

(Brisbane Courier, 14 September 1885)

THE FLOGGINGS AT THE GAOL.

FIVE prisoners were flogged on Saturday morning at the gaol in Boggo-road, in accordance with their sentences. The first three, Daniel Carmichael, James Toohey, and William Phillips, were convicted of having garrotted and robbed one William James Campbell, in Albert-street, in July last, and were sentenced as follows:—Carmichael, two years' imprisonment, with hard labour, and three floggings, the first of fifty lashes, and the second and third of forty lashes each; Toohey, two years' imprisonment, with hard labour, and two floggings of forty lashes each; Phillips, two years' imprisonment, with hard labour and two floggings of thirty lashes each, the floggings in each case to be inflicted during the first six months of imprisonment. The other two prisoners were Johnny, an aboriginal from the Dawson River, sentenced at Maryborough for attempting a criminal assault on a girl under 10 years of age, to nine months' imprisonment with hard labour, and a flogging of twenty-five lashes; and a youth named Miles, sentenced at Townsville for a criminal assault on a girl under 11 years of age, to five years' penal servitude and one flogging of twenty-five lashes.

On arrival at the gaol shortly before 10 o'clock the representatives of the Press found in the waiting-room the following members of the Legislative Assembly:—Messrs. M. Mellor, W. G. Bailey, and H. Wakefield. The Under Sheriff, Mr. Henry Thompson, arrived a few minutes before 10, the hour at which the first flogging was to take place, and the party passed through an iron barred gate into the central courtyard, and turning into the old debtors' room on the left, passed through that into one of the exercise yards in which the flogging was to take place.

Standing in the debtors' room in front of a window looking out into the yard was the newly-appointed executioner, a powerfully-built muscular man of middle age, bareheaded and stripped to a light jersey and pair of trousers. In his hand he held the cat-o-nine tails, which was to be the instrument of punishment. The dreaded cat possesses a handle extremely light in weight, about 2½ ft. in length, and covered with green baize. Attached to this are nine stout pieces of whipcord, about 3 ft. in length, with four knots in each. The cat was perfectly new, and of the new regulation pattern.

At 10 o'clock Daniel Carmichael, the first to be flogged, was brought into the yard from an adjacent yard, where the other prisoners were waiting their turn, and where they could hear although they could not see the punishment inflicted on their companions. Attentively watching the proceedings were Drs. Hobbs and Wray. Carmichael walked firmly up to the triangle, a wooden structure which was fixed at the side of the yard, and to which he was tightly lashed by the warders. His two arms were stretched above his head, and lashed to the apex of the triangle by stout pieces of cord, between which and his wrists were pieces of blanket to prevent the cords from cutting into the flesh. His legs were stretched apart, and firmly secured by straps just above the knees to the frame work, and a strong strap was passed round his waist binding him tightly to the cross-bars of the triangle. Blankets were placed for his chest and legs to lean against, where the fastenings held them tightly to the woodwork, and his feet rested on the ground. The cross-bars covered with blankets came up to the top of his chest, so that he could rest his head on it. Thus fastened he was incapable of any movement. He was stripped to the

waist, and a shirt thrown across his shoulders until the flogging should commence. He did not utter a word, submitted quietly to be bound, but appeared slightly nervous, occasionally looking over his shoulder to catch sight of the executioner, who, on a given signal, stepped from the debtors' room, and walked across the yard to where Carmichael was stretched on the triangle. The shirt was taken from his back, and the executioner, carefully measuring his distance, took up his position on the left side of the prisoner, drew back his arm, and waited for the signal to commence from Acting-Principal Turnkey Woodward, who called out each stroke in turn. "One," and the lash fell across Carmichael's back, leaving its red trace in a slanting direction downwards from under the right shoulder. Carmichael uttered a yell, kicking up his legs, but almost immediately the lash fell again almost in the same place, causing him to howl again. Commencing rather low down in the back the lash gradually ascended until it had covered in breadth about a foot of the prisoner's back. Again and again the lash descended with the regularity of clock-work, the prisoner howling and yelling with each successive stroke. By the twentieth stroke the red scores of the different strokes could hardly be distinguished, and the prisoner's back was one red quivering mass. At the twenty-ninth stroke the dark blood, which had made its appearance in small clots after the first few lashes, began to ooze from the lacerated flesh and trickle down his back, but still the blows fell one after another with pitiless regularity. And now the howls and shrieks sank to groans, and by the fortieth stroke the prisoner showed signs of fainting, only uttering a subdued moan as each stroke fell. The sight now became painful to witness, and after a few more strokes Dr. Hobbs asked Dr. Wray if he did not think he had had as much as he could bear, but meanwhile the flogging continued. Carmichael's body was now hanging by his arms, and his head pressed convulsively against his left arm; but yet he continued moaning faintly until the turnkey called out fifty. He was then cast loose in a fainting condition, and supported by two warders while water was poured over his head, and a pannikin of water poured down his throat. His face was deadly white, and he could not hold his head up to drink; but in a short time he seemed to slightly recover, and, still moaning, was led away between two warders, who supported him on each side, and murmuring, "Oh, I'm innocent; I'm innocent." The executioner, without saying a word, walked back to the debtors' room.

Without delay, James Toohey, a young and well-made fellow, with close-cropped curly black hair, was brought into the yard. He walked up to the triangle with a certain sort of swagger, and a confident air, which seemed however to desert him when his shirt had been taken off, and he was tightly secured to the framework. His hands above the wrist-straps were tightly clenched, and he looked round nervously as the executioner approached. For the first three lashes Toohey kept his eyes fixed on the executioner, but at the fourth he could not help calling out with the pain. The prisoner bore the terrible punishment with great fortitude, although if anything it was more severe than the previous flogging, and with the exception of a few low groans, which he vainly endeavoured to stifle, he never uttered another sound, though the agony he was enduring was evident by the trembling of his flesh and convulsive quivering of his legs. At the conclusion of his punishment he was given water, which he drank with avidity, while some

was poured over his head, and he was led away in a semi-conscious condition.

The executioner at this period was compelled to obtain a fresh cat-o'-nine tails, as the knots of the other, sodden with blood, had become loosened.

William Phillips, the last of the garroters, seemed a mere boy, and said, as he was being tied up that it would "cut right into his bones." He also put on an assumption of indifference, and bore his punishment well. A

piece of leather and metal he had put in his mouth was forced out by a gasp at the third stroke, and he gave a loud groan at the fifth stroke, but this was the only sound he uttered. He refused any water to drink, and would not be assisted out of the yard, saying, "I can walk; you only want to make me worse." In Phillips's case blood appeared at the fourteenth stroke.

Johnny, a short thick-set aboriginal from the Dawson River, was next tied up and received twenty-five lashes, howling and yelling vigorously all the while, and rendered almost frantic with the pain. He kicked his legs about and remained suspended by his hands, and when the flogging was finished was in a fainting and exhausted condition. Though his skin was tough he seemed more susceptible of pain than his fellow-sufferers, and screamed out in his own language, "Oh, mai-mai mai-me."

The last of the batch was young Miles, a short youth, who walked quickly of his own accord to the triangle as though nothing was the matter. When he had taken his shirt off he tied a white handkerchief tightly round his waist, and had got something in his mouth to bite as the lashes fell. While being tied up he said to the executioner, "Don't hit me on the ribs, old man; hit me fair on the back;" and his arms and legs were seen to be trembling violently. At the ninth stroke he shouted out, "Hit higher up, not underneath the ribs." At the fourteenth he howled and shouted out, "Not underneath the ribs now," but remained silent during the rest of his punishment. When untied, he pushed the warders from him, refusing both water and assistance, saying, "You needn't hold me; I'm not going to faint for twenty-five lashes; I don't want any of your water;" and picking up his hat, shirt, and coat he shouted out as he left the yard, "I could take 200 — lashes; it isn't the first time I've had a taste of the cat." He then walked rapidly away, without assistance, to his cell.

Whilst the warders were removing the triangle, blankets, and ropes, the official party visited the cells in the main building. Drs. Hobbs and Wray specially directed their attention to the five convicts who had just received corporal punishment. Their cells were the five nearest to and on the left of the entrance on the ground floor. After each man had received his lashes he was removed to his cell, where a spermaceti plaster was laid on his back, and covered the whole of the wounded part.

The first man visited was Carmichael. He was sitting on his bed, leaning his head on his hands, and his eyes fixed on the ground. The bully was absolutely cowed, and in the meekest manner allowed Dr. Hobbs to examine him and feel his pulse. The medical officers next examined Toohy, who was sitting on his haunches on the bed. He appeared to be suffering intensely, and complained of feeling faint. Dr. Hobbs advised him to lie flat on his face; but he persisted in retaining his position and staring in a stolid semi-conscious manner at the visitors. From

Toohy's cell to that of Phillips was but a step. This youth, who had refused the assistance of the warders when leaving the whipping-post, was discovered in a half-fainting condition, lying on his bed at full length, face downwards. As the doctors entered he looked at them longingly in the hope that they might afford him some relief. When, however, he saw other persons coming after the medical, he endeavoured to assume an air of indifference. This attempt was an utter failure, for the twinges of pain which he was continually experiencing and his prostrate condition did not fail to assert themselves and exhibit signs thereof in his drawn features. From each of the three garroters all semblance of bravado had vanished, and they were now as meek as children. The aboriginal was next looked at. He was supposed to have fainted, but this proved not to be the case, but he was evidently very weak and suffering acutely. Some curiosity was evinced as to how Miles would bear himself. As the cell door was opened he leapt from the bed, and folding his arms walked about. In reply to Dr. Hobbs he said quite cheerily, "I feel right enough, doctor. There's nothing the matter with me, only a stinging on the back." Replying to other remarks he said he had no money to pay witnesses to speak in his defence, and "what was the use of speaking to the man on the bench?" There were things which the majority would never know. However, he was only sorry he did not get 100 lashes and two years. "Five years was too much to give me." Thus they left him, and as the party passed from the building a warder entered with five pannikins of water, which before very long they would drink eagerly enough.