

An Adelaide Gaol Execution

Michael Magee

Executed 2 May 1938

Michael Magee was about 24 years of age when he was convicted and sentenced to death for shooting at the Sheriff, Mr Samuel Smart, with intent to kill. He and accomplice William Morgan had carried out the first armed robbery in the colony by bursting in to the sheriff's tent with the intention of stealing the colonial treasury. When Samuel Smart offered resistance, a shot was fired and the offenders fled empty handed. The bullet grazed the ear of the intended victim and powder from the gun also burned his face.

Magee was promptly captured but Morgan escaped and fled to Encounter Bay.

Governor Hindmarsh sent Sergeant Major Alford and two special constables to track him down and arrest the fugitive. The group managed to capture their quarry at the whaling community near Granite Island and commenced the return journey. During the second day Morgan, being familiar with the country, offered to lead them back to Adelaide by the 'short route'. He led them in circles through the thickly wooded country for two more days until they became hopelessly lost.

Alford sought to make for the coast and then head north to Adelaide but Morgan refused to co-operate. He refused to take another step and invited Alford to shoot him on the spot, fearing that he would be executed anyway. As tempting as the invitation must have been, Alford solved the situation by leaving his captive handcuffed to a tree while they returned to Adelaide as quickly as they could. Morgan, or more likely his corpse, could be recovered later.

Without food or water, his wrists bleeding and raw from the handcuffs and fighting off dingoes by kicking them with his feet, Morgan was unshackled four days later by a rescue party and returned to Adelaide for trial. He was convicted but sentenced to transportation for life. Perhaps some sympathy was expressed in the sentence for his suffering. Magee was not so fortunate.

This was to be the first execution in Adelaide and there was a problem finding a person willing to carry out the gruesome task. The Sheriff was responsible for administering justice in the colony and if he could find no other executioner, would have to be the hangman for the occasion.

A reward of £5 was offered for someone to carry out the task but then increased to £10 when no-one could be found for the job. There were suggestions that it should be made a condition of commuting Morgan's sentence that he should hang Magee. In any event it was felt inappropriate for the Sheriff to carry out the task because it was he who had been fired at.

Magee's execution took place on the northern side of the River Torrens. He was hanged on 2 May 1838 from a tree with a large projecting horizontal bough. It was never known who the hangman was.

The cart carrying the prisoner was escorted by all 16 marines who comprised the Imperial force in Adelaide. Ten members of the recently formed mounted police were also present. Magee was seated on a plain timber coffin in the cart with his arm

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loosely tied behind him. With him sat a man disguised by a grotesque mask with daubs of white paint beneath the eyes. He had a hump on his back and another on his breast which all added to macabre theatrics for the spectators. As the procession approached the tree the police drew their cutlasses and the marines fixed bayonets.

When the Colonial Chaplain, Mr Charles Beaumont, began reading the service for the burial of the dead, 'I am the resurrection and the life' all hats in the crowd of spectators were instinctively removed.

While the hangman was adjusting the rope and greasing it up, Magee addressed the Sheriff and the assembled multitude of a thousand onlookers in a firm audible voice, confessing to the crime of which the jury had found him guilty.

To many he appeared to be the most unflurried in the crowd.

As soon as the cap had been drawn over his face and the prayers concluded, a motion was made that all was ready. With a whip or two of the leading horse the cart was drawn away, and many shut their eyes whilst the poor sufferer was launched into eternity.

The following description of events is given by Alexander Tolmer, who credits the story to an eye-witness [Tolmer did not arrive in Adelaide until two years later].

“Here commenced one of the most awful and appalling sights ever witnessed in the province. The noose had been so badly managed that the knot came under the chin, instead of the ear, of the dying man. and as the cart was drawn very slowly from under him he did not fall, but merely slid off gradually.

There he was hanging in the air, uttering the most excruciating cries - 'Oh God, save me!' And to make it worse, he had been so badly pinioned that he got both his hands up to the rope above his head to prevent his choking, and to ease the strain on his neck.

The hangman galloped off amidst the hootings of the people on a horse provided for the purpose, immediately the cart had been drawn away.

The crowd shouted, 'Fetch him back' as one of the mounted police was dispatched after him at full gallop. All this time the poor hanging man was uttering the most piercing cries for help. 'Lord, save me! Christ have mercy on me.'

Some spectators cried out 'Cut him down!' whilst others, with a different kind of consideration, urged the marines to shoot him and put an end to misery.

Meanwhile the poor wretch was making the most powerful efforts with his hands up at the rope, to prevent his suffocation. It was a horrible sight to witness. The twisting of the rope and the man turning around like a joint of meat before the fire, while women were fainting, and the Sheriff attempting to address the crowd amidst fierce cries of 'Shame! Shame!'

The hangman was now seen riding back in his diabolical disguise with a policeman at his side. Amidst a universal shriek of execration the horrid monster began again his work of death. At one bound he made a fiendish leap upon the body of the dying man and all was hushed.

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The hands of the convict could cling no longer to the rope, and his agonised cries were heard no more.

We left the executioner hanging by the legs of the culprit, who, after the lapse of 13 minutes by the watch, was still alive, for now and again were heard a few faint murmurs, and the body even yet exhibited some strong contortions.

It was enough; the crowd was seen dispersing amidst a pensive silence through the forest, all hearts sickened and sad at the melancholy spectacle. All of those present had engraved on their memories to their own dying days the first execution in South Australia.”

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