

Mary Merritt ————— Carl Merritt

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<p>Previous controversy as to the child.          Would not consent to take care of it until it could be weaned -</p>	<p>Willing to provide and care for the child as soon as it was of an age that would enable him, properly and safely - as to do -</p>
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<p>When cautioned as to the danger, <sup>by</sup> depriving the child of proper nourishment, or by desertion to the life of the child, she states that if it should die it would go to Heaven - and other conversation and discussion at the conversation with <u>Atkinson</u></p>	<p>Placed the child on a pallet under the tree - and told the other Prisoners to take care of it - Carl's statement</p>
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<p>At the time the Prisoner Carl Merritt - put the child under the tree the female prisoner was within 15 or 20 steps from him - Carl's Statement</p>	<p>Placed the child on a pallet under the tree - and told the other Prisoners to take care of it - Carl's statement</p>
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<p>Prisoner Carl Merritt told her to go off and take her clothes and then come back and get the children - <u>Mary's statement</u></p>	<p>Expected the Prisoner Mary Merritt would come back and take care of the child as he directed - <u>C's Statement</u></p>
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Sun would strike gullet about 11 or  
12 o'clock -

Child died from exposure to heat.

If ~~both~~ <sup>if</sup> both of the parties placed  
the child <sup>in</sup> on <sup>the</sup> ~~ground~~ <sup>gullet</sup> as placed on the gullet  
as described, with the purpose and in-  
tention to ~~produce~~ <sup>procure</sup> its death, they are  
both guilty.

If they placed the child as describ-  
ed and abandoned it without  
care as to the result - not caring whether  
it lived or died - ~~manifesting~~ with  
an utter disregard as to the result they  
are both guilty.

If after having placed the child  
as described - and knowing the natural  
exposure which a short time would  
produce - they neglected to return and  
care for it - with the intention that it shall  
perish by the exposure ~~they~~ or without  
care as to whether such result were pro-  
duced or not - they are guilty.

The declaration of another party made  
in the absence of the other is testimony as  
against the absent ~~party~~ <sup>party</sup> -

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