

Kansas Memory



Kansas Territory versus Mary P. Canfield for murder

Section 1, Pages 1 - 30

These legal documents relate to the case of the Kansas Territory vs. Mary P. Canfield for the murder of her husband, Seymore Canfield. Mary Canfield was accused of poisoning her husband's soup with arsenic on December 19th, 1857 at their home in Douglas County, Kansas Territory. Seymore Canfield died on December 30th, 1857. Mary Canfield was indicted for murder by the Second Judicial District Court in April of 1858. Reports by U. S. marshals on October 7, 1858 and February 24, 1859 state the defendant had escaped custody and was hiding in Missouri.

Date: 1858 - 1859

Callnumber: Kansas Territory Criminal Case Files, Box 6, Folder 02

KSHS Identifier: DaRT ID: 444848

Item Identifier: 444848

www.kansasmemory.org/item/444848

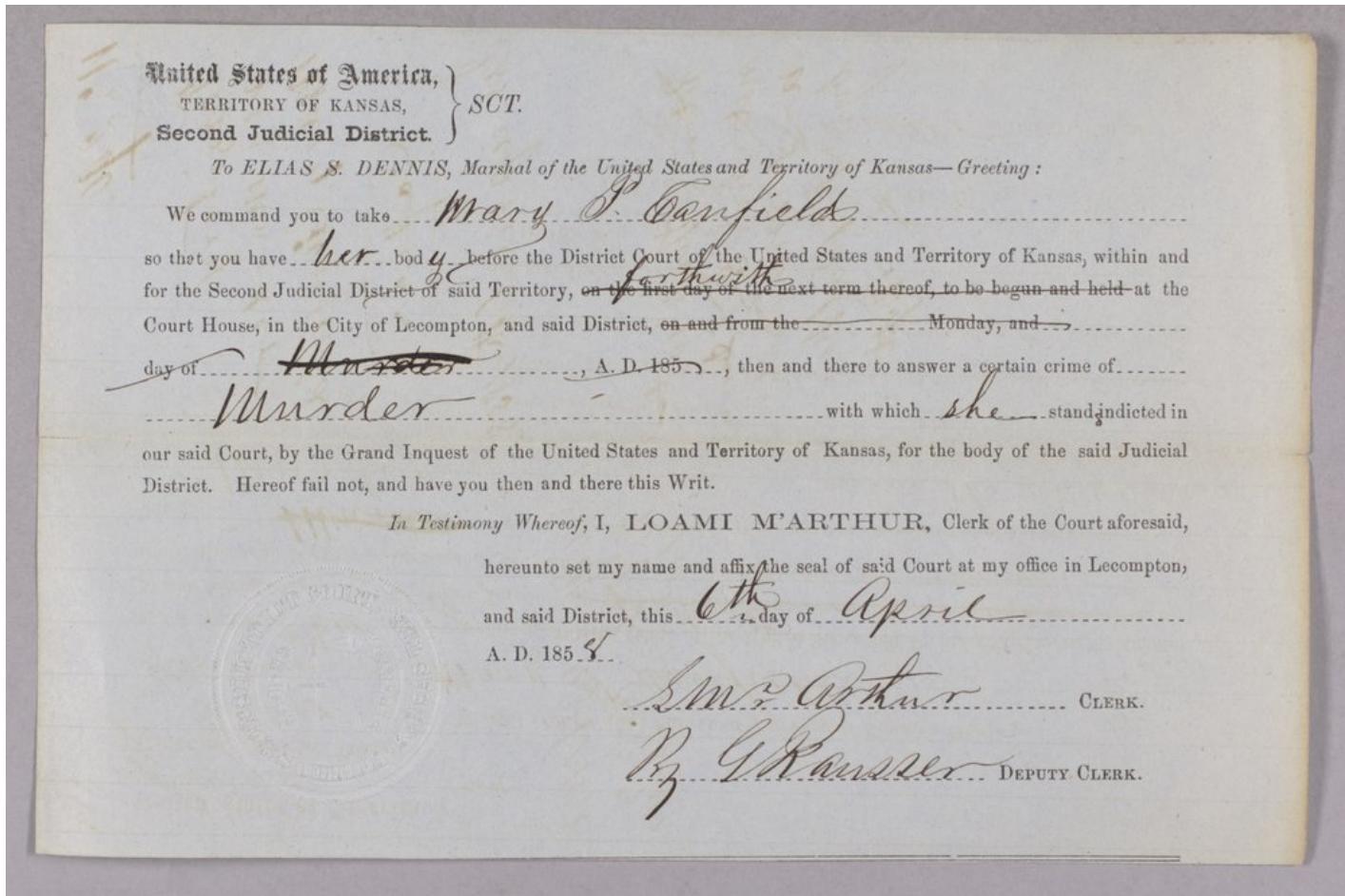
KANSAS
HISTORICAL
SOCIETY

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

No 290.

Territory
vs 3 murder
Mary Canfield

Capias

Iss. April 6th 1858.

Return April 10th to
not bind C S Dennis
w^t marshal
by S Walker
Dept

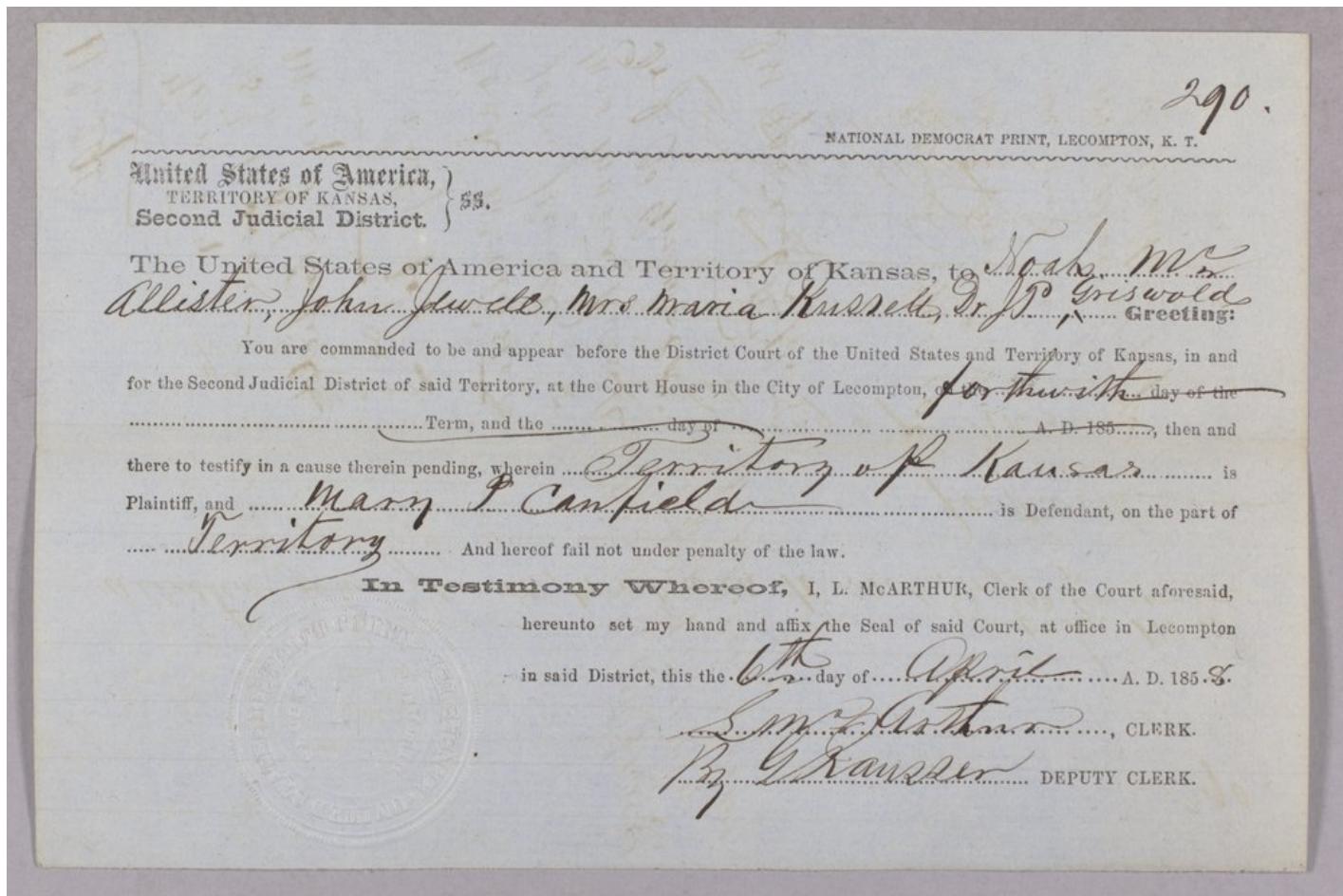
Filed April 10th 1858.
J. W. Arthur Clerk of
2^d Distⁿ Court Kansas,

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

No^o 290.

Territory

vs³ murder

Mary P. Canfield

Subp for

Noah W. Allister

John Jewell

Mrs Maria Russell

Dr J. P. Griswold

Iss April 6th 1858.

Filed April 10th A.D. 1858.
G. H. Arthur, Clerk of
P. S. D. Court Kansas,

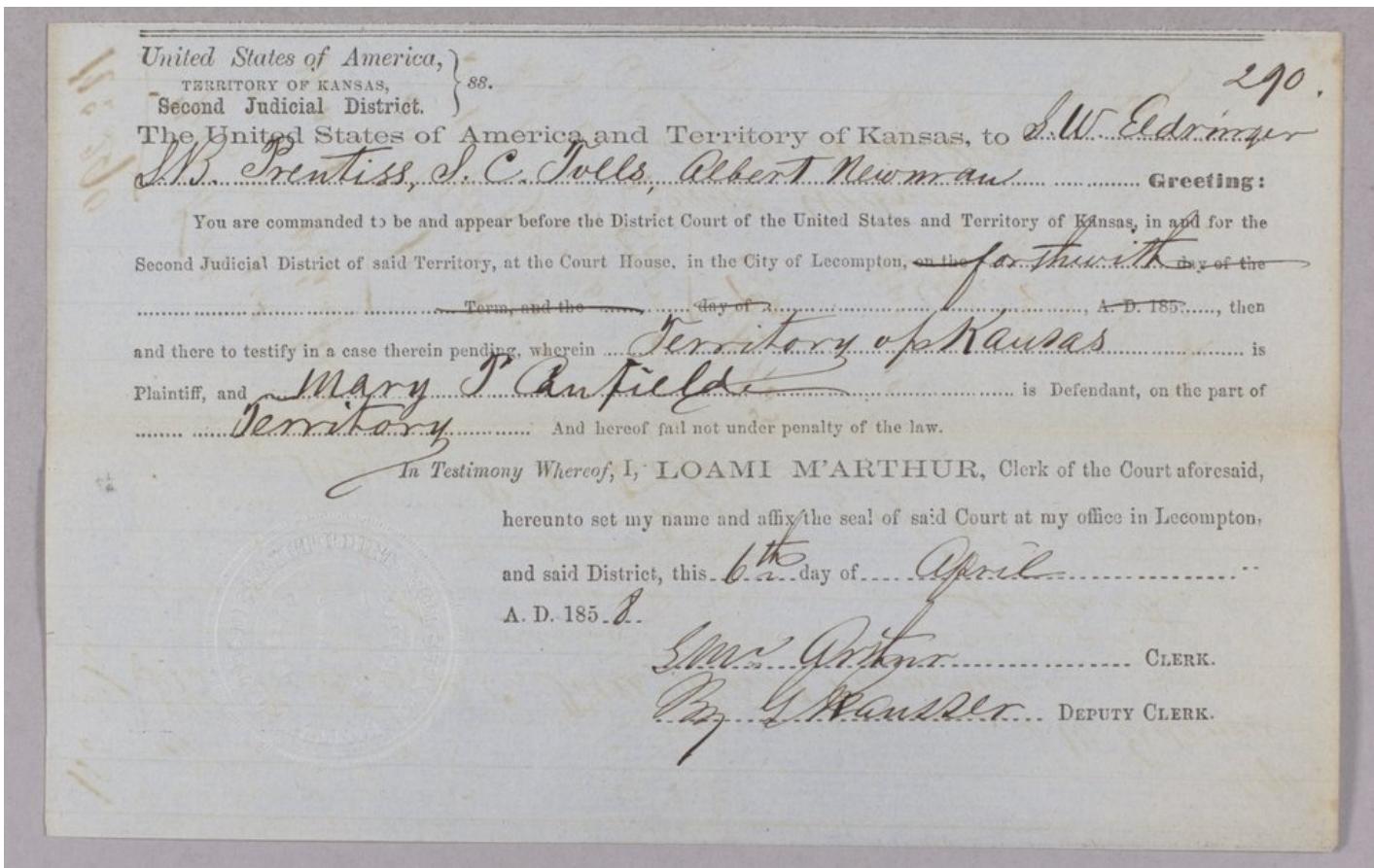
Returned April 10th
not serv'd & S
Dismissed
marshal by
J. Walker Dept

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

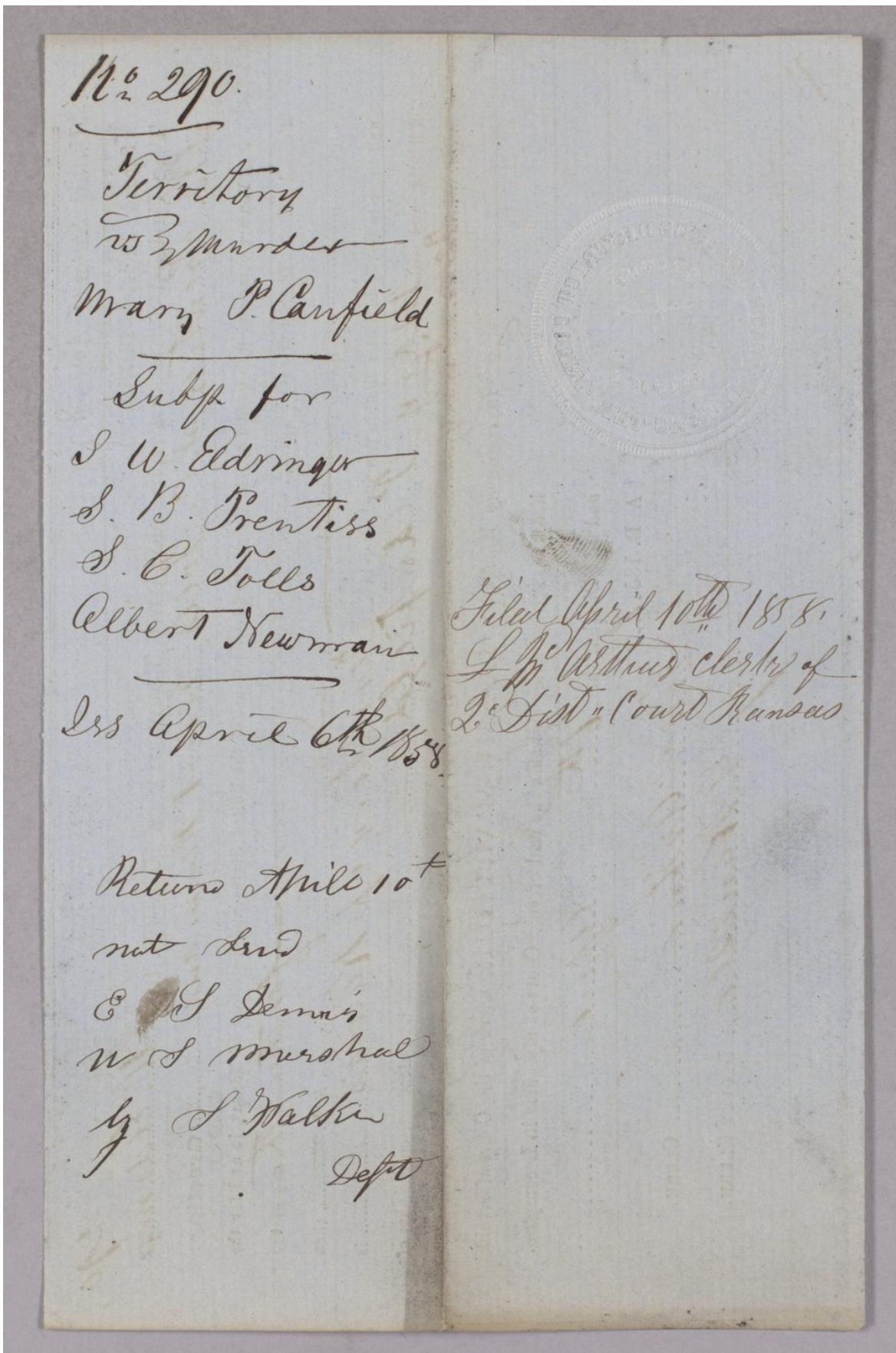


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

United States of America, }
TERRITORY OF KANSAS, }
Second Judicial District. } SCT.

To ELIAS S. DENNIS, Marshal of the United States and Territory of Kansas— Greeting :

We command you to take Mary P. Canfield so that you have her before the District Court of the United States and Territory of Kansas, within and for the Second Judicial District of said Territory, on the first day of the next term thereof, to be begun and held at the Court House, in the City of Lecompton, and said District, on and from the 1st Monday, and 11th day of October, A. D. 1856, then and there to answer a certain crime of Murder with which she stand indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the said Judicial District. Hereof fail not, and have you then and there this Writ.

In Testimony Whereof, I, LOAMI M'ARTHUR, Clerk of the Court aforesaid, hereunto set my name and affix the seal of said Court at my office in Lecompton, and said District, this 11th day of August, A. D. 1856.

Loami Arthur CLERK.

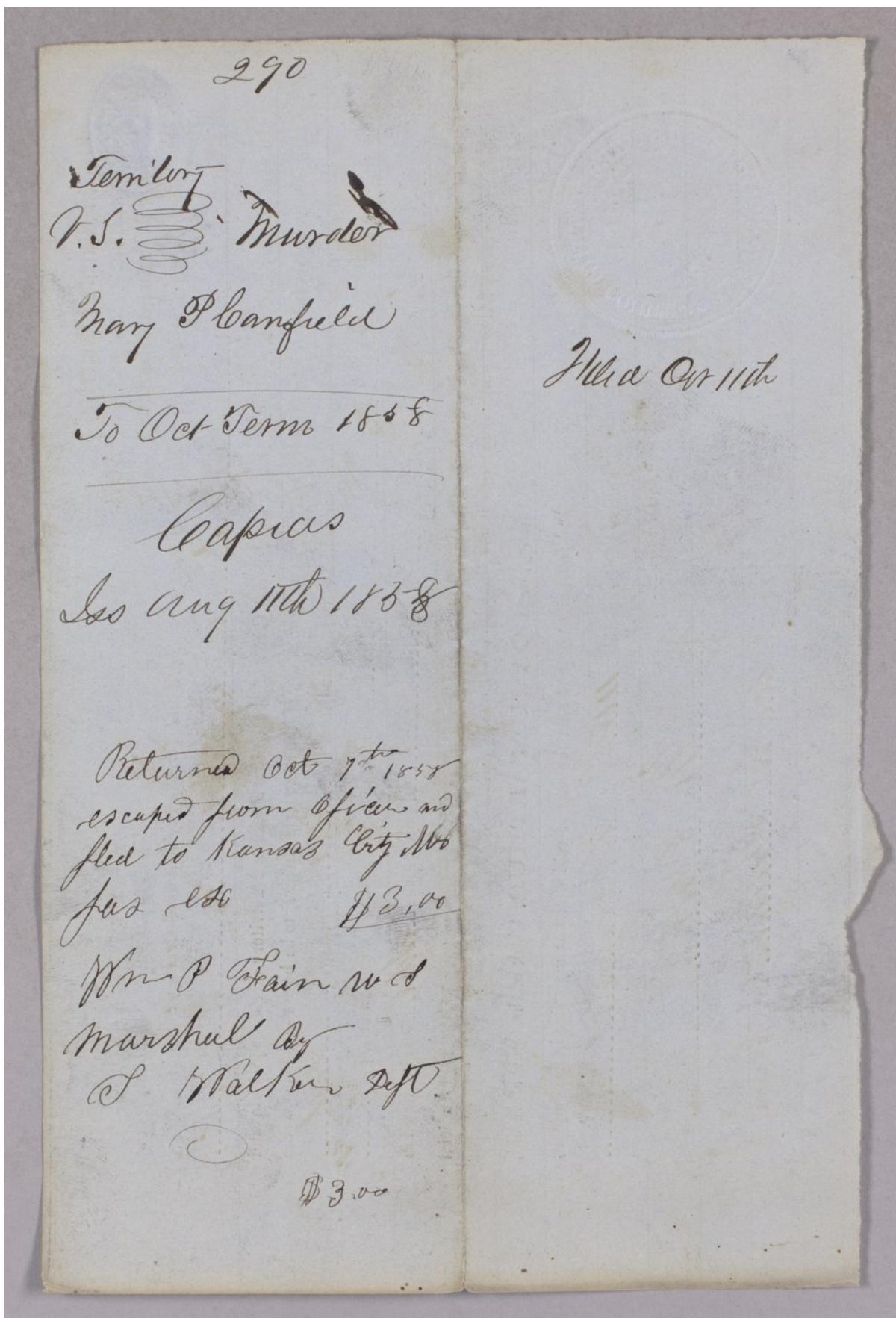
Geo F. Pease DEPUTY CLERK.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

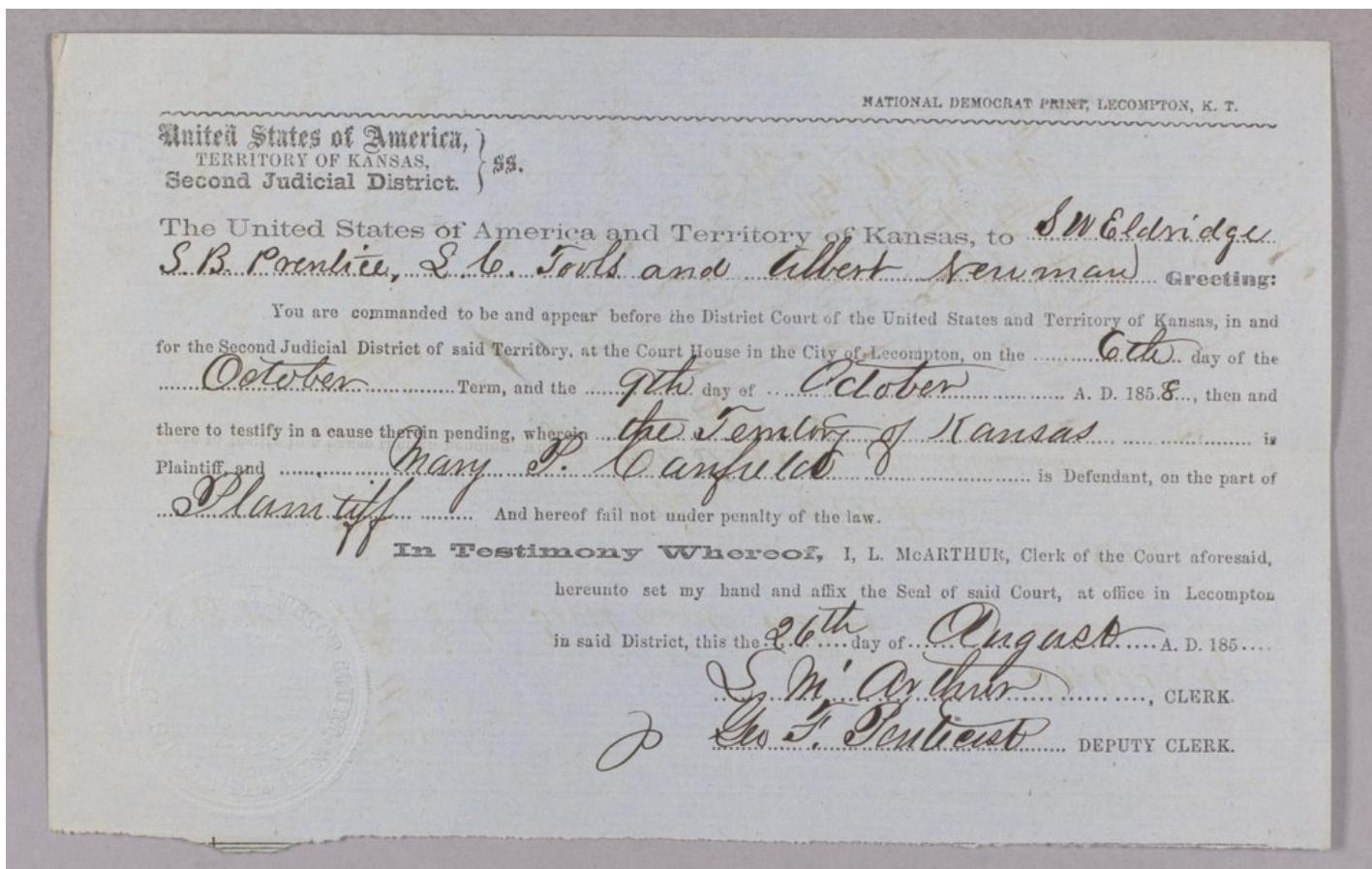


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

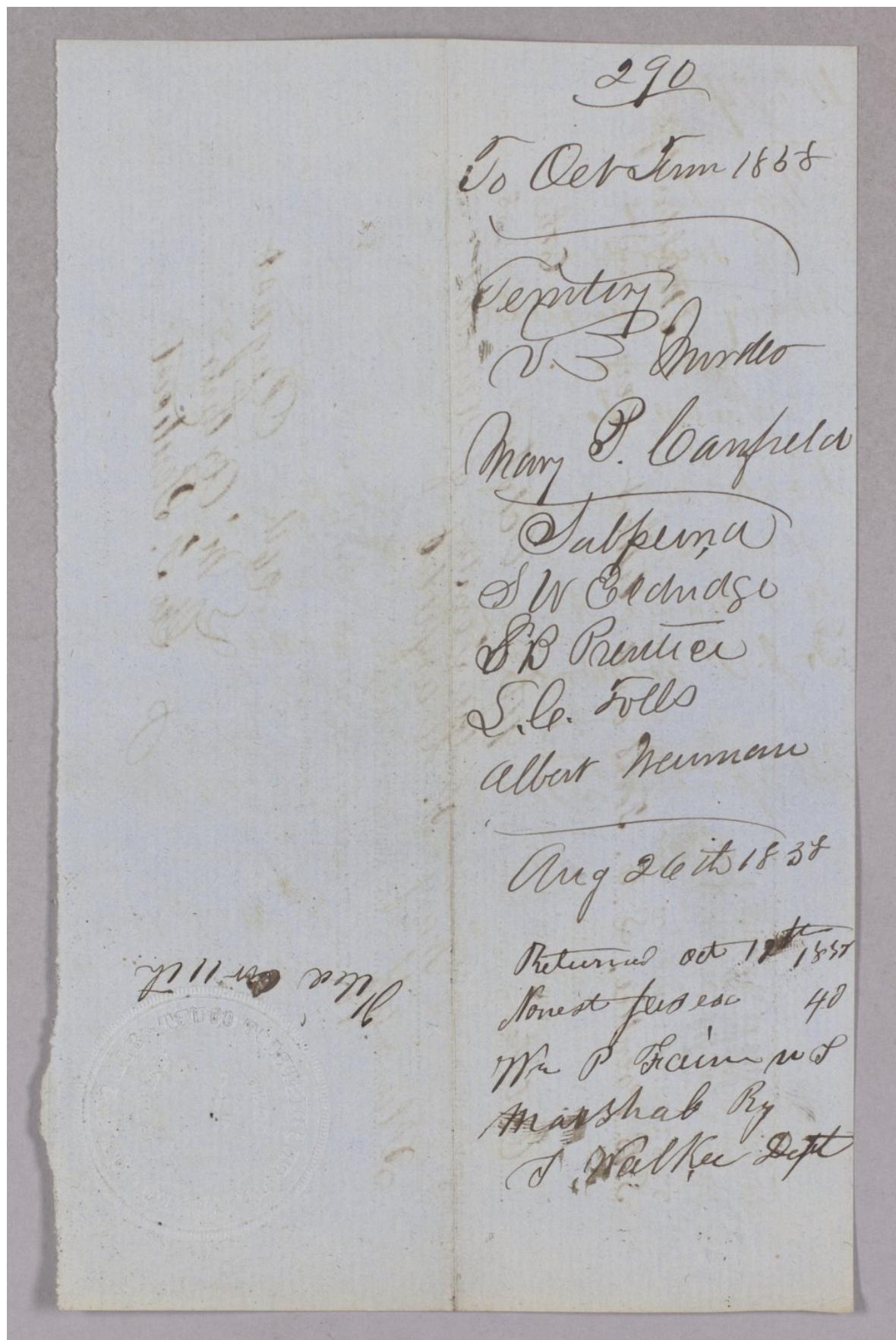


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

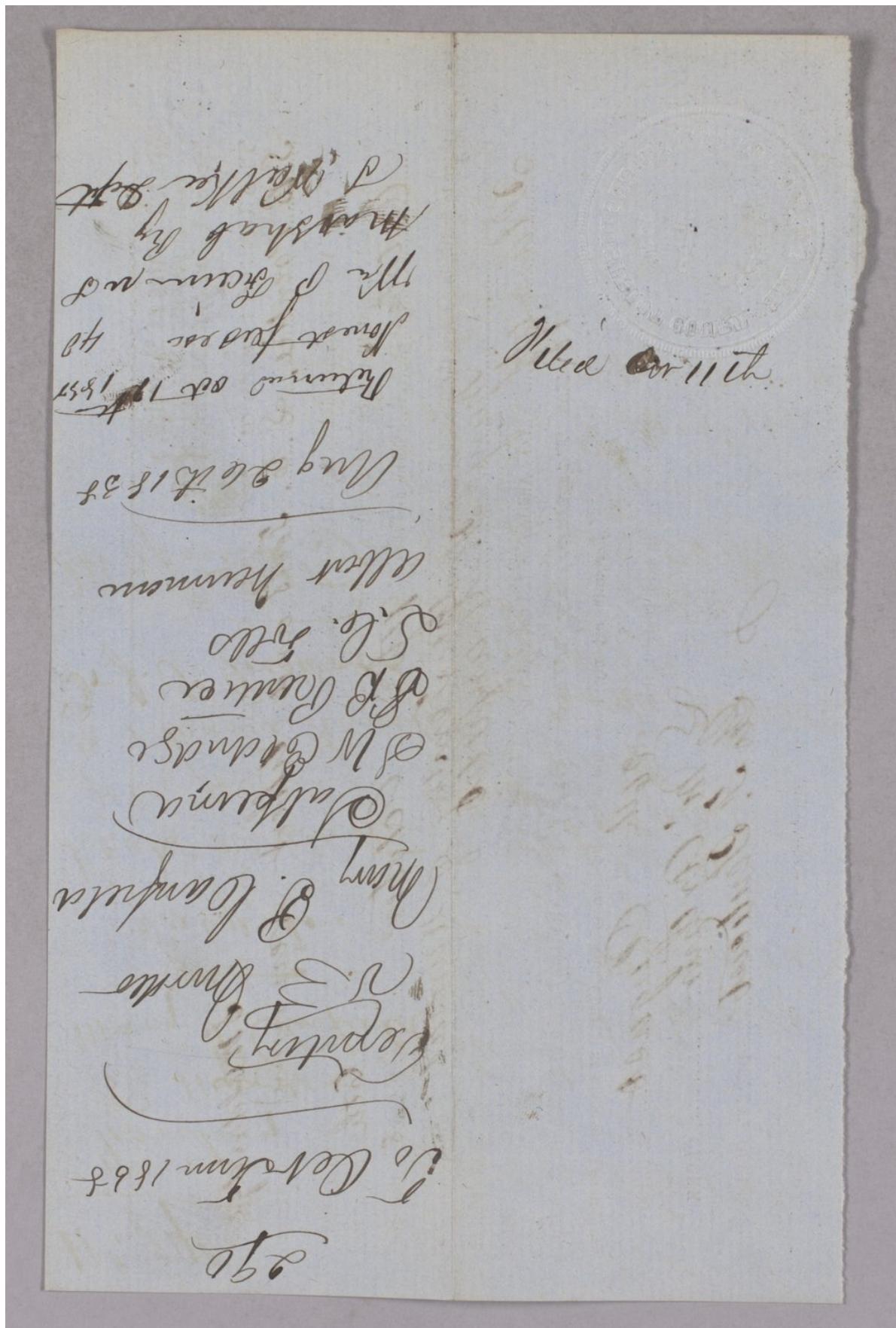


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

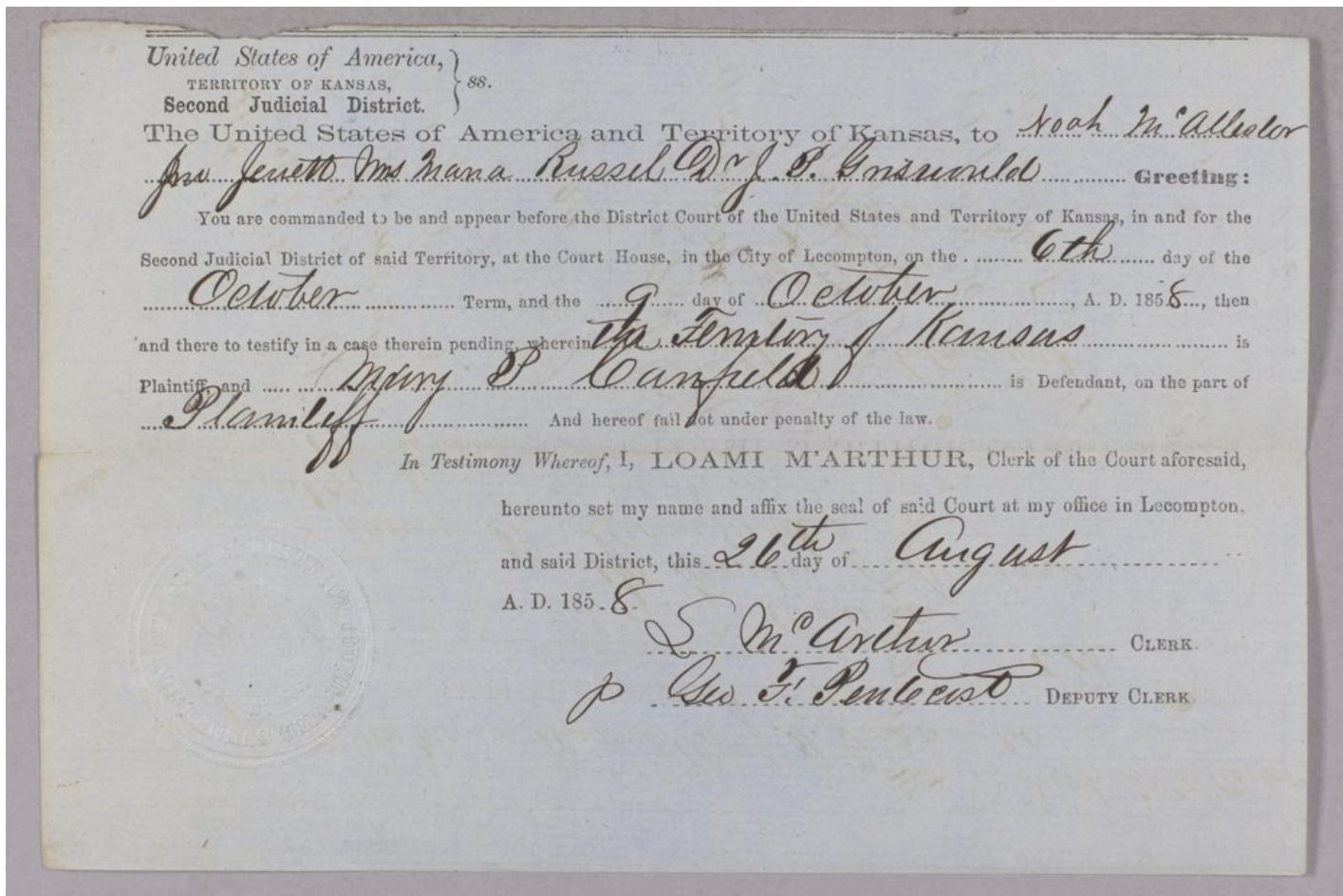


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

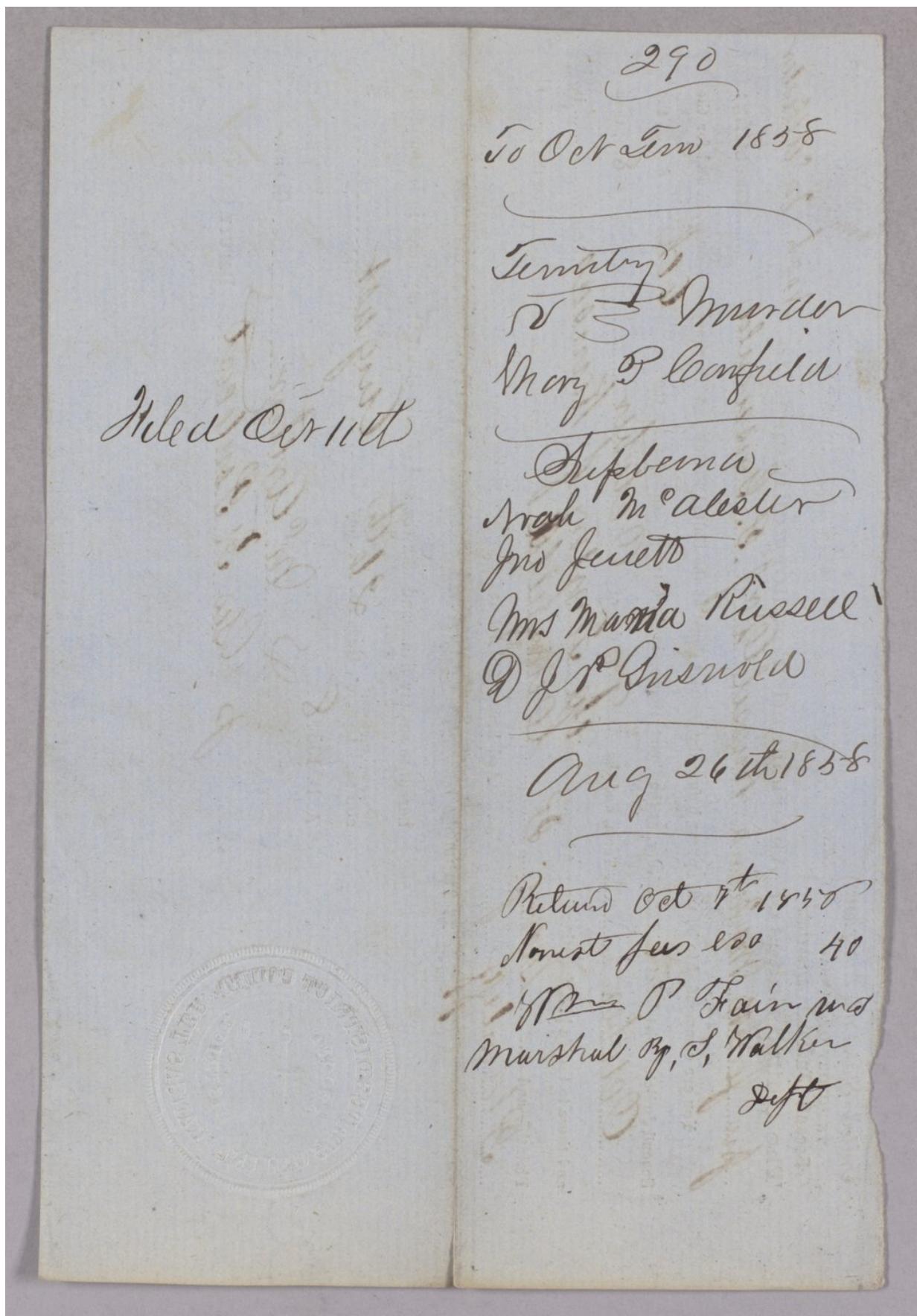


Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

290

United States of America, }
TERRITORY OF KANSAS, } SS.
SECOND JUDICIAL DISTRICT. }
for the Territory of Kansas, Greeting:

We command you to take..... *Mary P. Canfield*.....
so that you have..... *her*..... before the District Court of the United States and Territory of Kansas, within and for the
Court..... and Second Judicial District of said Territory, on the.....
day of the next Term thereof, to be begun and held at the Court House in..... *Leavenworth*..... and said County and
District, on and from the..... *2*..... Monday, and *11*..... day of..... *March*....., A. D. 18⁵⁹..... then and there to answer
a certain crime of..... *Murder*..... with which..... *she*.....
now stand..... indicted in our said Court, by the Grand Inquest of the United States and Territory of Kansas, for the body of the
aforesaid District. Hereof fail not, and have you then and there this Writ.

WITNESS, my hand and the seal of the said Court affixed at

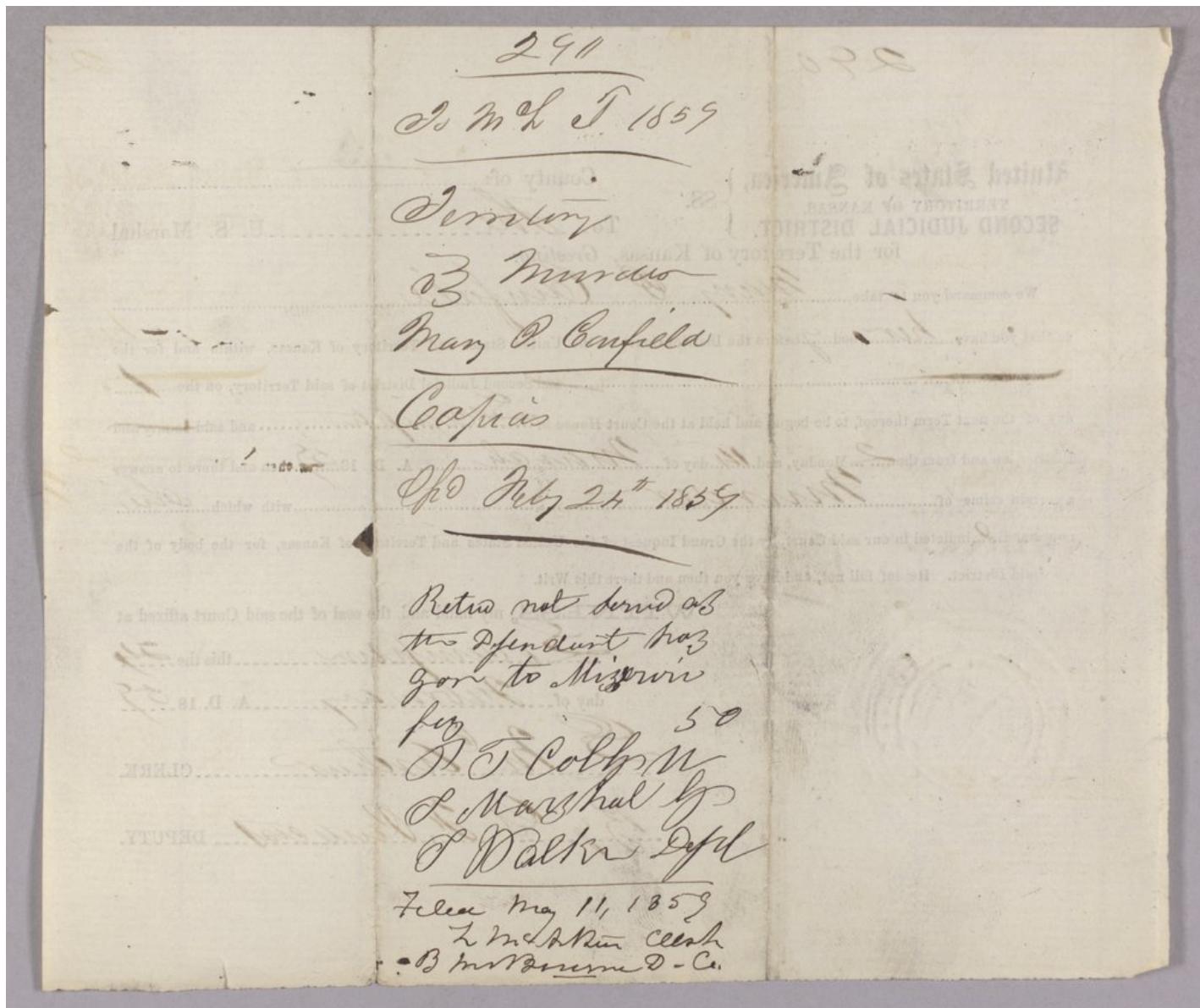
Leavenworth..... this the..... *24*.....
day of..... *February*..... A. D. 18⁵⁹.....
E. M. Arthur..... CLERK.
By G. J. Russell..... DEPUTY.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

United States of America, Territory of Kansas,
SECOND JUDICIAL DISTRICT.

COUNTY OF

The *Territory of Kansas*
To *Wah Mc Lester Inv Deuce Mrs Mariah Russell Wd P Griswold*

You are hereby commanded to be and appear before the District Court of the United States and Territory of Kansas in and for
the County of

City of *Leavenworth* and Second Judicial District, at the Court House in the

Term, and the *14th* day of *March* A. D. 1859, then and there to testify in a case

therein pending, wherein *the Territory of Kansas* is Plaintiff,

and *Mary P. Canfield* & *defendant* on the part of *Territory*.

And hereof fail not under penalty of the law.

In Testimony Whereof, I have hereunto subscribed my hand, and caused

to be affixed the Seal of the said Court. Done at the city of

Leavenworth this *29th* day of

February in the year of our Lord, 1859.

By *J. S. Mc Arthur* CLERK.

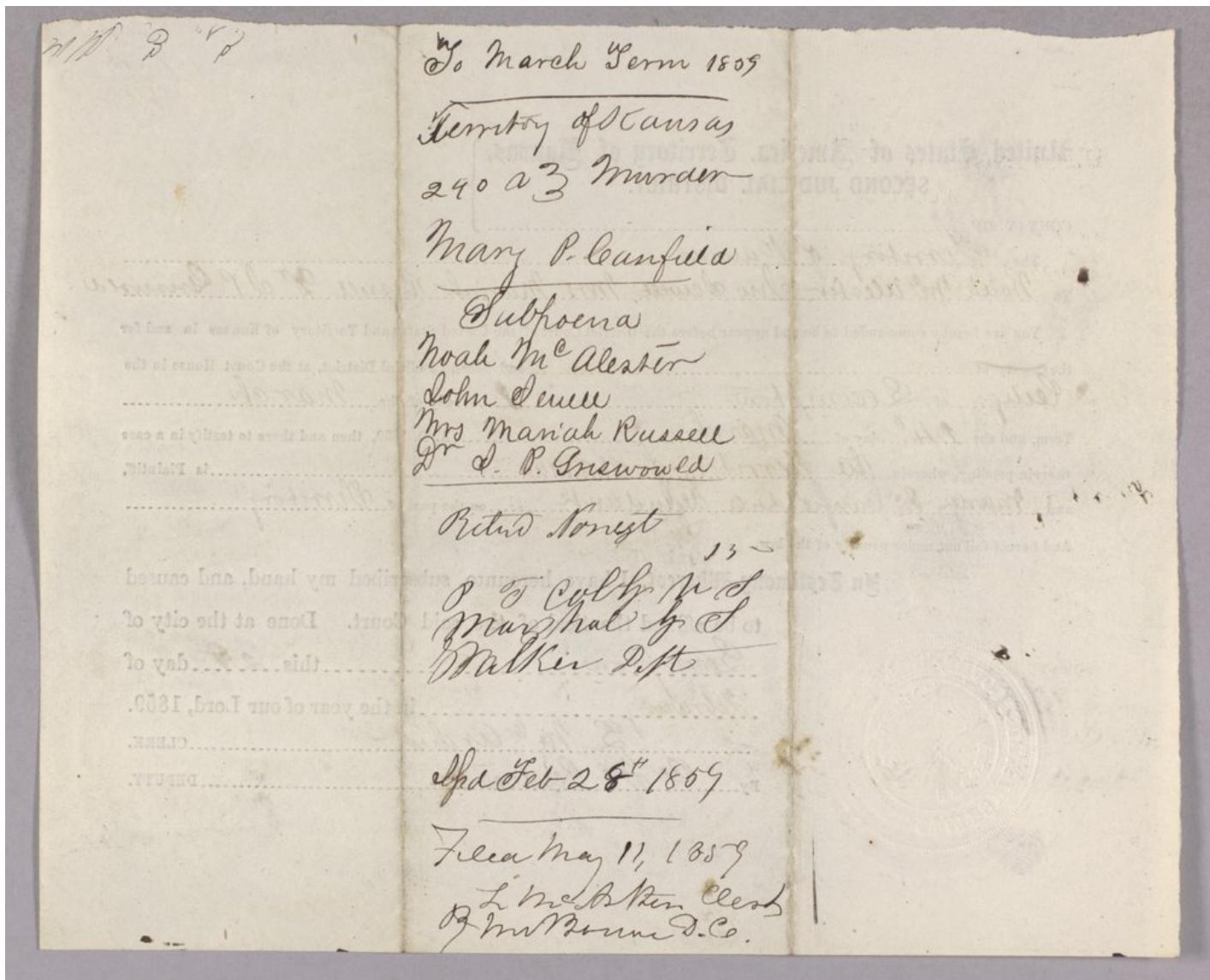
O. F. Penick DEPUTY.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

United States of America, Territory of Kansas, }
SECOND JUDICIAL DISTRICT. }

COUNTY OF

The *Territory of Kansas*
To *S. W. Eldridge, S. B. Prentiss, L. C. Toles, Albert Newman*

You are hereby commanded to be and appear before the District Court of the United States and Territory of Kansas in and for the County of *Leavenworth* and Second Judicial District, at the Court House in the City of *Leavenworth*, on the *1* day of the *March* Term, and the *14th* day of *March*, A. D. 1859, then and there to testify in a case therein pending, wherein *the Territory of Kansas* is Plaintiff, and *Mary P. Canfield* is Defendant, on the part of *Territory*. And hereof fail not under penalty of the law.

In Testimony Whereof, I have hereunto subscribed my hand, and caused to be affixed the Seal of the said Court. Done at the city of *Leavenworth* this *28* day of *February*, in the year of our Lord, 1859.
By *L. M. McArthur* CLERK.
O. G. Peale DEPUTY.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

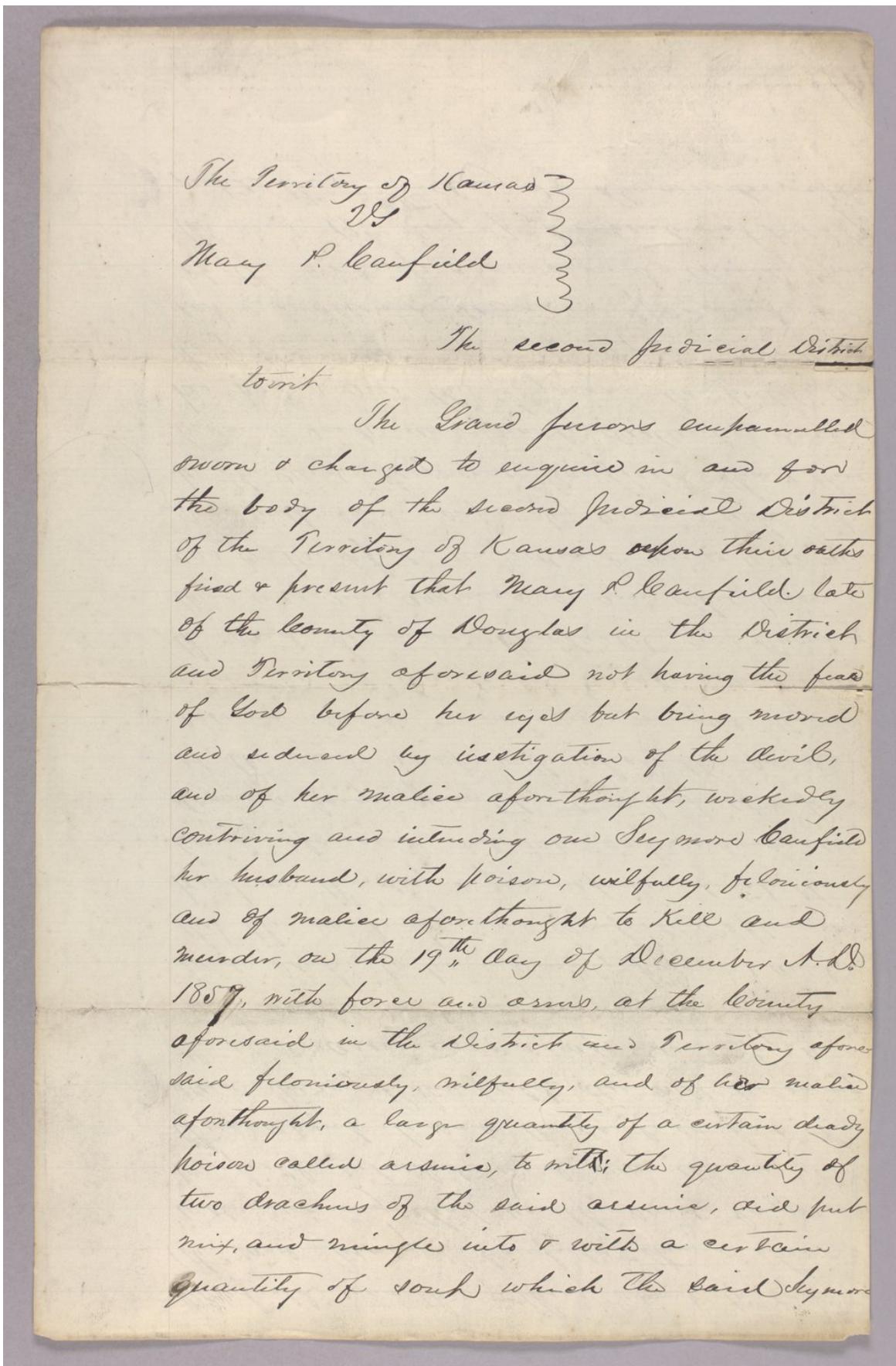
290	To March Term 1859		
<u>Territory of Kansas</u>			
290 o3' murder			
<u>Mary P. Canfield</u>			
<u>Subpoena</u>			
S W Claridge +			
S B Prentiss x			
L C Tolez			
Albert Newman			
<u>return send on</u>			
S W Claridge.			
S B Prentiss			
L C Tolez			
Albert Newman			
<u>plus</u>			
miles 25 230			
Rate 5 168			
			30
			<u>\$445</u>
Iha Feb 28 th 1859			
<u>P J Cally and</u>			
<u>Marshall by S</u>			
<u>Walker Dept</u>			

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder



Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

Canfield was then & thind about to eat
(the said Mary P. Canfield then & thind
well knowing that he the said Seymore
Canfield intended and was then and
thind about to eat the said soup & the
said Mary P. Canfield also well knowing
the said arsenic, so as aforsaid by her
part, mixed and mingled into & with the
said soup, to be a deadly poison) and
that the said Seymore Canfield, afterwards
to wit, on the day & year aforsaid, at the
County aforsaid did take, eat and swallow
down a large quantity, to wit half a pint
of the said soup with which the said
arsenic was so mixed and mingled by the
said Mary P. Canfield as aforsaid (the
the said Seymore Canfield, not knowing
there was any arsenic, or any other poison-
ous or hurtful ingredient mixed or min-
gled with said soup, by means whereof
he the said Seymore Canfield then & thind
became sick and greatly distressed in
his body! and the Seymore Canfield of
the poison aforsaid, so by him taken
eat & swallowed down as aforsaid, and
of the sickness occasioned thereby, from
the said 19th day of December A.D. 1807
until the 30th day of December A.D.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

1857 at the County aforesaid in the District and Territory aforesaid did languish sicken and die and so the jurors aforesaid upon their oaths aforesaid do say that Mary P. Canfield of the County District and Territory aforesaid, at the County District and Territory aforesaid on the day and year aforesaid in manner and form aforesaid that the said Laymore Canfield did kill and murder against the peace and dignity of the Territory of Kansas.

Wm. Brewster District Atty
By Ben J. Nowson, Deputy

Kansas Memory



Kansas Territory versus Mary P. Canfield for murder

N^o 290
Territory of Kansas
v.s. +
Mary P. Canfield
Murder

Oct 9th 1858 alias copies

A true Bill
Erastus Heath
13 M^r

Filed April 5th 1858
S. W. Arthur
By Dr. Hassider

Foreman
Convened & sworn copies

witnesses
S. W. Eldridge
S. D. Prentiss
S. C. Tolls
Albert Newman
Noah McAllister
John Jewell
Mrs Maria Russell
Dr J. P. Griswold

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

In Justice Court before
No. 1 Truiting of Kansas of E. D. Padd Justice of the Peace
Examination for Murder
Mary P. Canfield

Jan 11th/38 S. W. Oldridge examined as a witness on the part of the Territory Smith I made the arrest of the defendant in this case. The lady here in court is defendant. When I arrested her she said that she was glad that she was arrested as she had heard that there was some talk. I did not make any personal examination. I told her that I would take Mrs. Sutcliffe to examine her person - I went in was asked to come in the room where Mrs. Canfield was. I said I had come for the purpose of having her person searched and would get Mrs. Sutcliffe to do it if willing. She said she was perfectly willing. I then went into the other room and closed the door ^{and} was not present at the examination. I opened the door again immediately. I saw Mrs. Canfield stooping down at the other side of the room as I thought putting something under the carpet. Called Mrs. Sutcliffe's attention to her. Mrs. Sutcliffe if she would examine the defendant she was perfectly willing from a daguerreotype under the carpet said that was the arrest they I had seen the other defendant what of it I have the daguerreotype in my possession. Dog-produced. Mrs. Sutcliffe went into an adjoining room to search nothing of importance was found.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

No. 2

Was examined by Dept's Counsel
Made the arrest Thursday or Friday
I found her at her residence
I do not know the original of the dog -
probably have seen him I would be
willing to swear to the person I do not know
whether he is a resident of this place
Mrs Canfield told me that she and the
original of the dog were going in to business
together - I think that the manner of
placing the dog under the carpet was
suspicious. I searched the Dept's house I found
no arsenic or any thing suspicious in the
way of poison - I found nothing of any importance
I found medicine there that appeared like medicine
procured for general diseases. I told the Dept that
I understood that a letter came with the
dog - she said it was a business letter and
that she had ^{business} to find means other ^{than} ~~leaves~~
I don't think that the medicine is common
in families think the syringe is -
The medicine was I think spirits of extract
there were two kinds of medicine the
other kind was Balsam Copraea the
original of the dog was a clerk in
Sutliff's Store is at present absent
J.W. Ellbridge

Dr. C. P. Painter Examined ~~as~~ a
witness on the part of the Territory saith:
I knew the late Mr Canfield. I knew her
by the husband of the Dept I know

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

Vol 3

the Dept also. Mr Canfield is dead.
I attended him at his house I was called
to attend him on Sunday the 30th.
I think he ~~had been~~ ^{was} sick about 24 hours at
that time. That was his own account
it may have been less or more. I have been
a practicing physician. I have notes of the
sickness - Notes read yesterday 28.

Notes
Sunday Dec 20th at o'clock PM, was called to see Seymour Canfield
History of previous symptoms as reported by himself ~~as~~ as follows - Was
attacked about twenty four hours ago with violent vomiting and purging
with excessive burning pain in the abdomen which continued almost
without intermission until I saw him. Contents of the stomach at vomition
off were liquid of yellow or brown color, Alvine evacuations of a
similar appearance with some mixture of blood accompanied
at each evacuation with distressing tenesmus and ^{expulsion} ~~distressing~~ of
smoking. Found the patient much protracted suffering
anxious and livid like one in the collapsed stage of cholera
or Cholera Morbus. Extremities cold pulse almost imperceptible
and very frequent difficult respiration apparent constriction
about the breast. Excessive thirst ^{and} cramp & spasm of the
extremities. Vomiting and diarrhea an unfeated pulse became
slower and fuller he expressed himself as feeling much better
Monday 21st. Found appearing better from excessive
pain had vomited but little and had had no diarrhea, there
was not as much reaction as I desired pulse are small and
frequent Continue anxious, Extremities cool, Complains
of stricture about the throat, expectorated foully a glairy
mucous. Complained of soreness and pain on pressure over
the region of the stomach Constant desire for coal.
drinks, Continued nearly the same through the day.
was restless through the night.
Tuesday 22nd Symptoms nearly as in the day before
with more marked indications of inflammation &

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

Placing to

the alimentary canal - Wednesday 23rd did not see the patient - Thursday 24th Wound still worse than on Tuesday - then had been and was free discharge of sanguous mucus from the mouth and throat with loss of blood from the nose, was considerable hoarseness, spoke and swallowed with difficulty - painful micturition urine bloody, vomited some when engaged in clearing the throat from viscid mucous secretions, was very restless, had some fever, - Friday 25th and Saturday 26th Symptoms nearly the same matter discharged from the stomach and bowels were mixed with blood - Sunday 27th Then were more signs of similar large discharge of sanguous blood from the bowels very offensive - Monday 28th Symptoms were more aggravated - Tuesday 29th Patient failed quite rapidly called Bruce & swallowed with extreme difficulty, livid spots appeared on the chest arms and hands was quite comatoso or stupid breathing slow and labored, pulse at times quite imperceptable - Wednesday 30th Patient continues to sink, same train of symptoms now aggravated died about 12 o'clock m.

3

2d page

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

2^d page

Examination of Dr S. P. Prentiss ^{continued} I am not prepared to say ^{positively} what his sickness was. The symptoms are all characteristic of a man laboring under arsenic. I should think the symptoms are characteristic of poisoning by arsenic but not of arsenic only. The symptoms as narrated by Mrs Canfield are characteristic of victims of persons arsenic and some others but not of all. Arsenic Sublimate looks scarcely similar in its symptoms -

The purple spots on the chest arms & hands ^{as distinguished from any other cutaneous poison} are indicative of arsenic. He told me that he was taken sick after eating - perhaps soup that he had taken from his description the symptoms of Arsenic Sublimate were not present from his description Arsenic Sublimate would have acted ferociously ^{than arsenic} would have eaten more had he not been sick Arsenic Sublimate can be discovered by taste he did not mention any thing of this kind sickness was his first feeling that he was taken sick before finishing his meal. His first feeling was nausea. I think this is the first symptom in arsenic poisoning accompanied by pain they soon follow each other ^{pain succeeds nausea} the first sensation upon taking Arsenic Sublimate would be a burning taste ^{mettastatic & facia the sub-skin} after eating the stomach becomes & pain would follow. The burning sensation of Arsenic Sublimate would distinctly distinguish it and arsenic.

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

No 5

The pain from arsenic might commence in ten minutes and possibly two hours. It is impossible to limit the time.

It would depend upon the state of the stomach. The stomach would be more susceptible ~~empty~~.

The two distinctions I have noticed are the most prominent. All cases, ^{of poisoning} are not similar in their symptoms. Different poisons - arsenic and corrosive sublimate produce usually the same vomited matter, in corrosive sublimate it is more apt to be bloody. The violent symptoms are nearly the same in the two poisons -

~~The evacuation of bloody matter~~
Corrosive sublimate are more profuse in Corrosive sublimate but exist in arsenic - I saw one of the evacuators and heard his own account of them they were quite abundant. There is ~~nothing~~ in both there is no important difference as I recollect they both produce these symptoms. There would be characteristic symptoms in acid poisons. I believe there is nothing which would produce ^{the purple spots} except arsenic - ~~etc~~ - The mineral acid poisons would have immediate action. Corrosive sublimate in solution would act sooner than arsenic. Arsenic is soluble in water not as much so as Corrosive sublimate.

In the first stage the symptoms resembled Cholera Morbus. Spasms. vomiting ~~and~~ diarrhea. I mentioned the prominent symptoms of Cholera Morbus and they were present. The subsequent symptoms do not exist in Cholera Morbus. The peculiar burning sensation. I do not

Kansas Memory



KANSAS
HISTORICAL
SOCIETY

Kansas Territory versus Mary P. Canfield for murder

to the same extent

think exists in Cholera Morbus - A person
with the Cholera Morbus might describe those
symptoms but I do not think they exist
in the same degree - The peculiar burning sensation
is never found to the same degree there may
be something of the kind in Cholera Morbus,
the first symptoms may be similar as related
to me by the patient - The subsequent symptoms
were not those of Cholera or Cholera Morbus they
were such as I have never seen except from
poison - Such as the livid ^{purple} spots the vomiting of
glaucous blood and mucus and appearance of
the mouth and fauces. I have never seen
it to the ~~extent~~ ^{accompanying} it was in this case, progressing
until death. There is no authority that will give
these symptoms as proceeding from any natural
cause. I made a post mortem examination
The pharynx ~~fauces~~ & mouth were examined
before death. the pharynx & esophagus were
not examined. These poisons would find their
way into the urine. There was excessive inflammation
of the pharynx and larynx and also of the
bronchial organs. I examined the stomach
and intestines - the stomach contained a
quantity of glaucous bloody mucus adhering
tenaciously to the mucous membrane of the
stomach. We found the mucous membrane
at the cardiac extremity and in the oesophageal folds
very much inflamed, very little or no natural
appearance. We found the duodenum and
the region of the cecum and where the small and
large intestines unite and the rectum in
the same condition. ~~I did not find the~~
Found no ulcers or perforations in the stomach