

Punishment at Macquarie Harbour penal settlement

The Sarah Island penal settlement was proposed by Lt. Governor Sorell as a 'place of banishment and security for the worst description of convicts' and as such developed the reputation as one of the severest of the penal settlements established during the history of transportation. In a letter to Commandant Wright in 1824, Governor Arthur wrote:

'Unceasing labour, total deprivation of Spirits, Tobacco and Comforts of any kind, the sameness of occupation, the dreariness of situation must, if anything will, reform the vicious characters who are sent to you.'

In the early years of the settlement, such 'dreariness of situation' was supplemented by particularly harsh punishments. The commandant held the power of a magistrate and was able to hear charges and decide the appropriate punishment. Generally this took the form of either lashings with the cat-o-nine tails or solitary confinement, although other forms of punishment, such as chains, reduced rations and loss of privileges were

also used. The first commandant, Lt. Cuthbertson, described as a 'sadistic bully of peculiar qualities', prescribed lashings freely in an effort to stop the 'frenzy of escapes' and excess brutality that dominated the first years of the settlement.

However, with the arrival of Master Shipwright, David Hoy, in 1828 and the transition from a 'place of banishment' to an organised industrial centre, there was a dramatic drop in the number of lashings. It is likely that the influence of other factors, such as improved diet and living conditions, the availability of contraband, the setting up of religious instruction by Reverend William Scholfield and the establishment of a school, had a bearing on the decline in punishment after 1828.

'The Macquarie cat'

The Macquarie Harbour cat-o-nine tails was reputed to be heavier and larger than that of the army or navy. It had seven knots in each tail and a double twisted whipcord rather than the usual single cord. Particularly during the early years of the penal

settlement, the formidable 'Macquarie Cat' was used with relentless frequency. In the first seven years of the settlement an average of 6560 lashes per year were inflicted on 175 men. However, in the last five years of the settlement, this had dropped dramatically to an average of 850 lashes per year inflicted on 25 men.

The permissible maximum of 100 lashes was the common sentence for those who attempted escape, yet it is clear from the endless escape bids that the cat-o-nine tails did little to deter the convicts in their quest for liberty. The great majority of floggings, however, involved far fewer strokes of the cat-o-nine tails. Twenty-five strokes were common for such offences as 'neglect of duty', a number which also decreased during the latter years of the settlement.

While records are not complete, it is possible that the convict Scrummy Williams held the dubious record for the most number of lashings given to a prisoner, with a total of 500. After one of his numerous

floggings, Williams was pronounced unfit to receive the remaining 25 of his 100 lash sentence and was taken to hospital. However, due to his deprecatory remarks while in hospital he was taken out to receive the remainder of his sentence. Lempriere, the Commissariat Officer, claimed to 'have heard of a man receiving a hundred lashes, and for an insolent word, perhaps extorted by the smarting of his back, being tried on the spot, and his punishment repeated.'

One convict describes the aftermath of a flogging:

'unless it were at the meal Hours or at Night he was immediately sent to work, his back like Bullocks Liver and most likely his shoes full of Blood, and not permitted to go to the Hospital until next morning when his back would be washed by the Doctor's Mate and a little Hog's Lard spread on with a piece of Tow, and so off to work...and it often happened that the same man would be flogged the following day for Neglect of Work.'

It is doubtful that such harsh punishment did anything to reform the convicts. Indeed, the settlement's surgeon stated that he 'never knew a convict benefited by flagellation'. In his estimation, they turned out as 'more desperate characters than before'. It is probable that the harshness only encouraged escape attempts and other acts of desperation, such as the

murder of fellow prisoners in an attempt to gain a brief reprieve from the despair of the settlement.

Solitary confinement

Flogging was partly replaced by the increasing use of solitary confinement. Convicts served a maximum of 14 days in cells housed within the gaol on a diet of water and bread. On occasions each cell held as many as three men serving their 'solitary confinement' together! Prior to the confinement cells being built on Sarah Island, convicts served their solitary confinement on spray-soaked Grummet Island, often being obliged to sleep in their wet clothes. For some, solitary confinement was welcomed as a relief from back-breaking labour.

Other punishments

Other forms of punishment included the reduction of a prisoners' rations through stopping their allowance of meat. Conversely, well behaved convicts were often rewarded with a range of little extras, including the occasional tot of rum. Irons were also used as a form of punishment. Prisoners were forced to work in a chain gang, usually on Sarah Island itself, although many men worked in chains hauling logs while chest deep in the icy waters of the lower Gordon River.

Convicts who committed serious crimes, such as assault or murder, were tried in Hobart. On one occasion, three convicts found guilty of

murder were hung on the Island. In mockery of Commandant Wright's intent to use the execution as a deterrent to other convicts, two of the condemned men laughed and joked from the scaffold with their fellow prisoners, displaying 'appalling indifference to their fate.' The other man, like the vast majority of those that faced the gallows, died truly penitent.

For some men, the threat of execution did little to deter their crimes, for the gallows offered a tempting way out of the desperate lives they suffered at Macquarie Harbour. For those that were fortunate enough to be a witness to a serious crime such as murder, a temporary reprieve from Macquarie Harbour was obtained while they travelled to Hobart Town to act as a witness in the trial. As Commandant Butler lamented:

'I am quite at a loss to know how to act...The prisoners are forming every scheme they can devise to get up to Hobart Town as Witness or otherwise, and all their statements are now at variance as to the Person who made this last attempt at murder.'

Further reading

Brand, I. (1984). *Sarah Island*. Regal Publications, Launceston.

Lampriere, T. J. (1954). *The Penal Settlements of Early Van Diemen's Land*. Royal Society of Tasmania.