

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	76	Press
	120-121	~~Mis.~~
Dated	18 1.	~~19~~ 1864

415

Not to be folded or roughly handled

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31-7-30

*Proceedings of the Madras Government, Judicial Department,
18th January 1864.*

No. 120. Read the following letter from J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 10th October 1863, No. 340.

* Dated 11th May 1863, in original.

I have the honor to forward a letter* from Mr. Story the Sessions Judge of Nellore, solicit-

ing the aid of Convict labor in erecting a Reading-room at that station.

2. I have never refused the assistance of prison labor in such cases where the object is *altogether* a public one, which from Mr. Story's letter this seems to be.

3. At Waltair I found a Racket Court, Band-stand and Reading-room on which prisoners had been employed, and in conversation I found that the subscribers to the buildings were spoken of (by others) as having a right to the premises, but I expressed my view that the mere fact of prison labor having been made use of implied the renunciation of all reservation of private right.

4. I have no objection to Mr. Story's proposal; but I should be glad of the views of His Excellency the Governor in Council in regard to any claims that may hereafter be urged to proprietary right in a building erected partly by private contributions, and partly by prison labor.

From E. STORY, Esq., Officer in charge of the Jail, Nellore; to J. ROHDE, Esq., Inspector General of Jails, dated Nellore, 11th May 1863, No. 18.

There are a good many Europeans attached to the Public Works Department, and other Departments, and East Indians who are anxious to have a Reading-room but are unable of themselves to raise sufficient funds for building one, and at the same time obtain papers, books, &c.

2. They are willing to give what they can, and the Collector, the District Engineer, &c., approve of the design, and have all promised help; but this will not suffice for building a room and setting the plan fairly on its feet.

3. There is no convenient place to rent, nor would the funds admit of paying rent, house-rent being here very high.

4. I therefore request that I may be permitted to give prisoners' labor and stone free of cost for the building of a suitable room.

5. The Reading-room will be open to all respectable Natives, several of whom I have reason to think will avail themselves of it.

No. 121. ORDER THEREON, 18th January 1864, No. 76.

It has been ruled that Convict labor, when supplied to Public Departments, must be paid for; and the Governor in Council sees no reason for departing from the principle of this rule in the case of buildings erected by subscription for purposes however useful. The Governor in Council must therefore decline to comply with the above application. The Government have already made a grant-in-aid of the building of the Reading-room referred to.

2. It being ruled that Convict labor must be invariably paid for, it is not necessary to pass any orders on the question raised by Mr. Rohde as to the proprietary right in buildings erected wholly or in part by Convict labor.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

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Ind. Department.
PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
Inspector General of Public Works
(Recd. letter 10. October 1863. No. 340)
Order thereon 18. January 1864 No. 146

It has been ruled that
Convict labor, when
applied to public depart-
ments, must be paid for,
and the Governor in
Council sees no reason
for departing from the
principle of this rule
in the case of buildings
erected by subscription
for purposes however useful.
The Governor in Council
must therefore decline
to comply with the above
application. The Govern-
ment have already made

a grant in aid of the
building of the Reading
Room referred to.

2. It being ruled that
Convict labor must be
invariably paid for, it
is not necessary to pass
any Orders on the question
raised by Mr. Rhode
as to the proprietary right
in buildings erected wholly
or in part by Convict
labor.

W. R.

To
The
Proprietor of Souths

1207/121

Judicial L 186 Department.

No. 75.

PROCEEDINGS of GOVERNMENT.

Dated 18th January 1864.
of 1864.

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