

RALEIGH REGISTER.



AND North-Carolina State Gazette.

Observe the paths of false deluged Peace, Unwarped by party, to live like Brothers.

Vol. XII.

FRIDAY, AUGUST 23, 1811.

Revised Criminal Code.

FURTHER EXTRACTS

From the pamphlet giving an account of the NEW-YORK PENITENTIARY.

The 1st section of the Pamphlet giving an account of the N York State Prison, describes the buildings erected for a Penitentiary. They comprise four acres of ground.—The walls are of freestone, the house is two stories, the length of the front is 204 feet, with wings at each end, and in the rear of the yard is a Brick Building of two stories, 200 feet long and 20 feet wide, for Work-shops. The whole surrounded by a Stone Wall 14 feet high.

The second section speaks of the Inspectors. There are seven Inspectors of the Prison, appointed by the Governor and Council, during pleasure. They are required by law to meet once at least in every month. They meet once in each week to consult on the affairs of the Prison; and, monthly, two of their number are selected as Visitors. The persons thus designated must visit the prison once in each week, during the recess of the Board of Inspectors. It is their duty to enquire into and inspect the general state of the Prison; to see that the Keepers are attentive and faithful in the discharge of their several duties; that cleanliness, decency and order are every where maintained; that the Prisoners are always treated with justice and humanity; to listen to their complaints and communications; to admonish the bad, applaud the good, and encourage all to amendment and reformation; and to give them such advice as may awaken virtuous sensibility and promote their moral and religious improvement.

This occasional intercourse, in which the Prisoners discover in their Visitors the features of benevolence, not the contemptuous frowns of an unfeeling tyrant, has a tendency to encourage the well disposed and soften the hearts of such as are grown obdurate by reiterated crimes.—While it represses the ferocious insolence of the hardened offender, it tranquillizes the tumultuous feelings of despair; and instead of gloomy indifference, depression & contempt, it excites emotions of hope and fear, attention and respect, which prepare the mind to receive impressions favorable to future amendment.

The Inspectors, with the Judges of the Supreme Court, or any two of them, the Mayor and Recorder of the City of New-York, the Attorney-General and Assistant Attorney General, are empowered to make regulations for the internal government and management of the Prison. And the Governor, Lieutenant-Governor, Chancellor, and such Ministers of the Gospel, residing in the city, as have the charge of churches or congregations, are allowed to visit and examine the Prison at their pleasure. Every day, either the visiting Inspectors, the Agent (who is also an Inspector) or some of the Board not on duty, and others occasionally, visit the Prison. In the second week of the terms of April and July, when the Supreme Court is held in the city, visitations are made by the Judges, who enquire into the state and progress of the establishment.

And it is a circumstance not less honorable to them than evincive of the soundness of the principles of the Institution, that they have hitherto been its zealous friends, and disposed to promote its success by their countenance and advice. Their situation, while it renders them familiar with criminals, and enables them to decide with greater certainty on the operation of human punishments, is also favorable to those habits of deliberation & enlightened foresight, so necessary in pronouncing on the wisdom or success of new experiments in the system of Penal Laws.

With this system of visitation and inspection, it is hardly possible that abuses and corruptions should creep into the administration of the Prison, or should they arise, they cannot be long unnoticed or unreformed.

The Inspectors, or the Agent, purchase all the articles required for the use of the Prison, the raw materials for manufacture, and the tools and implements necessary in their several occupations.—A regular account of these purchases is kept, and annually a report is made by the Inspectors to the Legislature, of the condition of the Prison, the number and description of the convicts received during the year, discharged and remaining

in confinement; an account of the sums expended for the maintenance of the prisoners, for raw materials, tools, &c. and of the monies received from the State, and arising from the sale of the manufactured articles.

No salaries are paid the Inspectors.—Actuated by principles of benevolence and a love of justice and humanity, they have offered the voluntary contribution of their services. They have sought no other recompense than those feelings which accompany the exertions of good men for the benefit of Society.

The Agent appointed to purchase clothing and materials, and for the disposal of the manufactured articles, is allowed a salary. As the nature of his office leads him daily to the Prison, he ought to be selected from the Board of Inspectors; otherwise, as it is necessary that one of the Inspectors should attend at the Prison every day, that he may be intimately acquainted with its concerns, and ready to advise and direct in a variety of things which should not be left entirely to the Keeper, another salary would be requisite as a compensation for this extraordinary service. As this is now performed by an Agent who is also an Inspector, a considerable sum is thus annually saved.

The Inspectors have a Clerk, who resides at the Prison. He transcribes the minutes and orders of the Board; and, in books provided for that purpose, enters the names of the prisoners received and discharged; keeps an account of the labor performed by each prisoner, & charges him with his clothing and diet—and also an account of articles bro't into the Prison for the maintenance of the convicts, and for the purpose of being manufactured.

When a prisoner is dismissed from confinement, his account is made out and laid before the Inspectors; and his name, with a description of his person, and the mode of life he intends to pursue, is transmitted to the police magistrates.

Though in the commencement of this establishment, persons have been found willing to undertake the gratuitous management of its concerns, yet some may imagine, that without the inducement of considerable salaries, or the usual motives of interest, it will be difficult hereafter to obtain a competent number qualified for the execution of such an office. It cannot be denied that the efficacy and success of this new experiment in penal law, will in a great degree depend on the Board of Inspectors; but it is highly probable, that in a city so populous as New-York, men may always be found, endowed with that benevolence and zeal which such a cause demands, who will ever be ready to devote gratuitously a portion of their time and talents to a service so honorable to them and beneficial to the community.

The entire custody of the Prison and the convicts is committed by law to the Inspectors, who are authorized to appoint and remove the Keepers at their pleasure.

The third section defines the duties of the Keeper and his assistants. The Principal Keeper is obliged to take an oath or affirmation for the faithful performance of the duties required of him. He is allowed a salary of eight hundred and seventy-five dollars a year, with his board and the necessary apartments for himself and his family in the prison; but no fees or perquisites of any kind is he permitted, on any account to receive.

It is of the highest importance, that an officer on whom the safety of the prison and the success of the institution so essentially depend; should be a person of respectability, and endowed with qualities adapted to so difficult and arduous a duty. A salary, therefore, ought to be given, in some degree proportioned to the great care and responsibility attached to the office, & which may command the services of a suitable character.—By a competent and fixed salary, while fees and the prices of indulgences of any kind are strictly prohibited, all temptations to extortion and abuse, so frequent and enormous in the prisons of other countries, are entirely prevented.

A Keeper should be a person of sound understanding, quick discernment, and ready apprehension; of a temper cool, equitable and dispassionate; with a heart warmed by the feelings of benevolence, but firm and resolute; of manners dignified and commanding, yet mild and conciliating; a lover of temperance, decency and order; neither resentful, talkative, or familiar; but patient, persevering, and discreet in all his conduct.

While the unhappy wretches committed to his care and subjected to his power, are regarded as susceptible of being influenced by their fellow men, and capable of reformation, he should never treat them with harshness, cruelty or caprice, nor thwart or irritate them in trivial matters; but on all occasions, while he makes himself feared, he should by a mild and temperate behavior, by visiting the sick, enquiring into their wants and occasionally supplying them with little comforts, and speaking kindly to those at work, endeavor to gain their affection and respect. Though, in order that he may be on his guard against their machinations, he should consider them as wicked and depraved, capable of every atrocity, and ever plotting some means of violence and escape; yet he should always be convinced of the possibility of their amendment, and exert himself in every way to promote it.

He ought, however, to be prompt in punishing every offence against the rules and orders of the Prison, and suffer no improprieties of conduct to pass without animadversion; for the slightest negligence in this respect might lead to greater offences, and be attended with serious consequences. In the infliction of punishment, he should be calm and inflexible, without anger, so that he may convince the offender that he acts, not from passion or vengeance, but from justice.

He should frequently visit every part of the prison, the work-shops, kitchen, hospital, &c. that he may detect any irregularities which may be committed.

No Keeper or Assistant-keeper is allowed to strike a prisoner. If he is a person of good understanding, he will perceive how much his influence must be diminished by any indulgence of anger, and must be content with the sober exercise of the power entrusted to him.

At each weekly meeting of the Inspectors, the Keeper presents a written report, specifying the number of the convicts in the prison and their various employments; how many have been received or discharged; the number of the sick, and of those confined in the solitary cells; and, in general, all the occurrences which have taken place in the prison since the last meeting of the Inspectors.

The number of Assistant-Keepers, at present consists of twelve, who are allowed each a salary of \$250 per year, with diet, lodging and washing. One of the Assistants is designated by the Inspectors as a Deputy Keeper, who in case of vacancy in the office of Principal Keeper, is vested with all his powers, and is to execute all his duties, and is allowed a salary of 400 dollars a year. The Deputy Keeper delivers all the clothes to the prisoners, has the charge of all the household furniture, provisions, &c. daily inspects the gratings of the windows, the walls, the floors, &c. to see if any attempts have been made to escape.

The Assistant-keepers have separate stations assigned them, and keep alternate watch during the night. It is their peculiar duty to see that all the orders and regulations respecting the prison are strictly observed; that the apartments, halls, &c. are kept clean; that the men are attentive to their respective occupations; and that no noise, swearing, in decent language or disturbance, is permitted. In case of any misbehavior, however trifling, they must take the offender without delay or contention to the Keeper, for the purpose of being sent to the solitary cells; if he shall be thot to deserve punishment.

As the prisoners are punished for indecent language and misbehavior, it is essential that the Keeper and his Assistants should wholly abstain from every impropriety of speech and conduct: for it is in vain to expect good manners in the convicts when those who are set over them exhibit examples of the very vices they are required to chastise and correct.

The Inspectors are careful to inform those who are appointed Keepers, that should they be found guilty of those vicious practices, they shall be dismissed. It is difficult to find keepers of sufficient zeal to admonish the prisoners against such conduct, or to punish them when guilty. When, however, their negligence or connivance is discovered, they are sure to be discharged.

Prisoners are made desperate by profaneness, violent habits, and ill usage of their keepers. This conduct cannot be governed, is certainly erroneous; the most despotic rule may generally be managed by exercising a calm, quiet, and steady mode of conduct, & when they behave well, with great kindness; and when they are treated with tenderness.

HOWARD.

The Assistant-keepers, who also perform the duties of turnkeys, are without arms of any kind, since no punishment is allowed to be inflicted, except solitary confinement. In the selection of Assistant Keepers, great care is taken to employ those only who are temperate, vigilant and faithful, and who will set no example of that irregularity, indelicacy, or misconduct, which is so strictly prohibited in the prison.

[To be continued.]

MR. PINKNEY.

From the Baltimore Whig.

We very promptly and willingly insert the following communication, from a distinguished patriot. It is highly important in many respects.

Since Mr. Pinkney's return, I have been honored and pleased with his company, his cheerful explanations, his sincere expressions of regard for the safety of our common country. His convictions of the existence of a British faction in the United States, dangerous to the rights and benefit to the credit of the nation, are rendered IRREMOVABLE BY THE OBSERVATIONS HE MADE ON THEIR INFLUENCE OVER THE RELATIONS OF BRITAIN AND AMERICA.

An American ambassador in England is placed in the situation of Tantalus—when he expects that negotiations are drawing to a favorable termination, all of a sudden they are suspended or delayed for months by the British government; the ministry having received from America some federal pamphlet, or newspapers containing resolutions against our government passed at some federal meeting. Depending thus on a party organized in their favour in the heart of America, the English ministry are encouraged in aggressions, and form false hopes of bowing us to their will by the instrumentality of this faction among ourselves.

If Mr. Pinkney was a federalist before, you must admit, that such evidence ought to have changed his opinions, and caused him in disgust to abandon a set of men who like vipers were ungratefully stinging his country to death. I know his mortification and anguish on such occasions were inexpressible great—they wrung his heart—they depressed his spirits—they printed the glow of shame upon his cheek. Sent to a foreign court to seek justice, he saw his reasonable claims and expectations baffled and blasted by the unnatural opposition of American citizens siding with Britain against their own government—against their countrymen—against the inalienable rights of both.

Mr. Pinkney saw the ministry of a foreign government buoyed up by press in America teeming with publications in favor of Britain; he saw that their hopes grew more sanguine as their party in America became more zealous, and assumed a higher tone in behalf of England; and, seeing these things, I put it to the candor of every honest man, *Could he avoid reproaching the avarice and traitorous faction which excited dissensions in and threatened ruin to our beloved country? No; imperious conscience ordered him "to come out from from among them," and rank himself on the side of the friends of his country, the friends of freedom, the friends of man.*

Besides, Mr. Pinkney when abroad, saw more deeply into that corruption which is the spring and support of monarchical governments; he saw in England, an ignorant, divided, bigotted, miserable, enslaved population, trampled under foot by a knavish combination of king, nobles, bishops, and factious judges: he perceived in France an uncontrollable military despotism, imposing chains on millions. Seeing such corruption in England, and such absolute power in France, could he fail to look favourably on the only principles that could ensure political happiness and civil liberty to man—the democratic principles of the American constitution? VINDEX.

MR. SHERIDAN.

The following just and spirited remarks were lately made by Mr. Sheridan in the British House of Commons, on a bill to repeal an act laying additional taxes on the Press in Ireland.

"The Right Hon. Gentleman (Mr. Foster) had said, if the union is to be violated, it is best to repeal this act at once; now, all that the Hon. Gentleman has done with respect to the press, is a violation of the act of union; a violation of that clause which says, that no tax is to be raised in Ireland higher than

in England. A member has had the hardihood to say, this night, that Ireland cannot support her own government.—It is not so. She can support her fair proportion; but she cannot, nor ought she, to be required to advance an over-rated quota to the general defence of the whole empire. See what Ireland is doing for you—see her sacrificing her courage—her best blood in our defence; and can you in return basely reproach her with poverty! (Hear! Hear!) You have no right to do so. If she is poor, she has become so in your support.—Spare her, then, the mortification of hearing she owes that to your gratitude, which she has a right to claim, not from your bounty, but your justice. It has been said that the Press cannot be hurt by raising the duty on advertisements. There are three ways of destroying the liberty of the Press; one is by oppressive acts of Parliament, another is by *ex officio* informations, and the unconstitutional banishment of printers to distant goals; (hear! hear!) and the third is raising the price of cheap publications. This, and this is the way resorted to in Ireland, is a mean, cowardly, and circuitous attempt. I have ever been a firm friend to the Press, and while I live I shall continue so. Hear no corruption either in the state or in the government, while the Press exists. Against venal lords, commons, or juries—against despotism of any kind or in any shape—let me array a free Press, and the liberty of England shall stand unshaken.—(Hear! Hear!)—Motion negatived, 50 to 21.

Stop the Villains!!

Broke from the Jail in Raleigh,

Last night, THREE PRISONERS, &c.

JOHN OWEN, confined for the murder of Patrick Conway of this City.

RICHARD KENNON,—imprisoned for counterfeiting; and
BRITAIN LASSITER, confined on a charge of horse-stealing.

OWEN is about 6 feet high, 22 years of age, very slender, pale sallow complexion, blue or dark eyes, brown hair, very little beard, narrow shoulders, has a bad cough, swelled ankles, and is much emaciated by sickness; he wore away, (it is believed,) a blue broad cloth coat, white or checked pantaloons, striped hosiery waistcoat, and black hat.

KENNON is a stout man, 6 feet high, has a strong coarse voice, is about 26 or 28 years of age, grey eyes, the whites of which show red veins, has scars on his cheek bone; he has an old grey surtout and white pantaloons, and may have a variety of clothing.

LASSITER is about 22 years of age, has grey eyes, thick lips, shows his teeth, and is badly clothed.

These are Villains guilty of the blackest crimes. Owen's offence is well known, and there is no doubt, if proper exertions are made, he will be apprehended. *Citizens—friends of Justice!* examine every man in the least suspicious, whether on foot or on horseback, and let the vigilance be continued for days and weeks. It is possible these felons will be some time concealed near Raleigh, unless they have more assistance than is known or expected.

A Large Reward will be given (it is impossible now to say what it will be, but for Owen particularly it will be very liberal) for the apprehension of these felons or either of them.

WILLIAM SCOTT, Jailor.

Raleigh, Aug. 8, 1811.

It is requested this information may be widely disseminated as speedily as possible.

To Post-Masters.

A SHORT time since, the Subscriber took the liberty to address the Post-Masters (generally) in Pennsylvania, and the States to the Southward thereof, and in the Western States, in a circular letter accompanied with a few copies of his Prospectus for publishing in the City of Baltimore a new Work, to be entitled the "WEEKLY REGISTER," from many of whom he has received the most polite and satisfactory letters, professing their aid to the success of the publication. He begs leave respectfully to solicit that such gentlemen as may have interested themselves in his behalf may make him a return of the names received on or before the 20th day of August ensuing; and of those, if any there are, who have no concern for the work, he invites an explanation of his plan, having some reason to hope they may become zealous in his favor.

H. NILES.

Lat. Editor of the Evening Post. Baltimore, July 29.

NOTICE.

AT November Term last of the County Court of Edgecombe, the Subscriber qualified as Administrator to the Estate of HO. RATIO DURLEY, dec'd, late of said county. He therefore requests all persons having claims against said Estate to present them properly authenticated within the time prescribed by law, otherwise they will be barred of recovery. And all persons indebted to said deceased are requested to make immediate payment. GEO. W. DURLEY, Adm'r. Tarboro' July 20, 1811. 619.