aforethought did Strike and Cut; giving to the said female infant, then and there with the knife aforesaid, in and upon the aforesaid navel of the said female Infant, one mortal wound of the breadth of half an Inch, and of the depth of half an Inch, of which said mortal wound, the said female infant then and there Instantly died; and so the Jurors aforesaid, upon their Oath aforesaid do say that the aforesaid Mary Kelly the aforesaid female infant, so being born alive, in manner and form aforesaid, feloniously, Voluntarily and of her Malice aforethought then and there did kill and Murder, against the peace, Government and dignity of the State of Maryland. and the Jurors aforesaid, upon their Oath aforesaid, do further present, that the said Mary Kelly being pregnant with a certain female infant, on the twenty sixth day of July in the year of our Lord one Thousand Seven hundred and ninety two at the County aforesaid, the same female infant from her body brought forth alive, which said female infant so born and brought forth alive, then and there by the Laws of this State was a Bastard; and that the aforesaid Mary Kelly, not having the fear of God before her eyes, but being moved and seduced by the Instigation of the Devil, on the aforesaid twenty sixth day of July in the year aforesaid, and as soon as the aforesaid female Infant was born with force and arms at the County aforesaid, feloniously, voluntarily and of her Malice aforethought in and upon the said female infant so being alive and then and there in the peace of God and of the State being, did make an assault, and that the said Mary Kelly then and there feloniously, voluntarily and of her Malice aforethought did Strike and beat the said female Infant with the hand of the said Mary Kelly in and upon the head, neck breast, back Belly and sides, and other parts of the Body of the said female infant; giving unto the said female infant then and there by the Striking and beating of the said Female Infant, several mortal Strokes and Bruises in and upon the head, neck breast, back sides and other parts of the Body of the said Female Infant of which said mortal strokes and Bruises, the said Female Infant then and there Instantly died; and so the Jurors aforesaid upon their Oath aforesaid do say, that the aforesaid Mary Kelly, the aforesaid female Infant being born alive in manner and form aforesaid feloniously Voluntarily and of her Malice aforethought then and there did kill and murder, against the peace Government and dignity of the State of Maryland.

Luther Martin Attorney General of the State of Maryland

(which,



which said Indictment is thus endorsed. True Bill. I Swann Foreman

And now here on the same second Tuesday of August last on the fifteenth day of September in the year of our Lord one Thousand seven hundred and ninety two the said Mary Kelly produces to the court now here last to George Salmon and Lyde Goodwin Gentleman two of the associate Justices of the same Court the State of Maryland Writ of certiorari closed in the words and figures following Viz.

The State of Maryland Town. To the Honorable the Justices of Oyer and Terminer and Gaol delivery for Baltimore County Greeting We being Willing for certain Causes to be certified of the record and proceedings of a certain Indictment depending in our Court before you our said Justices against a certain Mary Kelly late of Baltimore County for Murder do command you that the record and proceedings on the Indictment aforesaid with all things thereunto relating plainly and distinctly and in as full and ample manner as it now remains before you to the Judges of our General Court to be held at the city of Annapolis on the second Tuesday of October next under your hands and Seals you send together with this Writ that our said Judges may further do therein that which of right they ought to be done Witness the Honorable Samuel Chase esquire Chief Judge of our said Court the first day of August anno Domini 1792 Issued the 23d day of August 1792.

Jno Gwinn Clk

Allowed Samuel Chase Clk.

Whereupon the said Jacob Sudger. Benjamin Mercer and David Quinn by the consideration of the court now here are Severally discharged from their recognizances aforesaid. and George Buchanan and Benjamin Mercer now here in their proper person Severally acknowledge themselves to owe and stand Justly indebted to the State of Maryland in the sum of fifty pounds current money to be levied of their respective Bodies Goods and Chattels Lands and Tenements to the use of the State of Maryland. on condition that they make their personal appearance at the next General court to be held at annapolis the second Tuesday of October next then and there to give evidence on behalf of the State of Maryland against the said mary Kelly and not to depart the said court without the leave thereof. and a certain John Hays acknowledges himself to owe and stand Justly indebted unto the State of Maryland in the sum of fifty pounds current money to be levied of his Body Goods and Chattels Lands and Tenements to the use of the said State of Maryland on condition that

(Phebe)