

## THE CASE OF BERNARD CANGLEY.\*

BY DR. I. RAY.

Not less interesting to the student of morbid psychology, than the well-defined, well-recognized forms of insanity, are those obscure, anomalous conditions of mind which occasionally appear, but in regard to which he fails to obtain any light from the standard books. Though more numerous, probably, than they are generally supposed to be, yet they are comparatively so rare and so imperfectly understood, that, for the most part, after exciting a little temporary curiosity, they pass away and are forgotten. And yet they must ever constitute a very important class of mental disorders, for the reason that their existence, however infrequent, must necessarily modify the conclusions that might be drawn from the more common forms of mental disease. In fact, no physician needs to be told that many important steps in the progress of his science have been made by the careful and persistent observation of what, at first, seemed to be anomalous or exceptional cases. In this way have neuralgia, pyæmia, diphtheria, albumenuria, and many other diseases obtained a local habitation and a name, and thus become easily recognized and intelligently treated. In our more special department there occur to us as instances of a similar kind, delirium tremens, general paralysis, homicidal mania, pyromania, kleptomania, and Bell's disease. These views would furnish a justification, if any were needed, for occupy-

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ing a few minutes with some account of a case lately reported in the public prints, and presenting some traits of peculiar interest to the medical jurist.

In the *Belfast* (Ireland) *Journal* of March 4th, 1864, is a report of the trial of Bernard Cangle for the murder of Peter Reilly. As all the essential facts are given in the evidence of Reilly's wife, they cannot be better presented than by quoting it entire :

I am the wife of Peter Reilly. He lived at Coolnacola in this county. He had eleven acres of a farm. He was pretty well off. He was in the habit of lending money to the people in the country. At all times he was in the habit of keeping money in the house. I was yesterday married a year and a half to him. I never saw the prisoner since thirteen or fourteen years ago. He lived in the same neighborhood with me. I recollect the 22d of January; after dusk my husband and myself were sitting by the fire. The prisoner opened the door and came in. A little boy called James Molloy was in the kitchen with my husband and myself. He was a servant. We three were the only occupants of the house. The clock was after striking six. When the prisoner came in he asked, "Is it here that Peter Reilly lives?" Either myself or my husband answered, "Yes." After the answer was given, the prisoner got a seat and sat down at the fire. I lighted the candle, seeing a stranger. When he sat down at the fire, my husband asked him, did he come far? He said, "A pretty good piece; do you know me?" "How should I know you?" said my husband. "Do you not know Cangle, that the ass took the hand off?" said Cangle. When he said this, my husband shook hands with him, and said, "You are welcome." My husband told me to get some supper ready. I then went into a room beside the kitchen; I signed at my husband to follow, to know from him what I would get ready. I got tea. We took tea together in the parlor, off the kitchen. We then came out and sat down by the fire as before. Cangle read to us out of a newspaper. I sent Cangle with Molloy to sleep in the apartment above my sleeping room. They went to it by a ladder out of the kitchen. I told Molloy to go to bed a few minutes after ten. Cangle went up after Molloy. Before Cangle went up to bed he went out of the house for a couple of minutes, and then went to bed. During the time we were talking at the fire, we

were talking about his mother and about his family. There was no quarrelling. He told us that since he had left us he had herded with a gentleman farmer in Meath. He said that he was employed there, and used to go to Smithfield market with cattle. Myself and my husband remained up after the others went to bed, about half an hour. I fell asleep after twelve o'clock. I think my husband went to sleep at the same time. Some time after, I was awakened by something like a foot moving on the loft over my head. That was after one o'clock ; nearer two than one. All was over about two. When I heard the noise I said, "James, good boy, take care you don't fall." I thought it was Molloy. My husband was not awake when I said that. When I spoke, Cangley answered and said, "It is not James, Mrs. Reilly, it is me." From his voice, I thought he was standing at the room door. The door was at the ladder, and behind it. I asked what was it that he could not sleep. He said that he saw flashes of fire through the window. There is no window in the loft. Any person in the loft could see the kitchen window. Any person in bed could see the light on the floor, but not the window. My husband awoke when I spoke a word or two. I was in bed all this time. The door was laid to, but not fastened. My husband said it was the moonlight. It was a nice moonlight night. When my husband said that, he got out of bed. I remained in bed. He opened the room door to go out into the kitchen. When he went out he had nothing on him but his shirt. He had nothing in his hand—no weapon of any kind ; as far as I know he walked to the street door. The first thing that next attracted my attention was his shouting, "I am murdered." I then jumped out of bed. I had nothing on me but my night clothes. I saw Cangley standing beside my husband. [Witness here became much affected.] Cangley ran at me as hard as he could. He made a stab of a knife at me. He stabbed me in the belly. I had no weapon in my hand at that time. When he stabbed me I caught him by the side of the neck somewhere. He made three stabs more at me. He stabbed me with one in the side of the belly. He had on his trousers, suspenders and shirt. I attempted to catch the knife, and he pulled the knife through my hand. Altogether I was stabbed twice in the belly, and got cut in hand and arm. After my hand was cut, he got the knife and went back from me. I then took up the hedge-slasher. I made a blow at him, but did not hit him. I had not this weapon before he stabbed me. He was standing close at the door, and the ladder at the door prevented my getting the blow at him. He then went out. I

shut the door after him. I heard the cry of my husband about a minute after he went out into the kitchen. My husband was at the back of the kitchen door, standing. After Canglely went out, my husband came toward the room door. I went to light a candle, but he fell on the floor before I lighted it. From the time Canglely went out, it was two minutes when my husband fell. I went to lift my husband, he could not speak. He was bleeding so that one could hear the blood coming out like out of the pipe of a kettle. The little boy then came down. I sent him out for the neighbors. I fainted. When I came to again, I found Pat. Smith and the little boy in the house. My husband died at three o'clock. He lay on the floor. I could see the features of Canglely when he was coming towards me. It was a moonlight night. I did not see any weapon in his hand. I can only speak from what I felt. I had knives in the house. None of them was used.

On cross-examination, she said that the prisoner had not been in that part of the country for ten years; that he did not seem to have any grudge about the ass having bitten off his hand; and that they were not talking of money matters.

Immediately after the act, Canglely went to the nearest police station and gave himself up, saying that he had stabbed a man. He told the man's name, and where the man lived, and said the weapon he used was a clasp-knife, which he had thrown into a bog.

It was testified that shortly before the homicide, Canglely had been in prison, but for what cause, or how long, it was not stated.

When asked by the Court why sentence of death should not be pronounced upon him, (for, of course, he was convicted), he replied that "he was unconscious of the act."

The counsel for the crown, in referring to the motives for the act, suggested that he might have been actuated by a feeling of revenge on account of the mutilation he

had suffered while in Reilly's service, or that his intention was to get possession of Reilly's money. It was not pretended, however, that either of these suggestions was supported by one tittle of evidence. The counsel for the prisoner rested his defence on the plea of insanity. No medical expert testified; but the surgeon who was called to the Reilys was asked some questions respecting insanity. The Court laid down the rule of law according to one of the oldest patterns, viz: If the prisoner did not understand the nature of the act, or, if he understood it, did not know it was wrong, then he is not responsible for the act. The verdict of GUILTY was approved by the Court, who seemed to have been much scandalized by the pretence of insanity.

Regarding the case from a very different stand-point, we are necessarily led to very different conclusions. The act in question was prompted, of course, either by some rational motive of interest or passion, or by an insane impulse, and although we are obliged to found our conclusions upon a very meagre account of the case, yet we can scarcely doubt their correctness.

The counsel for the Crown did not pretend to assign a motive for the act, for he was well aware that the circumstances attending it absolutely forbid it. Who ever heard of a man arising in the night for the purpose of robbing or murdering his host, and walking so heavily as to wake him up, and calmly speaking to him as he approached his door? It is impossible to believe that any one in his senses would proceed to execute such a purpose in such a manner. And the absurdity of the notion is heightened by the fact that the person, after accomplishing his end, straightway goes to the police and tells them what he has done. The annals of crime, we ven-

ture to say, furnishes no parallel to such a case. If his purpose were to kill, he scarcely accomplishes it; and if it were to rob, he leaves the house without even making the first attempt.

The only other theory on which the prisoner's conduct can be explained is, that of insanity. The indications of this disease, it must be admitted, were few and indecisive, but this is just what might be expected in the form of mental disease supposed to have existed here. It must have been a paroxysm of transitory mania, suddenly beginning and as suddenly ending, after the briefest possible duration. The cases of this kind on record, though few, certainly are so well attested, that we can scarcely deny the existence of the form of insanity which they illustrate. And it is a noticeable feature of most of them, that the patient is bent upon destroying life. The grounds on which we must rest our belief that Cangle's was a case of transitory mania, apart from the absence of all rational motive, are his own declarations, that, at the moment, he saw flashes of fire, and that he was unconscious of the act. This statement about the flashes of fire does not look like one made up for the occasion. Such a notion would not be likely to occur to a person of his grade of culture, and the perception which it implied has been often noticed in abnormal movements of the cerebral system. The simulation of such a trait implies more knowledge of disease, and a nicer art than can be fairly attributed to the prisoner. Indeed there was no need of simulation, at that moment, certainly. He had only to get down quietly into the room of his hosts, and either rob them or inflict the fatal wound while they were yet sleeping, and hurry away before being recognized.

It cannot be, as he declared at the trial, that he was "unconscious" of what he was doing, using the term in its ordinary signification, because after the homicide he told the police precisely what he had done. He probably meant to say what multitudes of the insane have said before, under similar circumstances, that he did not know why he should have done such a thing. He may have heard others use the word "unconscious" in speaking of his mental condition, and naturally supposed that to be the proper word for him to use in order to describe this unusual state of mind. Of course, such a person must not be held to a very correct application of metaphysical terms.

There can scarcely be a reasonable doubt that Cangley committed the bloody act in a short and sudden paroxysm of mania, and under an impulse that he could neither understand nor restrain. Of course, he was entitled to an acquittal, while society was equally entitled to such a disposal of his person as would have prevented any repetition of the murderous act. The occurrence of the homicide shortly after going to bed, and, probably, going to sleep, would naturally raise a suspicion that Cangley was in a state of somnolentia, or sleep-drunkenness, as the Germans call it, when the person suddenly awakes while dreaming of being assaulted or threatened in some frightful manner, some minutes elapsing before he fully comes to himself. In this state of mental confusion and alarm, he mistakes the first person who comes within reach for his imaginary foe, and attacks him with whatever weapon comes to hand. It is possible that Cangley's was a case of this kind, but the evidence, lamentably meagre as it is, would hardly warrant this conclusion. He did not pretend that he had been dream-

ing, though, if such had been the case, it is inconceivable that he should have omitted to speak of it when describing his state of mind, unless we suppose—and this is not at all unlikely—that such an explanation seemed to him less credible to others than that which he actually gave. His acquaintances might have thrown some light on the matter, but it is one of the many curious features of this case that not one of his family or old friends appeared on the witness-stand.

Here this account of a rare and interesting case might properly end, but it gives rise to some reflections that deserve to be very thoughtfully considered. It appears that no expert was called to testify respecting the prisoner's mental condition, or to enlighten the court and jury respecting the nature of transitory mania; he was not recommended to mercy, nor was any attempt made to obtain a farther observation of his case. How striking the contrast, in this respect, presented by the Townley case! He was examined by a distinguished expert, before the trial, who testified that he was insane. Next a board of magistrates, assisted by medical men, examined him and pronounced him insane. Then a committee of the Board of Commissioners in Lunacy, appointed by the government, examined him and pronounced him insane; and finally, another committee of experts was appointed by the government for the same purpose, by whom he was declared to be sane. The result of which proceedings was that execution was stayed until the question of his insarity was effectually settled by his killing himself under remarkable circumstances. The difference between these two cases was, that one had friends able and willing to obtain for him every possible privilege, while the other had none. Had Cang-



ley been subjected to the same sort of inquisition that Townley was, who can suppose that his fate would not have been averted? Inequality like this is discreditable to any system of criminal procedure, for the acquittal of the innocent is a no less essential end of justice than the conviction of the guilty. The law says that when insanity is pleaded in defence of crime, it must be proved, but it ignores the fact that the party, if really insane, is necessarily incompetent to prove it, and, if poor and friendless, is unable to procure the assistance of others to the fullest extent. Are we not warranted by the united voices of humanity and science in claiming, as a right, not as a favor to be purchased by wealth or influence, that when reasonable doubts are raised respecting the sanity of the prisoner in a criminal suit, the law shall provide for a satisfactory inquisition into his mental condition?

Medical men have been much reproached for the facility with which they allow themselves to support the plea of insanity in defence of crime. For their efforts in this line of duty, they have sometimes been exposed to a degree of public odium not calculated to enhance their peace or prosperity. We are quite willing, for one, to bear this reproach, provided it be considered in connection with that practice of the law which was exemplified in Cangley's case. If those are reprehensible views which, one time in a hundred, promote the acquittal of a guilty man, how shall we characterize a system which no less often, at least, procures the conviction of one really irresponsible for his acts? Are we to be charged with arrogance and disrespect, because we speak in fitting terms of those who thus ignore the teachings of science, and sit in judgment on their fellow men, guided only by

some poor metaphysical conceits that have nothing to recommend them but their age? When we are told, for instance, that delusion is not a valid defence for a criminal act, unless the act is amply warranted by the circumstances, supposing the notion that prompted it to have been really true, instead of a delusion, are we to speak softly and blandly about such a rule of law, and refrain from saying with all possible plainness of speech, that it conflicts with the elementary truths of insanity on which only such rules should be founded? It seems to be but a spurious kind of comity that would oblige us to withhold our censure, even in the face of the whole bench of English judges.

The case of Cangle adds another to the long list on record, which have disgraced the administration of the criminal law in the British dominions. This is strong language, certainly, but what can deserve it more than that spirit which systematically repels the light of science and allows an issue of life or death to be determined by a metaphysical dogma. This is not a matter of choice—a matter about which people may reasonably differ. Some things there are that cannot be rejected or ignored. One of the results of the more careful and extensive study of insanity in these latter days is, the discovery that, in the state of mind which is characterized by delusion, the patient may have lost all power of distinguishing right from wrong, even to the utter destruction of all moral responsibility. Another is the discovery of a mental condition in which the understanding and will are completely dissevered, and the patient is borne on to the commission of some bloody deed by an irresistible impulse. These are not speculations or conjectures, but well-observed, well-authenticated facts; and

not to recognize them as such in any attempt to fix the limits of legal responsibility, is no more a mark of wisdom than it would be to teach chemistry now as it was in the days of Priestly, or to try old women for witchcraft in the spirit and understanding of Sir Matthew Hale. Medical jurisprudence can be of any worth only so far as it faithfully represents the acknowledged truths of science. What greater disgrace, then, can attach to a court of justice than that of deciding a question of guilt or innocence upon principles which have been falsified by the progress of knowledge?

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NINETEENTH ANNUAL MEETING  
OF THE  
ASSOCIATION OF MEDICAL SUPERINTENDENTS OF AMERICAN  
INSTITUTIONS FOR THE INSANE.

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The Nineteenth Annual Meeting of the Association of Medical Superintendents of American Institutions for the Insane, was held at the Monongahela House, Pittsburgh, Pa., beginning on Tuesday morning, the 13th inst., at 10 o'clock.

Dr. KIRKBRIDE, President of the Association, was in the Chair, and Dr. CURWEN was Secretary.

The following members of the Association were present :

THOMAS S. KIRKBRIDE, Pennsylvania Hospital for the Insane, Philadelphia.

W. S. CHIPLEY, Eastern Lunatic Asylum, Kentucky.