

## CHAPTER XXXIV.

### SOME OF THE EVIL EFFECTS OF FLOGGING.

There are incidental considerations touching this matter of flogging, which exaggerate the evil into a great enormity. Many illustrations might be given, but let us be content with a few.

One of the arguments advanced by officers of the Navy in favour of corporal punishment is this: it can be inflicted in a moment; it consumes no valuable time; and when the prisoner's shirt is put on, that is the last of it. Whereas, if another punishment were substituted, it would probably occasion a great waste of time and trouble, besides thereby begetting in the sailor an undue idea of his importance.

Absurd, or worse than absurd, as it may appear, all this is true; and if you start from the same premises with these officers, you, must admit that they advance an irresistible argument. But in accordance with this principle, captains in the Navy, to a certain extent, inflict the scourge--which is ever at hand--for nearly all degrees of transgression. In offences not cognisable by a court-martial, little, if any, discrimination is shown. It is of a piece with the penal laws that prevailed in England some sixty years ago, when one hundred and sixty different offences were declared by the statute-book to be

capital, and the servant-maid who but pilfered a watch was hung beside the murderer of a family.

It is one of the most common punishments for very trivial offences in the Navy, to "stop" a seaman's grog for a day or a week. And as most seamen so cling to their grog, the loss of it is generally deemed by them a very serious penalty. You will sometimes hear them say, "I would rather have my wind stopped than my grog!"

But there are some sober seamen that would much rather draw the money for it, instead of the grog itself, as provided by law; but they are too often deterred from this by the thought of receiving a scourging for some inconsiderable offence, as a substitute for the stopping of their spirits. This is a most serious obstacle to the cause of temperance in the Navy. But, in many cases, even the reluctant drawing of his grog cannot exempt a prudent seaman from ignominy; for besides the formal administering of the "cat" at the gangway for petty offences, he is liable to the "colt," or rope's-end, a bit of ratlin-stuff, indiscriminately applied--without stripping the victim--at any time, and in any part of the ship, at the merest wink from the Captain. By an express order of that officer, most boatswain's mates carry the "colt" coiled in their hats, in readiness to be administered at a minute's warning upon any offender. This was the custom in the Neversink. And until so recent a period as the administration of President Polk, when the historian Bancroft, Secretary of the Navy, officially interposed, it was an almost

universal thing for the officers of the watch, at their own discretion, to inflict chastisement upon a sailor, and this, too, in the face of the ordinance restricting the power of flogging solely to Captains and Courts Martial. Nor was it a thing unknown for a Lieutenant, in a sudden outburst of passion, perhaps inflamed by brandy, or smarting under the sense of being disliked or hated by the seamen, to order a whole watch of two hundred and fifty men, at dead of night, to undergo the indignity of the "colt."

It is believed that, even at the present day, there are instances of Commanders still violating the law, by delegating the power of the colt to subordinates. At all events, it is certain that, almost to a man, the Lieutenants in the Navy bitterly rail against the officiousness of Bancroft, in so materially abridging their usurped functions by snatching the colt from their hands. At the time, they predicted that this rash and most ill-judged interference of the Secretary would end in the breaking up of all discipline in the Navy. But it has not so proved. These officers now predict that, if the "cat" be abolished, the same unfulfilled prediction would be verified.

Concerning the license with which many captains violate the express laws laid down by Congress for the government of the Navy, a glaring instance may be quoted. For upward of forty years there has been on the American Statute-book a law prohibiting a captain from inflicting, on his own authority, more than twelve lashes at one time. If more are to be given, the sentence must be passed by a Court-martial. Yet, for

nearly half a century, this law has been frequently, and with almost perfect impunity, set at naught: though of late, through the exertions of Bancroft and others, it has been much better observed than formerly; indeed, at the present day, it is generally respected. Still, while the *Neversink* was lying in a South American port, on the cruise now written of, the seamen belonging to another American frigate informed us that their captain sometimes inflicted, upon his own authority, eighteen and twenty lashes. It is worth while to state that this frigate was vastly admired by the shore ladies for her wonderfully neat appearance. One of her fore-castle-men told me that he had used up three jack-knives (charged to him on the books of the purser) in scraping the belaying-pins and the combings of the hatchways.

It is singular that while the Lieutenants of the watch in American men-of-war so long usurped the power of inflicting corporal punishment with the colt, few or no similar abuses were known in the English Navy. And though the captain of an English armed ship is authorised to inflict, at his own discretion, more than a dozen lashes (I think three dozen), yet it is to be doubted whether, upon the whole, there is as much flogging at present in the English Navy as in the American. The chivalric Virginian, John Randolph of Roanoke, declared, in his place in Congress, that on board of the American man-of-war that carried him out Ambassador to Russia he had witnessed more flogging than had taken place on his own plantation of five hundred African slaves in ten years. Certain it is, from what I have personally seen, that the English officers, as a general thing, seem to be less disliked by their

crews than the American officers by theirs. The reason probably is, that many of them, from their station in life, have been more accustomed to social command; hence, quarter-deck authority sits more naturally on them. A coarse, vulgar man, who happens to rise to high naval rank by the exhibition of talents not incompatible with vulgarity, invariably proves a tyrant to his crew. It is a thing that American men-of-war's-men have often observed, that the Lieutenants from the Southern States, the descendants of the old Virginians, are much less severe, and much more gentle and gentlemanly in command, than the Northern officers, as a class.

According to the present laws and usages of the Navy, a seaman, for the most trivial alleged offences, of which he may be entirely innocent, must, without a trial, undergo a penalty the traces whereof he carries to the grave; for to a man-of-war's-man's experienced eye the marks of a naval scourging with the "cat" are through life discernible. And with these marks on his back, this image of his Creator must rise at the Last Day. Yet so untouchable is true dignity, that there are cases wherein to be flogged at the gangway is no dishonour; though, to abase and hurl down the last pride of some sailor who has piqued him, be some-times the secret motive, with some malicious officer, in procuring him to be condemned to the lash. But this feeling of the innate dignity remaining untouched, though outwardly the body be scarred for the whole term of the natural life, is one of the hushed things, buried among the holiest privacies of the soul; a thing between a man's God and himself; and for ever undiscernible by our fellow-men, who account that a

degradation which seems so to the corporal eye. But what torments must that seaman undergo who, while his back bleeds at the gangway, bleeds agonized drops of shame from his soul! Are we not justified in immeasurably denouncing this thing? Join hands with me, then; and, in the name of that Being in whose image the flogged sailor is made, let us demand of Legislators, by what right they dare profane what God himself accounts sacred.

Is it lawful for you to scourge a man that is a Roman? asks the intrepid Apostle, well knowing, as a Roman citizen, that it was not. And now, eighteen hundred years after, is it lawful for you, my countrymen, to scourge a man that is an American? to scourge him round the world in your frigates?

It is to no purpose that you apologetically appeal to the general depravity of the man-of-war's-man. Depravity in the oppressed is no apology for the oppressor; but rather an additional stigma to him, as being, in a large degree, the effect, and not the cause and justification of oppression.