

0307

BOX:

9

FOLDER:

119

DESCRIPTION:

Vaughan, John

DATE:

03/03/80



119

0308

*H & K*  
Filed *3* day of *March* 1880  
Pleade *Not Guilty (11)*

THE PEOPLE

*Morse*  
*DB*

*17<sup>th</sup> Dec 1880*

*John Vaughan*

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

*20<sup>th</sup> Dec 1880*  
*Wm. F. M.* Foreman.

*Pleade Not Guilty.*

*Pen 6 months.*

0309

Form 11.

Police Court—First District, Halls of Justice.

STATE OF NEW YORK,  
CITY AND COUNTY OF NEW YORK.I, William Adams of No. the 14<sup>th</sup> Greenwich Police Street,on the Night of the 11<sup>th</sup> day of February being duly sworn, deposes and says, thatin the year 1880, at the City of New York, in the County of New York,he was violently ASSAULTED and BEATEN by Peter MartinJohn Vaughan  
now present. That said Martin is now  
confined to bed from the effect of said  
assault, his head bruised and his  
eyes closed and swollen. And deponentis informed by the prisoner that he did so assault and  
inflict said injuries on said Martin and deponent believes the  
without any justification on the part of the said assailantWherefore this deponent prays that the said assailant may be apprehended and bound to  
answer the above assault, &c., and be dealt with according to law.Sworn to before me this 11<sup>th</sup>day of February 1880William Adams

POLICE JUSTICE.

03 10

Form 100

Police Court, Halls of Justice.

THE PEOPLE, &c.  
ON THE COMPLAINT OF

William Edwards  
John Banghan

AFFIDAVIT, A. & B.

Dated February 11 1880  
Wilbreth Justice.

Officer.

Witness.

~~A. C. Hunt~~

to admit result  
of my

to Ans. Sess.

Bailed by

No. Justice Rife in my absence  
will please continue the case  
this case and make the proper  
disposition - J. H. Kiffel

0311

7 Pence L  
Feb 10-1880

Mr Peter Marvin of  
64 Marion Street is  
suffering from very severe  
injuries received on the  
night of the 7<sup>th</sup> Inst -  
he is unable to leave his  
bed and is in a dangerous  
condition

F. E. Chapin M.D.

0312

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

FORM

Police Court—First District.

*Peter Marion*  
of No. *112 West 12th St* Street, being duly sworn, deposes and says,  
that on the *11th* day of *February* 18*88*

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

*John Vaughan* now present.  
I and others ~~unknown~~ to deponent ~~and not arrested~~  
that said Vaughan did  
wilfully and maliciously cut  
and wound the flesh of deponent's  
face with and by means  
of some sharp dangerous instrument  
which he Vaughan then drew  
there held in his hand. That  
on said ~~11th~~ <sup>12th</sup> two persons whose  
names are unknown to deponent  
were in company with Vaughan  
and that after deponent had fallen  
from the effect of the blow inflicted  
by said Vaughan said others struck  
and kicked deponent upon the face  
and body in a brutal manner

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

*John Vaughan and said others*  
with the felonious intent to take the life of deponent, or to do him 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.

*Peter Marion*

Sworn to, before me, this

*12th*18*88*

Police Justice.

0313

**Police Court, First District.**

**CITY AND COUNTY } ss.  
OF NEW YORK.**

*John Vaughan* 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 him states as follows, viz:

Question. What is your name?

Answer.

*John Vaughan*

Question. How old are you.

Answer.

*23 years*

Question. Where were you born?

Answer.

*New York city*

Question. Where do you live?

Answer.

*171 Hester St*

Question. What is your occupation?

Answer.

*Gao Fitter in the employ of the New York Gas Company*

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

here preferred against you?

Answer.

*as I told Judge Kilbreth the day I surrendered myself Mr Marrow committed a most filthy assault upon me after which I struck him*

*John Vaughan*

*Taken before me, this 26 day of July*

*J. J. Mulhock*

POLICE JUSTICE

1880

0314

COUNSEL FOR COMPLAINANT:

Name

Address

COUNSEL FOR DEFENDANT:

Name

Address

36  
Police Court—First District.

THE PEOPLE, & C.  
ON THE COMPLAINT OF  
Amdavit—Felonious Assault and Battery.

John D. Lianon  
for master of  
John Vaughan



Dated *Feb 23 1880*  
*W. R. R. R.* Magistrate.

*Adams* Officer.

*14* Clerk.

Witnesses.

*Ex. Feb 26 1880*

In answer

at General Sessions

Received at Dist. Atty's Office,



03 15

Statement of John McKeever.

I was coming up Marion Street in company with Hugh McLaney at about 1/4 on Sunday Morning the 5th day of February 1880, at they came along when ~~the~~ on ~~the~~ between the Spruig and Prince they saw two men, one of these man struck the other knocking him down, I then pushed the man back who struck the blow saying to him "Here what a ~~sa~~ bout strike him, he's drunk as I spoke the McLaney grabbed the man saying at the same time, "Here what are you striking him for, noticing two police men standing at the corner of Spruig and Howland Union Street I said, "Hughy there's two Policemen, I had better Call one, I then whistled and one of them started toward us, we then then started toward the policeman and when we met I said "there's two men fighting" he said "is there?" I said "Yes" as ~~he~~ was talking to the Officer, the man who had struck the blow, came up, he having walked down after ~~us~~, and said, "Hello Tom" We then started to go off toward Prince Street to attend to our business, when the Officer said "Where are you going?" I replied, "We are going up to Prince Street," the Officer then

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said, "You'd better not go that way, go  
around the Block" I replied "all right"  
and we went round the block by way  
of ~~Russell~~ <sup>Crosby</sup> Street. After transacting  
our business we started home by <sup>the</sup> way  
we had come, namely by way of Crosby  
Street to Spring, and when we arrived at  
the Corner of Spring and Marion ~~we~~ saw  
the same two officers before referred to  
and the man who had struck the blow  
standing on the corner talking to them.  
I had before noticed the two officers  
standing on the corner when I had  
used the front door of a saloon on the  
Corner of Spring Marion on my way  
up town as I wanted a drink, and  
finding it locked we went round  
to the side door with Mr. Loney, and  
noticed them when we came out, it  
was just after we had left the saloon  
when we saw the blow struck as  
above described.

John McHenry

William Sartorius  
Corn of Deeds  
N.Y.C.

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Statement of Hugh McLaney

I was going up through Marion Street with John McKeever, about 11<sup>th</sup> on Sunday Morning February 8<sup>th</sup> as we came along I saw two men and saw one man strike the other and knock him down, when McKeever pushed him back saying "Don't strike him he's drunk" I grabbed hold of the man who struck the blow and said to him, "Now what are you striking him for" while the man was lying on the ground, as I came back of the man McKeever called his attention to two a policeman who was standing at the corner of Spring and Marion Streets with another officer saying "Hughy there's two policemen I had better call one, he then whistled and one of the officers left his companion and came toward them, they started down toward the policeman so as to meet him when we met McKeever said to him "there's two men fighting" he then said "is there?" He McKeever said "Yes" and then they started off toward Prince Street, the young man who struck the blow then came up to the policeman and cordially spoke to him. He and McKeever started then to go about their business going in the direction of Prince Street when the Policeman called after them, "Where are you going" McKeever

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replied "We're going up to Prince Street" The  
officer then said "You'd better not go that way  
go around the block" McKeever replied "All right"  
and they went around the block by way of  
Crosby Street, transacted their business  
and came back the way they went, where  
we arrived at the corner of Spring and  
Marion on the way back they saw the same  
two officers one of whom was the one who  
had previously spoken to their standing  
talking to the young man who had struck  
the other and who he, McKeever, had caught  
hold of and spoken to.

The ~~case was that~~ they noticed the officers first  
was as they were coming up Marion Street  
they, McKeever and J. J. McKeever, tried the front  
door of a saloon on the corner of Spring  
and Marion as they wanted to get a drink and  
the two officers were standing on the corner  
as they turned round after finding the front  
door locked, and started to try the side door, as  
they noticed the same two officers standing  
there when they came out; It was just after  
they had left the saloon and walked up  
Marion Street a short distance when  
they saw the blow struck as above stated

made before this

William Sarbach  
Com. of Deeds  
M. C. C.

Hugh McKeever

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## STATE OF NEW YORK.



## Executive Chamber.

Albany, May 3, 1877.

Sir: Application having been made to the Governor for the Pardon of John Langdon who was sentenced on March 8, 1877, in your County, for the crime of Manslaughter for the term of six months years and to the State Prison Penitentiary, you are respectfully requested (in pursuance of Chapter 310, Laws 1849) to furnish the Governor with a concise statement of the case as proven on the trial, together with any other facts or circumstances which may have a bearing on the question of granting or refusing a Pardon. Be pleased also to state the previous character of the convict.

Each letter of inquiry from this Department should be answered on a separate sheet.

Very respectfully, your obedient servant,

Edward Miggel  
Bardon Clerk.

To Benj. N. Phelps  
District Attorney, Ac.

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CITY AND COUNTY }  
OF NEW YORK, }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

*John Vaughan* -  
late of the City of New York, in the County of New York, aforesaid, on the  
*eightth* day of *February* 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 *Peter Marron*  
in the peace of the said people then and there being, feloniously did make an assault  
and *him* the said *Peter Marron*  
with a certain instrument and weapon, a description of which is to the jurors afore-  
said unknown and cannot now be given, which the said  
in *his* *John Vaughan* 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 *Peter Marron*  
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

*John Vaughan* -  
with force and arms, in and upon the body of the said *Peter Marron*  
then and there being, wilfully and feloniously did make an  
assault and *him* the said *Peter Marron*  
with a certain instrument and weapon, a description of which is to the jurors afore  
said unknown and cannot now be given, which the said

*John Vaughan* 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 *Peter Marron*  
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

*John Vaughan* *Peter Marron*  
with force and arms, in and upon the body of  
in the peace of the said people then and there being, feloniously, did make another  
assault and *him* the said *Peter Marron*  
with a certain instrument and weapon, a description  
of which is to the jurors aforesaid unknown and cannot now be given, which the said

*John Vaughan* in *his* right  
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,

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and wound, the same being such means and force as was likely to produce the death of *him* the said *Peter Marrow* with intent *him* the said *Peter Marrow* 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

*John Vaughan* with force and arms, in and upon the body of the said *Peter Marrow* then and there being, wilfully and feloniously, did make another assault and *him* the said *Peter Marrow* with a certain instrument and weapon, a description of which is to the jurors unknown and cannot now be given, which the said

*John Vaughan* 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 *Peter Marrow* 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.

A True Bill.  
*John Vaughan*  
*James L. M. Brown*  
*Charles J. J.*  
*Per 6 months.*

BENJ. K. PHELPS,  
District Attorney.

*John Vaughan*  
THE PEOPLE  
11  
2  
Felonious Assault and Battery.

Filed 3 day of March 1880  
Pleas *Ind. Duly* (14)