

0699

**BOX:**

16

**FOLDER:**

205

**DESCRIPTION:**

Gertris, Nicholas

**DATE:**

07/13/80



205

0700

Filed 13 day of July 1880

Pleas *W. H. Smithy C. D.*

THE PEOPLE

vs.

*W. H. Smithy*  
*35*  
*5 January*  
Nicholas <sup>P</sup> Gertris

Felonious Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

*Requires an Italian*  
*subscribed by him*  
**A True Bill.**

*W. H. Smithy*  
Foreman.

*July 23 1880*  
*Tragedy committed on*  
*66 Second Street*  
*3.4.6 Mrs. F. S.*

The People  
vs.  
Nicholas Gertio

Court of general Sessions, Part First  
Before Recorder Smythe. July 23. 1880.  
Indictment for felonious assault and battery.  
Paul Bronetto, sworn and examined through  
the interpreter. I have known the prisoner only  
a year. On the 8<sup>th</sup> of July I was going to take a  
pint of beer at the prisoner's house; he lives in  
Jersey St; I live on the top floor in the same  
house; it was half past ten at night. I was  
struck on the shoulder and in the back with  
some instrument like an axe. I was brought  
to the hospital and stayed there two weeks and  
then went home. I knocked at the prisoner's door  
by mistake, I live on the same floor with the  
prisoner. I had no quarrel with the prisoner  
that night; afterward the prisoner took an in-  
strument and struck me seven or eight times,  
he said, "I will kill you"; he said that three  
or four times. I did not do anything to the pris-  
oner. At the time I knocked at the prisoner's  
door it was dark, I did not see anybody;  
after the prisoner struck me he gave me  
a kick in the back and I fell down stairs  
A countryman, who is <sup>not</sup> a witness here, Francisco  
heard the noise and he came out of the  
room and went to call my wife; she came  
to me; afterwards another countryman of the  
name of Gerardo came; he is not here.

0702

He is living in the same house. I had the prisoner arrested that same night. I went to the station house with the officer. I was first struck by the prisoner with this axe and then I was kicked down stairs. I had no quarrel with the prisoner before that night; he cut and kicked me because, he said that I was going to his house; the prisoner is a married man and his wife lives with him in the same house. I mistook his door for mine and knocked at it. I called at my own door first and believing my wife was asleep I knocked at the other door. I called for my wife and another woman and nobody heard it, and afterward seeing that nobody heard I was going to knock at the other door. I did not try to open either doors. Cross examined. I am a rag picker, I was working that day I am married; my wife is in Italy. I went out that night for a pint of beer I had the beer in the can when I came back. I drank beer in the morning before going to work; that night I did not drink any because at the time I brought the can in I was kicked down. That woman was in that room that you live in that night? Two Englishwomen and two men in one room. I did not try to shove in the door, I did not try to break the door, I did not make a noise, only a slight knocking. The woman I am

0703

living with is not my wife. I was quiet when I cannot work. my shoulder is so sore.  
Thomas D. Mitchell, sworn. I am an officer and made the arrest in this case; the prisoner was in bed on the top floor of 5 Jersey street towards 11 o'clock. I was going up Mulberry St and I heard screaming, "murder, police". I ran up Mulberry to Jersey and down Jersey towards Crosby St. I got to the steps of 5 and saw the complainant lying there. I asked what was the matter? and the woman that he lives with told me he was stabbed, that he was her husband. I saw the blood was flowing from his shoulder. I asked who did it, and some two or three Italians told me, the man up stairs. I went up stairs to the door and demanded admittance to the door and was not allowed in. It was fastened from the inside. He asked who it was? I told him I was a policeman. He muttered some Italian words I could not understand; finally they did not open the door, I forced the door in. The prisoner and the woman were in bed; he was undressed. I asked the complainant if the prisoner was the man who cut him? he seemed to hesitate for a few seconds; then he told me it was. After a little while I got him out of bed and took him to the station house. He was covered

0704

with blood; there was blood all over his shoulders; one wound seemed somewhat deeper than the other; the others seemed to be slight. There was four or five on one shoulder. I searched around the premises of the prisoner and found nothing. I found on the person of the prisoner a jack knife; it apparently had not been opened from some time; the blade was pretty rusty; there were no marks of blood upon it. Nicholas Gertio, sworn and examined through the interpreter in his own behalf I am a laborer, I live 5 Jersey street. On the night of the 8<sup>th</sup> of July, 11 1/2 I heard the complainant knocking at the door, I was asleep with my wife at the time. Seeing that nobody was opening the door he pushed the door in; he had a can in his hand; he came in and he struck me in the face with the can. I took up the first thing I found, it was a wood hammer and I struck him twice. I was not dressed, I kicked him out of my room pushed him out of my room Cross Examined. The door was locked with a key. I went to bed about 11 1/2. I did not know the complainant. I lived at 5 Jersey st. two months, I was working that day and went to work the next day. It was either a hammer or a hatchet that I had. The jury rendered a verdict of guilty of an assault with intent to do bodily harm. He was sent to the State prison for two years and six months.

0705

Vesting in the case  
of Nicholas Gertrio  
= =  
July 1880

0706

Form

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

POLICE COURT—FIRST DISTRICT.

of No. 5 Jersey Street, being duly sworn, deposes and says,

that on the 8 day of July 1880

at the City of New York, in the County of New York, he was violently and feloniously assaulted and

beaten by Nicholas Gertis now present.

from the fact that said Gertis cut and stabbed deponent several times on the left shoulder with some sharp instrument an axe ~~which was~~ ~~to deponent~~

Sworn to, before me, this

Deponent believes that said injury, as above set forth, was inflicted by said

Nicholas Gertis

with the felonious intent to take the life of deponent, or to do h bodily harm, and without any justification on the part of the said assailant:

Wherefore this deponent prays that the said assailant may be apprehended, and dealt with according to law.

Paul J. Bonnetto  
Nicholas Gertis  
Mark

*[Signature]*  
1880  
Police Justice.

0707

Police Court—First District.

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

*Nicholas Gertio* 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 ~~he~~, states as follows, viz:

Question. What is your name?

Answer. *Nicholas Gertio*

Question. How old are you?

Answer. *Thirty five years*

Question. Where were you born?

Answer. *Italy*

Question. Where do you live?

Answer. *5 Juney Street*

Question. What is your occupation?

Answer. *Ray Bucker*

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

Answer. *I am not guilty*

*Nicholas Gertio*  
*Mark*

Taken before me this

*[Signature]*

day of

1890

Police Justice

0708

COUNSEL FOR COMPLAINANT.

Name.....

Address.....

COUNSEL FOR DEFENDANT.

Name.....

Address.....

Police Court -- First District.

AFIDAVIT--Felonious Assault & Battery

THE PEOPLE, &c.,

ON THE COMPLAINT OF

*Paul J. ...  
5 ...  
Spokane ...  
14 ...*

1.....  
2.....  
3.....  
4.....  
5.....  
6.....

Dated, *July 9* 188*8*

*Frank ...* Magistrate.  
*...* Officer.

..... Clerk.

Witnesses.....



*...* to answer

at General Sessions.....  
Received at Dist. Atty's Office,

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.....

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present :

That *Nicholas Bertrio*

late of the City of New York, in the County of New York, aforesaid, on the  
*eightth* day of *July* in the year of our Lord  
one thousand eight hundred and *eighty* with force and arms, at the City and  
County aforesaid, in and upon the body of *Paul Bronetto*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Paul Bronetto*  
with a certain *axe*  
which the said *Nicholas Bertrio*

in *his* right hand then and there had and held, the same being a deadly and  
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound  
with intent *him* the said *Paul Bronetto*  
then and there, feloniously and wilfully to kill, 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.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County  
aforesaid, the said *Nicholas Bertrio Paul Bronetto*  
with force and arms, in and upon the body of the said *Paul Bronetto*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Paul Bronetto*  
with a certain *axe* which the said

*Nicholas Bertrio* in *his* right hand, then and there  
had and held, the same being then and there a sharp, dangerous weapon, wilfully  
and feloniously, and without justifiable and excusable cause, did then and there beat,  
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously  
do bodily harm unto *him* the said *Paul Bronetto*  
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.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That  
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-  
said, the said *Nicholas Bertrio Paul Bronetto*

with force and arms, in and upon the body of *Paul Bronetto*  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Paul Bronetto*  
with a certain *axe*  
which the said

*Nicholas Bertrio* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,  
and wound, the same being such means and force as was likely to produce the death  
of *him* the said *Paul Bronetto* with intent *him* the

07.10

said *Paul Bronetto* then and there feloniously and wilfully to kill, 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.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

*Nicholas Bortio* with force and arms, in and upon the body of the said *Paul Bronetto* then and there being, wilfully and feloniously, did make another assault and *him* the said *Paul Bronetto* with a certain *axe* which the said in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim *him* the said *Paul Bronetto* 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.

BENJ. K. PHELPS, District Attorney.

*346 New St*  
*July 23 1850*  
*Joseph J. Conover and*  
*W. L. Belmont*  
*Prothonotary*

*Repairs on Station*  
*Philadelphia*  
*God bless*  
A TRUE BILL.

BENJ. K. PHELPS,  
District Attorney.

*Nicholas Bortio*  
*vs*  
*Paul Bronetto*  
THE PEOPLE  
08.  
Felony Assault and Battery.

Filed 13 day of July 1850  
Pleads *Not Guilty*

0711

**BOX:**

16

**FOLDER:**

205

**DESCRIPTION:**

Goebel, Louis

**DATE:**

07/13/80



205

0712

RECORDED & INDEXED

THIS DOCUMENT CONTAINS INFORMATION OF A CONFIDENTIAL NATURE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

*W. B. T.*

Counsel,  
Filed 13 day of July 1850  
Plends *in Henry (14)*

Indictment—Larceny—*Grain*  
THE PEOPLE  
vs.  
# *Louis Grebe*

BENJ. K. PHELPS,  
District Attorney.

A TRUE BILL,  
*W. B. T.*  
Foreman,  
*James P. L.*

*X 60*  
*4 mos Pen F.S.*

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at Washington this 13th day of July 1850.

W. B. T. District Attorney

0713

FORM 112.

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

Police Court—Third District.

of No. 107 Hester Gustav Blum Street, being duly sworn, deposes  
and says that on the 9th day of June 1880  
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: One coat, two hundred cigars  
one pair of shoes

of the value of thirty five Dollars  
the property 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 Louis Goebel  
(now here) for the reason that the  
accused acknowledged and confessed  
to deponent that he had taken, stolen and  
carried away the aforementioned property and  
had disposed of the same.

Gustav Blum

Sworn to, before me this 10th  
day of July 1880  
Meredith C. Conway  
POLICE JUSTICE.

0714

Police Court—Third District.

CITY AND COUNTY OF NEW YORK, ss.

Louis Goebel 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.—Louis Goebel

Question.—How old are you?

Answer.—Twenty three

Question.—Where were you born?

Answer.—New York

Question.—Where do you live?

Answer.—Shou us home

Question.—What is your occupation?

Answer.—I am a sailor

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

Answer.—I was intoxicated, and did not know what I was doing.  
Louis Goebel

Taken before me, this  
11th day of July  
1887  
Wm. C. [Signature]  
Police Justice.

0715

**Police Court—Third District.**

CITY AND COUNTY }  
OF NEW YORK. } ss.

\_\_\_\_\_ being duly examined before the under-  
signed, 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 him, states as follows,  
viz:

*Question.* What is your name?

*Answer.*

*Question.* How old are you?

*Answer.*

*Question.* Where were you born?

*Answer.*

*Question.* Where do you live?

*Answer.*

*Question.* What is your occupation?

*Answer.*

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

*Answer.*

.....  
*Taken before me, this*.....

*day of*.....

.....  
18

.....  
POLICE JUSTICE.

0716

COUNSEL FOR COMPLAINANT.

Name, .....  
Address, .....

COUNSEL FOR DEFENDANT.

Name, .....  
Address, .....

POLICE COURT—THIRD DISTRICT.

THE PEOPLE, vs.,

ON THE COMPLAINT OF  
*William Hunter et al*

*Alvin Goebel*

APPROVIT—LARCENY. *Frank*

1 .....  
2 .....  
3 .....  
4 .....  
5 .....  
6 .....

Dated *July 10th* 19*18*

Magistrate.

*Frank*

Clerk.

*Law Office*

Witnesses.....

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.....



\$ *5.00* to answer

at *General* Sessions

Received at Dist. Att'y's Office,

*Law*

0717

CITY AND COUNTY }  
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York,  
upon their Oath, present:

That

*Louis Koebel*

late of the First Ward of the City of New York, in the County of New York, afore-  
said, on the *first* day of *June* in the year of our Lord one  
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County  
aforesaid, with force and arms

*One coat of the value of twenty dollars  
Two hundred cigars of the value of five  
cents each  
Two shoes of the value of two dollars  
and fifty cents each*

of the goods, chattels and personal property of one

*Gustav Blum*

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.

**BENJ. K. PHELPS, District Attorney.**

0718

BOX:

16

FOLDER:

205

DESCRIPTION:

Graff, Frank

DATE:

07/13/80



205

0719

Counsel,

1860

Filed 13 day of July

Pleas

Petit Larceny of Money from the Person.  
INDICTMENT.

THE PEOPLE

vs.

+ Frank Grapp

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*W. C. ...*  
Foreman.

*R. G. ...*

*F. H. S.*

0720

FORM 112.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK, } s.

Police Court—Third District.

of No. 423 E. 18<sup>th</sup> Street, being duly sworn, deposes  
and says that on the 3<sup>rd</sup> day of July 1882  
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried  
away from the possession of deponent. <sup>known and</sup>

the following property viz.: One bill of the denomination and  
Value of one Dollar

of the value of One Dollars  
the property of Eloja Mahony in charge of this 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 Frank Graff (now live)  
for the reason that whilst this deponent was passing  
along 13<sup>th</sup> St in the vicinity of Avenue B the ac-  
cused perpetrator deponent and said let me see that  
which you hold in your hand deponent replied  
there is no "see" in it, whereupon the accused  
snatched the bill abovementioned from the left-  
hand of this deponent and ran away thereinto

Eloja <sup>now</sup> Preuman  
hand

Sworn to, before me this 7<sup>th</sup>

day of July

1882

Michael M. Searcy  
POLICE JUSTICE

0721

Police Court—Third District.

CITY AND COUNTY } ss.  
OF NEW YORK.

Frank Graff. being duly examined before the under-  
signed, 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 him, states as follows.

viz:

Question. What is your name?

Answer. Frank Graff.

Question. How old are you?

Answer. 12 years

Question. Where were you born?

Answer. New York.

Question. Where do you live?

Answer. 510 Park 13<sup>th</sup> Street

Question. What is your occupation?

Answer. Sa to School

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

Answer. It is not true

Frank Graff.

Taken before me, this 5<sup>th</sup> day of July, 1880  
Maxim Carlsberg  
POLICE JUSTICE.

56

0722

COUNSEL FOR COMPLAINANT.

Name, .....  
Address, .....

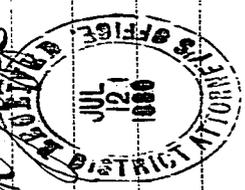
COUNSEL FOR DEFENDANT.

Name, .....  
Address, .....

12 US 510, E  
POLICE COURT—THIRD DISTRICT

AFFIDAVIT—LARCENY.

THE PEOPLE, & c.,  
ON THE COMPLAINT OF  
Eileen Brennan  
vs.  
Frank Grant  
423 E 18th St



1  
2  
3  
4  
5  
6

Dated July 5<sup>th</sup> 1900  
Magistrate  
McCarty  
Officer  
17th  
Clerk

Witnesses  
John James Foley  
177 Avenue A  
Frank Foley

\$ 5000 to answer  
at Edward Sessions  
Received at Dist. Att'ys Office, Conn.

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 .....

0723

CITY AND COUNTY }  
OF NEW YORK. } MS.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,  
in and for the body of the City and County of New York  
upon their Oath, present :

That *Frank Graff*

late of the First Ward of the City of New York, in the County of New York, aforesaid,  
on the *third* day of *July* in the year of our Lord one  
thousand eight hundred and ~~seventy-eight~~ *eighty* at the Ward, City, and County aforesaid,  
with force and arms,

*One* ~~Divers~~ Promissory Notes for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as United States Treasury Notes, of a number  
~~denomination of one dollar and of the value of one dollar~~ *the* and denomination to the Jurors aforesaid unknown, and a more accurate description of  
which cannot now be given, of the value of

*One* ~~Divers~~ Promissory Notes for the payment of money, the same being then and there  
due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination  
~~of one dollar and of the value of one dollar~~ *the denomination* and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot  
now be given, of the value of

~~Divers~~ ~~Due Bills~~ of the United States of America, the same being then and there  
due and unsatisfied, and of the kind known as Fractional Currency, of a number and  
denomination to the Jurors aforesaid unknown, and a more accurate description of  
which cannot now be given, of the value of

~~Divers~~ ~~Coins~~, of a number, kind, and denomination to the Jurors aforesaid un-  
known, and a more accurate description of which cannot now be given, of the value of

of the goods, chattels, and personal property of one *Eliza Mahoney*  
on the person of ~~the said one Eliza Sherman~~ *Eliza Sherman* then and there being found,  
from the person of the said *Eliza Sherman* 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.

BENJ. K. PHELPS, District Attorney.