RECEIVING STOLEN Goods, committed as follows:

The said George Andrew late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City, and County aforsaid,

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a United States Treasury Note of the denomination of One dollar and of the value of One dollar

One Promissory Note for the payment of money, the same being then and there due and unsatisfied, and of the kind known as a Bank Note of the denomination of One dollars and of the value of One dollar

divers coins of a number, kind and denomination to the jurors aforesaid unknown and a more accurate description of which cannot now be given of the value of one dollar and thirty seven cents.

of the goods, chattels and personal property of the said John Hartman by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said John Hartman unlawfully, unjustly, did feloniously receive and have (the said George Andrews then and there well knowing the said goods, chattels, and personal property to have been feloniously stolen, taken and carried away) against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity

DANIEL G. ROLLINS, District Attorney.

BOX:

46

FOLDER:

535

DESCRIPTION:

Arnold, Thomas

DATE:

09/29/81

535

Bailed by
Wm. J. Ross.
183 Gates Ave.
Brooklyn.
Oct 24/81 New York
v. J. N. T. Arnold
206 Broadway

Witness.
George H. Kidd

Bail in J. N. T. Arnold
206 Broadway

Oct 22/81 3 P.M.
J. N. T. Arnold. 206 Broadway

Filed 29 day of Oct 1881

Pleads Not guilty. (Mch 15/82)

THE PEOPLE

vs.

Thomas E. Arnold

Obtaining Goods by False Pretences.

DANIEL G ROLLINS,

BENJ. K. PHELPS,

District Attorney.

Mch. 20/82

A True Bill.

Foreman.

May 28/82 Set down for trial

The Praeclus
on complaint of
George W. Kidd
agt.
Thomas E. Arnold.

The respondent, Complainant in the above case, hereby stipulates that he will not settle or compromise but will faithfully prosecute the same.
Dated Newark
October 1881

Geo. W. Kidd

OFFICE OF

GEO. W. KIDD & CO.

No. 35 WATER STREET

New York, Oct 14th 1881

P. O. BOX 4380.

The books of Thos. E. Arnold & Co show sales to the following parties

H. & H. Reiner Brooklyn N.Y.
Feby 14th /81 to Mch 26th /81.
250 Bbls. Spirits
Billed at average price of $ 1.2789
Settled " " " " 1.0770

Froelich Bros. Brooklyn N.Y.
Feby 10th /81 to May 16th /81.
142 Bbls. Spirits
Billed at average price of $ 1.2643
Settled " " " " 1.1048

J. & H. Wellbrock
Dec 18/80 to Mch 7th /81.
75 Bbls. Spirits
Billed at average price of $ 1.2832
Settled " " " " 1.1225

On the 24th day of February 1881 Theirs
liabilities were as per showing of books
$ 140003.28 against which this Bills Receivable
a/c shows his assets to be $ 21720.22 Much
of which we find are worthless.

Books ex & abstract
made by
Jas. H. Halligan
Chas. C. Lee
Cash'r & Bookkeeper
of Iowa, N.A.

District Attorney's Office.
City & County of
New York.

Hon B. F. Morgan
Police Justice

211 W 14th St

District Attorney's Office,
City & County of
New York.

MAY 6, 1881.

MY DEAR JUDGE:

THIS WILL INTRODUCE MR. GEORGE W. KIDD, A MERCHANT IN THIS CITY WHO HAS BEEN SWINDLED OUT OF $13,000 BY FALSE REPRESENTATIONS. HE HAS URGED ME TO PRESENT HIS CASE TO THE GRAND JURY WITHOUT A PIOR INTERVENTION OF THE MAGISTRATE, BUT I HAVE DECLINED, EXPLAINING THE RULE WHICH I HAVE ADOPTED AND CONSISTENTLY ADHERED TO IN THE MATTER. I SHALL DEEM IT A PERSONAL FAVOR, HOWEVER, IF YOU WILL EXPEDITE HIS BUSINESS AS MUCH AS POSSIBLE.

YOURS VERY TRULY,

David G. Rollins

DISTRICT ATTORNEY.

HON. B. T. MORGAN,

POLICE JUSTICE.

PART

THE COURT-ROOM IS IN THE BROWN STONE BUILDING, AND FRONTING THE CITY HALL.

☞ If this Subpœna be disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA—(DUCES TECUM)

FOR A WITNESS TO ATTEND THE

Court of General Session

The People of the State of New York,

To Nathaniel Jarvis Jr

of No. Clerk Court Common Pleas Street,

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Session, to be holden in and for the City and County of New York, at the Brown Stone building in the Park of the said City, on the 23 day of January instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf against Thomas E. Arnold

in a case of Felony, whereof *he stands* indicted, and that you bring with you and produce, at the time and place aforesaid, ~~a certain~~ the Schedule of Assets and Liabilities of the firm of Thomas E Arnold and Co. filed in your Office about July 1. 1857 and all other papers files Subsequently relating to the assignment

now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. Judge Gildersleeve Presiding Judge of our said Court, at the City Hall in our said City, the first Monday of January in the year of our Lord 1858.

John McKeon

BENJAMIN K. PHELPS, *District Attorney.*

City & County of New York ss

John S. Kidd being duly sworn says that he is a member of the firm of Geo. W. Kidd and Company; that he has read the affidavit of Geo. W. Kidd sworn to June 1861 and knows the contents thereof; that he was present at the interview had between said Geo. W. Kidd and Thomas B Arnold on the 26th day of February at which time he heard the statement made by said Arnold as in said affidavit recited; that said Arnold then said that his firm of Thomas B Arnold and Company was worth between fifty and sixty thousand dollars over all its liabilities, that said firm was doing a safe and profitable business and that if deponents said firm would let them have the goods they then wanted and other goods which they would need from time to time the same would be promptly paid for when due -

Deponent further says that relying on these statements and believing the same to be true his firm sold said Thomas B Arnold and Company at that time and subsequently delivered to large quantities of distilled spirits amounting altogether in value to thirteen thousand five hundred and ninety three dollars for which said Thomas B Arnold gave deponents' said firm the promissory notes set forth in the said affidavit of Geo. W. Kidd

of which none have been paid except that for $882.78 —

That on the day of May 1881 the note for $ matured but was not paid; that deponent on the day of May 1881 called at the office of said firm and had an interview with said Thomas B Arnold in which he, said Arnold, stated that he could not pay said note; that in said interview said Arnold further said in response to inquiries made by deponent that since making said statement in February his said firm had lost about six thousand dollars by bad debts but he, said arnold, on being further pressed by deponent could not explain or give any reason why, if said firm of Arnold & Co had been worth over fifty thousand dollars in February and had lost only six thousand dollars since, they should now be in a failing condition, although he admitted to deponent that he had made such a statement —

Deponent further says that said Arnold agreed at said last mentioned interview to allow deponent to inspect and examine the books of account of said firm of Arnold & Co, but afterwards when deponent called for that purpose he refused to permit such inspection and examination

Deponent further says on information and belief that the statement made by said Arnold on February 26th 1881 was false and untrue and was known to be so by said Arnold and that the same was made with the wicked and fraudulent intent and design of inducing said George W Kidd & Co to sell said Arnold & Co a large quantity of goods, said Arnold well knowing at the time that his said firm was in fact insolvent and would not be able to pay for said goods —

Deponent further says that as he is informed and believes

said firm of Arnold & Co was, at the time said statement was made, enabled to carry on what appeared to be a regular and legitimate business only by means of borrowing from day to day the checks and notes of friendly parties and by procuring said notes as well as their own notes to be discounted under a mode of procedure known as "kiting", and that while so engaged in making a show of business on this fictitious basis, they by the false pretences and representations aforesaid fraudulently obtained said goods of the value of over thirteen thousand dollars from deponents said firm, which said representations deponent at the time believed to be true and on the strength of which said goods were delivered.

Sworn to before me
this 7th day of June 1887
Jas F Halligan.
Notary Public King Co
Certificate filed in Cty. Co

Jno. A. Kidd

District Attorney's Office.
City & County of
New York.

2

~~The~~ Schedule of assets and liabilities of Thomas E. Arnold filed in this office July 1. 1881.

Sheriff.

George W. Adee
James F. Hoadley
Charles Lee
Albert H. Rogers
} 25 Nassau St

George P. Sanderson Jr
Mr. Burt 25 Nassau St.
Joseph F. Arnold 206. Broadway

H. Thaxter
Atty
91 Liberty St

District Attorney's Office.
City & County of
New York.

Case of Thomas E. Arnold, on the Calendar for Tuesday next. indictment —

Subpoena duces Tecum to John H. V. Arnold of 26 E. Broadway. to produce the following books of Thomas E. Arnold & Co. now in John H. V. Arnold hands as assignee of Thomas E. Arnold & Co

Paid Ledger. A & B. cash Book. Stock Book ~~—~~ Stock books. Internal Revenue Book — Cash Blotters — Sales Books, Petty Cash Book ~~and Journals. &~~ Day Book. and Journals. from ~~Jan~~ January 2. 1879. to June 1. 1881 —

Also Subpoena duces Tecum ~~from~~ for Nathaniel Jarvis clerk of the County of Queens Pleas to produce

District Attorney's Office.

CITY AND COUNTY OF NEW YORK, } ss.

George H. Kidd being duly sworn,

deposes and says: That he knows

Thomas E. Arnold

was on the 29th day of September 1881, duly indicted

for the crime of obtaining goods by false pretences;

That before being arrested, the said

Thomas E. Arnold

fled from the State of New York, and is now a fugitive from

justice at Jersey City in the State of New Jersey.

Sworn to before me, this 3d day of October 1881

Jas F Halligan Jr
Notary Public,
New York City and County.

Certificate filed in New York Co.

Geo H Kidd

District Attorney's Office.

CITY AND COUNTY OF NEW YORK, } ss.

George H. Kidd being duly sworn, deposes and says: That he knows Thomas E. Arnold; was on the 29th day of September 1881, duly indicted for the crime of obtaining goods by false pretences

That before being arrested, the said Thomas E. Arnold fled from the State of New York, and is now a fugitive from justice at Jersey City in the State of New Jersey

Sworn to before me, this 3rd day of October 1881

Jas F. Halligan
Kings Co
Certificate filed in
New York Co

George H. Kidd

Notary Public,
New York City and County.

Duplicate

PART 1172

THE COURT-ROOM IS IN THE BROWN STONE BUILDING, AND FRONTING THE CITY HALL.

☞ If this Subpœna be disobeyed, an attachment will immediately issue.

☞ Bring this Subpœna with you, and give it to the officer at the Court-Room door, that your attendance may be known.

[SEE OTHER SIDE FOR OTHER DIRECTIONS.]

SUBPŒNA—(DUCES TECUM)

FOR A WITNESS TO ATTEND THE

Court of General Sessions

The People of the State of New York,

To Nathaniel Jarvis

of No. 82 & 84 Exchange Place

GREETING:

WE COMMAND YOU, That, all business and excuses ceasing, you *appear* in your proper person, before the Court of General Sessions, to be holden in and for the City and County of New York, at the Brown Stone Building in the Park of the said City, on the 21 day of June instant, at the hour of eleven in the forenoon of the same day, to testify the truth and give evidence in our behalf, against

Thomas E. Arnold

in a case of Felony, whereof *he stands* indicted, and that you bring with you and produce, at the time and place aforesaid, ~~a~~ the schedule of assets and liabilities of Thomas E Arnold & Co. filed at Albany July 1st 1882

now in your custody and all other deeds, evidences and writings, which you have in your custody or power, concerning the premises. And this you are not to omit, under the penalty of Two Hundred and Fifty Dollars.

WITNESS, Hon. Josiah Sumner Presiding Judge of our said Court, at the City Hall in our said City, the first Monday of June in the year of our Lord 1883.

JOHN McKEON, *District Attorney*.

Should the case not be called on for trial, and no reason assigned in Court, please inquire in the District Attorney's Office about it, and you may save time.

If inconvenient for you to remain, and you prefer another day, state this early to the District Attorney, in the Court.

If ill, when served, please send timely word to the District Attorney's Office.

If you know of more testimony then was produced before the Magistrate, or if a fact which you think material was not there brought out, please state the same to the District Attorney or one of his assistants.

STATE OF NEW YORK, }
City and County of New York, } s

being duly sworn, deposes and says, he served a Subpœna, of which the within is a copy, upon

on the day of 188 , by

Mr Kiley will attend at any time when desired for the Common Pleas

Sworn to before me, this }
day of 188 . }

Notary Public, N. Y. Co.

I, JOHN SPARKS, Clerk of the Court of General Sessions of the Peace, and of the Court of Oyer and Terminer held in and for the City and County of New York, do certify that the annexed is a copy of

An Indictment

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original

GIVEN UNDER my hand, and attested by the seal of the said Court this Fourth *day of* October *in the year of our Lord one thousand eight hundred and eighty* one.

3d Vol. R. S., 5th Ed., § 74, p. 687.

against Thomas E. Arnold

The Grand Jury of the City and County of New York by this indictment accuse Thomas E. Arnold of the crime of Obtaining Property by false pretenses committed as follows:

The said Thomas E. Arnold

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty fourth day of February in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty one, at the Ward, City, and County aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one George W. Kidd and one John S. Kidd who were then and there Copartners in business did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to

George W. Kidd

That the firm of Thomas E. Arnold and Company, composed of the said Thomas E. Arnold and his mother, had then and there a working capital of over fifty thousand dollars.

That the entire indebtedness of the said firm of Thomas E. Arnold and Company did not then and there exceed the value of the stock of merchandise then and there on hand and in its possession.

That the said firm of Thomas E. Arnold and Company was then and there worth between fifty thousand and sixty thousand dollars over and above all its liabilities of every kind

And the said George W. Kidd

then and there believing the said false pretences and representations
so made as aforesaid by the said
Thomas E. Arnold
and being deceived thereby, was induced, by reason of false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said Thomas E. Arnold a quantity of distilled spirits, a more particular description of which is to the jury unknown, of the price and value of thirteen thousand and five hundred dollars.

of the proper ~~moneys,~~ valuable things, goods, chattels, personal property and effects
of the said George W. Kidd and John S. Kidd
and the said Thomas E. Arnold did then
and there designedly receive and obtain the said
distilled spirits
of the said George W. Kidd
of the proper moneys, valuable things, goods, chattels, personal property and effects
of the said
George W. Kidd and John S. Kidd by means
of the false pretences and representations aforesaid, and with intent feloniously to cheat
and defraud the said George W. Kidd and John S. Kidd
of the same.

And Whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company had not then and there a working capital of over fifty thousand dollars or of any other amount or sum.

And whereas, in truth and in fact, the indebtedness of the said firm of Thomas E. Arnold and Company then and there largely exceeded the value of its stock of merchandise then on hand and in its possession And whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company was not then and there worth between fifty thousand and sixty thousand dollars, nor any other sum over and above its liabilities but was then and there insolvent and with liabilities in excess of its assets

And Whereas, in fact and in truth, the pretences and representations so made as aforesaid, by the said Thomas E. Arnold to the said George W. Kidd was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Thomas E. Arnold well knew the said pretences and representations so by him made as aforesaid to the said George W. Kidd to be utterly false and untrue at the time of making the same.

And so the ~~Jurors~~ Grand Jury aforesaid, upon their oath aforesaid, do say, that the said Thomas E. Arnold by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City, and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said George W. Kidd and John S. Kidd a quantity of distilled spirits, a particular description of which is to the Grand Jury unknown, of the value of thirteen thousand and five hundred dollars

of the proper ~~moneys,~~ valuable things, goods, chattels, personal property, and effects of the said George W. Kidd and John S. Kidd with intent feloniously to cheat and defraud them of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DANIEL G ROLLINS,
BENJ. K. PHELPS, District Attorney.

Witness

George W. Kidd.

Filed 29 day of Sept 1881

Pleads

THE PEOPLE

vs.

NA

Thomas E. Arnold.

Obtaining Goods by False Pretences.

DANIEL C ROLLINS,

BENJ. K. PHELPS,

District Attorney.

A True Bill.

H Catlin Jr.

Foreman

District Attorney's Office.
City & County of
New York. May 28 1884

Dear Sir -

Enclosed you will find the following papers in the matter of the assignment of Thomas E. Arnold to Wm H. Arnold

1. Inventory & Schedules &c filed June 21, 1880
2. Assignee's Bond " June 24, 1881
3. Petition & order to administer &c " Aug 15, 1881
4. Affidavits & order for injunction " Nov 11, 1881

which were taken from upon office for use as evidence in the case of People v Thomas E. Arnold who was indicted for obtaining property by false pretenses in September 1881, and a nolle pros in whose case has been this day entered. Please acknowledge the receipt of the same.

Yours &c

Jos Sudam
Deputy

Nathaniel Jarvis Esq
Clerk Court of Common Pleas

Received the above named papers. Nathl Jarvis Jr Clerk

People

v

Thos E. Arnold

Recognr

OFFICE OF

C. HENRY GARDEN,

NINTH NATIONAL BANK, 407 & 409 BROADWAY,

New York, Jany 26 1852

Mr John O Byrne.

Dear Sir:

Please allow me to introduce to you Mr Geo M Kidder. a personal friend of mine. (by the way. a Son in Law.) he may have business with you. & I shall be introduction may be to you Mutual advantage With my best wishes & Regards Remain

Yours

C. H Garden

of 606 Market St. Phila

City and County of New York. ss.

George D. Kidd being duly sworn says that he resides in the City of New York and is a member of the firm of George D. Kidd & Company, Wholesale liquor merchants, doing business at No. 35 Water Street in said City.

That on or about the 24th day of February 1881 Thomas E. Arnold of the firm of Thomas E. Arnold and Company, composed as said Arnold stated of himself and his mother, liquor merchants doing business at No. 130 Cedar Street in said City, called upon deponent at the office of deponents said firm and proposed to purchase from them for said firm of Thomas E. Arnold and Company a large quantity of distilled spirits on credit; that deponent then and there told said Arnold that before he, deponent, would entertain any proposition to make such sale, he would require a statement of the financial condition and standing of said firm of Thomas E. Arnold and Company; that thereupon said Arnold said he was willing to make such statement, and did so, stating in detail the financial condition of his said firm, which statement deponent took down at the time

in writing in the presence of said Arnold; that as appeared by said statements and as said Arnold told deponent, the said firm of Thomas E. Arnold and Company was worth between fifty and sixty thousand dollars over and above all liabilities of every kind, and at the same time said Arnold further stated to deponent that his said firm of Thomas E. Arnold and Company was doing a flourishing business; that they were getting a net profit of about thirty per cent over the cost of the goods they bought, and were making money; that deponent need have no fear as to the solvency and ability of said firm of Thomas E. Arnold and Company to meet all their liabilities as they had a working capital of over fifty thousand dollars, and were doing a safe and profitable business and that their entire indebtedness did not exceed the value of the stock then on hand, leaving them a surplus over and above all indebtedness exceeding fifty thousand dollars. And the said Arnold further stated that he had married recently a lady of great wealth, from whom he expected to receive a large amount of money, which he proposed to put into his said business.

Deponent further says that, relying upon said statements of said Thomas E. Arnold and believing the same to be true, he, on or about said 24th day of February 1881 sold to said firm of Thomas E. Arnold and Company a large quantity of distilled

7 spirits amounting altogether in value to thirteen thousand five and ninety three dollars ($13.093) and thereafter delivered the same from time to time upon the order of said firm of Thomas E. Arnold and Company; that said firm of Thomas E. Arnold and Company gave to deponents said firm for said goods so sold and delivered their promissory notes in writing as follows:

Dated Feby 18/81. 3 mos. $882.78.	Dated April 25/81. 3 mos. $664.80
" " 25. " 3 " . 882.78.	" May 2. " 3 " . 926.20
" " 4 " 4 " . 882.79.	" " 9 " 3 " . 926.20
" March 19. 3 " . 745.80.	" April 16. " 4 " . 926.20
" " 26. 3 " . 745.80	" " 28 " 3 " . 771.00
" " 2. 4 " . 745.80.	" May 9 " 3 " . 657.60
" " 28. 3 " . 664.80	" April 11 " 3 " . 664.80
" April 4. 3 " . 664.80	" " 18 " 3 " . 664.80
" " 23. 4 " . 657.60.	" " 30 " 4 " . 517.20

That none of said notes have been paid except the one for $882.78 dated February 18th 1881.

That thereafter as said notes matured and became due the same were duly presented for payment at the place specified on the face thereof, but the payment of the same was refused, said firm of Thomas E. Arnold and Company having no funds therewith which to pay the same, and said notes each and all still remain unpaid.

That on the 1st day of June 1881 the said firm of Thomas E. Arnold and Company made a general assignment for the benefit of their creditors to

John H. V. Arnold the brother of said Thomas E. Arnold, which was filed in the office of the Clerk of the City and County of New York and in and by which preferences were given to certain creditors, other than deponent & paid firm, to the amount of about seventeen thousand dollars.

Deponent further says that as he is informed and believes the statement made to him on said 24th day of February 1881 by said Thomas E. Arnold was false and untrue and was then known by said Arnold to be false and untrue; that on said date the said firm of Thomas E. Arnold and Company was not worth the sum of fifty thousand dollars over its liabilities or any sum whatever but was then in fact insolvent; that both prior to and since said 24th day of February 1881 said firm was enabled to carry on and appearance of doing a regular business only by borrowing from day to day the checks and notes of persons friendly to them under a system or mode of procedure known among merchants as "kite flying" or "kiting" and by raising money through other parties by the discounting of their own notes, so discounted, as deponent believes, on the strength of the credit acquired by means of statements as to financial responsibility similar to those made to deponent and on the strength of which he trusted them.

And the deponent further says that said statements by said Arnold were made to him

3

as deponent believes with the intent on the part of said Arnold of acquiring a credit with deponents said firm and to defraud said firm out of the value of the goods delevered on the strength of deponents belief in the truth of such statements; that said goods were obtained by false pretences on the part of said Arnold and without the ability or intention on his part of paying for the same, and that he knew when the same were delivered to and received by him that the said firm of which he was a member would be unable to pay therefor.

George McKidd

Subscribed & sworn to before me this 28th Day of September 1881

L. B. Poor
Notary Public
N. Y. City & Co.

People [redacted]

Thos. B. Arnold.

a

Obtaining goods by false pretences.

2

Affidavit of Geo. W. Kirk

1

Facts which can be proven against Thos. E Arnold

I. That on or about February 24th. 1881 the said Arnold requested the firm of Geo. W. Kidd & Co to give his firm (Thos. E. Arnold & Co) a line of credit to the extent of $15,000 of Spirits and Liquors to be delivered by said Kidd & Co from time to time in such quantities as the said firm of Arnold & Co would require it.

II. That on the above mentioned day February 24th 1881 the said Thomas E. Arnold made a statement in writing and before witness of his firm's business to Geo. W. Kidd one of the firm of said Geo. W. Kidd & Co. and represented to said Geo. W. Kidd that his said firm of Thomas E. Arnold & Co. had a capital of at least $5.0000 in their business over and above all their debts and liabilities and they were doing a safe and profitable business.

III. That the said firm of Geo. W. Kidd & Co. relying on and believing such statement to be true, sold and delivered to said firm of Thomas E. Arnold & Co. Spirits and Liquors, between said 24th of February and June 1st. 1881, of the value of twelve thousand eight hundred and thirty six and 18/100 Dollars ($12836 18/100) for which account the said Geo. W. Kidd & Co took

notes of the firm of said Thos. E. Arnold & Co., that said notes are all past due and unpaid.

IV. That the said firm of Geo. W. Kidd & Co. has had an examination made of the books of said Thos. E. Arnold & Co. as of said date February 24th 1881 and that said examination resulted in a showing of the said firm of Thos. E. Arnold & Co to be insolvent on said 24th of February 1881. At the time said Thos. E. Arnold made the statement to said Geo. W. Kidd that his firm, Thos. E. Arnold & Co, was worth $5.0000 over and above all liabilities.

V. That said firm of Thos. E. Arnold & Co's Assets were on said date February 24th 1881 $115.291.99
and liabilities 141.987.94
which prove that said firm of Thos. E. Arnold & Co. was insolvent and were owing $26.695-95/100 more than they had assets to pay it with

VI. That on the first day of June 1881 the said firm of Thomas E. Arnold & Co. made a general assignment to J. H. V. Arnold, (a brother of said Thos. E. Arnold) with preferences amounting to $17709 45/100 that some of the parties so preferred do not appear on the Ledger or any of the books of said Thos. E. Arnold & Co as a creditor, That said firm of Thos. E. Arnold & Co did not assign all of their assets, as a large

number of book accounts do not appear in the Schedule on file in the office of the Clerk of the Court of Common Pleas for the City and County of New York, that the said Schedule shows their liabilities to be $145,364 67/100 and their actual assets $35.35.3 50/100.

VII That the Spirits and Liquors sold to said Thos. E. Arnold & Co. were resold by them at from 15 to 20 % less than they paid said Geo. W. Kidd & Co. and that they made such fraudulent entries on their books as they supposed would hide the transactions, that these fraudulent sales were made at various times, between February 14th & June 1st 1881, to one H. H. Reiner of Brooklyn, and J. H. & H. Wellbrook, 63 Vesey st New York City.

VIII. That the said examination of Thos. E. Arnold & Co's books were made by two experts, and the showing of the assets and liabilities were made on a basis of all the book accounts being good,

That said Thos. E. Arnold stated to said Geo. W. Kidd that his average losses were 4 %, which when considered will reduce his assets of February 24th 1881 about $25 000.

IX. That said Thos. E. Arnold about the time of said assignment fraudulently and secretly sent

to Jersey City about $15.000 worth of goods belonging to said firm of Thos. E. Arnold & Co and ~~stored~~ the same in the name of his bookkeeper Geo. P. Simonson Jr. who commenced business with the same, and that no such transaction appears on the books of Thos. E. Arnold & Co.

X. That the said Thos. E. Arnold & Co made a preference to their bookkeeper Geo. P. Simonson Jr. of $4 5 5 6 7/100, that this and all other preferences have been paid.

XI. That said Thos. E. Arnold & Co deposited in a Bank in Elizabeth, State of New Jersey in the name of their bookkeeper Geo. P. Simonson Jr from February 24th 1881 to June 1st. 1881, money and checks amounting to $67,856 Dollars, of which there is no record or any entry on the books of Thos. E. Arnold & Co showing these transactions.

XII. The facts are, that at the time the said Thos. E. Arnold made the statement to said Geo. W. Kidd that their firm had $50,000 over and above all their debts and liabilities, was entirely false and untrue as they were owing at that time over $5.0000, more than they had assets.

XIII. Annexed is a showing of the sales of goods to the parties before mentioned a

15 to 20% below cost ~~ator~~ about the time the said statement was made.

The statement Arnold made is hereby annexed, which I wrote down as he made it in the presence of witness.

Geo. W. Kidd

New York Oct 14th. 1881.

The books of Thomas C. Arnold 2nd & Co.
Show sales to the following parties

H. & H. Reiner Brooklyn N.Y.
February 14th. 1881 to March 26th. 1881
250 bbls. Spirits.
Billed at average price of $127.89
Settled " " " " 107.70

Hrochlich Bros. Brooklyn N.Y.
Feby. 10th. 1881 to May 16th. 1881.
142 bbls. Spirits
Billed at average price of $126.43
Settled " " " " 110.48

J. H. Welbrock
Dec. 18th. 1880 to March 7th. 1881
75 bbls Spirits
Billed at average price of 128.32
Settled " " " " 112.25

Copy

Newyork Feby. 24th 1881

Arnold calls and states he is doing profitable and successful business, says it costs him about ten per cent to conduct his business, average loss about 5 per cent and gross profits over 30 per cent, feels certain his nett profits over 15 per cent, says cost him over $10.000 dollars to fit up his new store, Cedar St. all paid for, paid off his late partner, has over fifty thousand dollars worth of stock on hand, basing on actual cost, don't owe to exceed fifty thousand dollars all told, lives cheaply, not over $1.200 per year, lately married, says his wife is rich, in fact wealthy, with a certainty of greater wealth to be left her. Think his assets over $75.000, - above liabilities about $60.000, - lowest estimate $50.000, position certain over

The People of the
State of New York
agst.
Thomas E. Arnold

Facts.

I, JOHN SPARKS, Clerk of the Court of General Sessions of the Peace, and of the Court of Oyer and Terminer held in and for the City and County of New York, do certify that the annexed is a copy of

An Indictment

now on file in the Clerk's Office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original

GIVEN UNDER my hand, and attested by the seal of the said Court this Fourth *day of* October *in the year of our Lord one thousand eight hundred and eighty* one.

3d Vol. R. S., 5th Ed., § 74, p. 687.

the City and ... NEW YORK,

against Thomas E. Arnold

The Grand Jury of the City and County of New York by this indictment accuse

Thomas E. Arnold

of the crime of

Obtaining property by false pretenses

committed as follows:

The said

Thomas E. Arnold

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty fourth day of February in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty one, at the Ward, City, and County aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one George H. Kidd and one John S. Kidd who were then and there copartners in business did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to

George H. Kidd

That the firm of Thomas E. Arnold and Company, composed of the said Thomas E. Arnold and his mother, had then and there a working capital of over fifty thousand dollars.

That the entire indebtedness of the said firm of Thomas E. Arnold and Company did not then and there exceed the value of the stock of merchandise then and there on hand and in its possession.

That the said firm of Thomas E. Arnold and Company was then and there worth between fifty thousand and sixty thousand dollars over and above all its liabilities of every kind

And the said George W. Kidd

then and there believing the said false pretences and representations
so made as aforesaid by the said
Thomas E. Arnold
and being deceived thereby, was induced, by reason of false pretences and representations so made as aforesaid, to deliver, and did then and there deliver to the said
Thomas E. Arnold, a quantity of distilled spirits, a more particular description of which is to the jury unknown, of the price and value of thirteen thousand and five hundred dollars.

of the proper ~~moneys,~~ valuable things, goods, chattels, personal property and effects
of the said George W. Kidd and John S. Kidd
and the said Thomas E. Arnold did then
and there designedly receive and obtain the said
distilled spirits
of the said George W. Kidd
of the proper moneys, valuable things, goods, chattels, personal property and effects
of the said George W. Kidd and John S. Kidd
by means
of the false pretences and representations aforesaid, and with intent feloniously to cheat
and defraud the said George W. Kidd and John S. Kidd
of the same.

And Whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company had not then and there a working capital of over fifty thousand dollars or of any other amount or sum.

And whereas, in fact and in truth, the indebtedness of the said firm of Thomas E. Arnold and Company then and there largely exceeded the value of its stock of merchandise then ~~xxx~~ on hand and in its possession.

And whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company was not then and there worth between fifty thousand and sixty thousand dollars, nor any other sum, over and above its liabilities, but was then and there insolvent and with liabilities in excess of its assets

And Whereas, in fact and in truth, the pretences and representations so made as aforesaid, by the said Thomas E. Arnold to the said George W. Kidd was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Thomas E. Arnold well knew the said pretences and representations so by him made as aforesaid to the said George W. Kidd to be utterly false and untrue at the time of making the same.

And so the ~~Jurors~~ Grand Jury aforesaid, upon their oath aforesaid, do say, that the said Thomas E. Arnold by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City, and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said George W. Kidd and John S. Kidd a quantity of distilled spirits a particular description of which is to the Grand Jury unknown, of the value of thirteen thousand and five hundred dollars

of the proper ~~moneys~~, valuable things, goods, chattels, personal property, and effects of the said George W. Kidd and John S. Kidd with intent feloniously to cheat and defraud them of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DANIEL G ROLLINS,
BENJ. K. PHELPS, District Attorney.

Witness
George W. Kidd.

Filed 29 day of Sept 1881

Pleads

THE PEOPLE

vs.

NA

Thomas E. Arnold

Obtaining Goods by False Pretences.

DANIEL C ROLLINS,

BENJ. K. PHELPS,

District Attorney.

A True Bill.

J. Catlin Jr.

Foreman

GLUED PAGES

Court of General Sessions of the Peace of THE PEOPLE OF THE STATE OF

District Attorney's Office.
City & County of
New York.

E. Arnold

ndictment accuse

May 28th 1889

alse pretenses

This case comes exactly
within the rule as defined
by Gen'l
Department
filed March 16th 1889.
That Court holds that
the Statute under which
the Defdt is indicted
was repealed by Chap
893 of Laws of 1886 &
that "there is no penal
Law to which he is amenable".
A "Nolle Pros" should be entered
as the Ind't was filed before
the Penal Code took effect

J. R. Fellows
Dist't Atty

0077

of THE PEOPLE OF THE STATE OF

k,

E. Arnold

ndictment accuse

ay 28th 1889

Thomas E. Arnold

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the twenty fourth day of February in the year of our Lord one thousand eight hundred and ~~seventy~~ eighty nine, at the Ward, City, and County aforesaid, with force and arms, on the day and year last aforesaid, with intent feloniously to cheat and defraud one George W. Kidd and one John S. Kidd who were then and there copartners in business did then and there feloniously, unlawfully, knowingly, and designedly, falsely pretend and represent to George W. Kidd

That the firm of Thomas E. Arnold and Company, composed of the said Thomas E. Arnold and his mother, had then and there a working capital of over fifty thousand dollars.

That the entire indebtedness of the said firm of Thomas E. Arnold and Company did not then and there exceed the value of the stock of merchandise then and there on hand and in its possession.

That the said firm of Thomas E. Arnold and Company owed then and there nothe keteen fifty thousand dollars.

That the said firm of Thomas E. Arnold and Company owed over and above all its liabilities of every kind

And the said George W. Kist

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John S. Kist

of the same.

POOR QUALITY
ORIGINAL
DOCUMENT(S)

And Whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company had not then and there a working capital of over fifty thousand dollars or any other amount or sum; And whereas, in fact and in truth, the insolvency of the said firm of Thomas E. Arnold and Company then and there largely exceeded the value of its stock of merchandise then and there and in its profession.

And whereas, in truth and in fact, the said firm of Thomas E. Arnold and Company was not then and there worth between fifty thousand and sixty thousand dollars, nor any other sum, over and above its liabilities, but was then and there insolvent and with liabilities in excess of its assets.

And Whereas, in fact and in truth, the pretences and representations so made as aforesaid, by the said Thomas E. Arnold to the said George W. Kirk was and were in all respects utterly false and untrue, to wit, on the day and year last aforesaid, at the Ward, City, and County aforesaid.

And Whereas, in fact and in truth the said Thomas E. Arnold well knew the said pretences and representations so by him made as aforesaid to the said George W. Kirk to be utterly false and untrue at the time of making the same.

And so the ~~Jurors~~ grand jury aforesaid, upon their oath aforesaid, do say, that the said Thomas E. Arnold by means of the false pretences and representations aforesaid, on the day and year last aforesaid, at the Ward, City, and County aforesaid, feloniously, unlawfully, falsely, knowingly and designedly, did receive and obtain from the said George W. Kirk and John S. Kirk a quantity of distilled spirits, a particular description of which is to the said jurors unknown, of the value of thirteen thousand and five hundred dollars of the proper ~~moneys~~, valuable things, goods, chattels, personal property, and effects of the said George W. Kirk and John S. Kirk with intent feloniously to cheat and defraud them of the same, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

DANIEL G ROLLINS,
BENJ. K. PHELPS, District Attorney.