

MADRAS RECORD OFFICE.

Government of Madras.

Internal DEPARTMENT.

G.O. No. 1634	Press
20-26.	~~Mis.~~
Dated 3-12-1918.	

Not to be folded or roughly handled

1634
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*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

Read the following papers:—

No. 20. From V. H. LEVINGE, Esq., Acting Magistrate of Tinnevely; to D. F. CARMICHAEL, Esq., Private Secretary to the Honorable the Governor, dated 24th September 1859, No. 276.

With reference to your letter of the 19th instant calling on me to explain the considerable increase in serious crimes in this District during the 2nd quarter of 1859, under the heads "gang and highway robbery," and what steps I have taken for the apprehension and conviction of the criminals, and what success attended my measures; I have the honor to forward a statement shewing the Talooks in which these crimes are said to have occurred; it will be seen that only one case of gang robbery was committed by regular robbers, and that in that case the parties accused were punished in the Criminal Court; the other cases arose through disputed shares in the division of grain at the threshing-floors, and took place amongst the villagers themselves, and through disputes about the right to property in houses; in most cases the parties carrying off the crop or property have probably the best right to it, the losing party instantly prefers an exaggerated complaint of his grievance to the Police; 3 of the cases were dismissed on preliminary enquiry and the parties referred to the Civil Courts, and without justice the returns would make it appear that the serious crimes of gang robbery were on the increase, whereas the District is unusually free from such crimes; during the quarter not one single case of what is called "torch light gang robbery" has occurred by robbers regularly setting out for the purpose.

2. The reason for the increase in the number of grain cases is owing to the produce being divided chiefly in the 2nd quarter of the year. No vigilance of the Police will prevent these squabbles, such complaints are exaggerated purposely, and always contain the names of the accused who never think of concealing themselves when wanted, such cases should not be classed as gang robbery.

3. Of the highway robbery cases, one in the Nellumbalum Talook was dismissed as false by the Head of Police; a party was on his way to make a complaint against another, his adversary reached the Talook first and put in a complaint that the party who was coming to make a complaint had robbed him on the high-road.

4. Two cases are entered as having occurred in the Vedoogramam Talook; one was dismissed by the Criminal Court, the other case was dismissed in the Talook as false; a man complained so and so had robbed him on the high-road, the stolen property was found in the accused's back yard, the case was dismissed on the suspicion of enmity and that the prosecutor had procured the placing of the jewel in the accused's yard.

5. In the Sauttoor Talook 4 cases are reported; in 2 cases the accused were committed to the Criminal Court and were dismissed, the evidence not being trustworthy; one case was dismissed by the Head of Police as the evidence was not credible, in this case the complainant gave the names of the parties whom he accused, they were all Villagers and the charge was false. One case only has not been discovered, but the Police are still on the look-out.

6. In conclusion I beg to say, that repeated orders are sent to the Heads of Police to stir up the Talook and Village Police to the execution of their duty, and to report and watch all suspicious characters, and to apprehend them when necessary, and to forward them in order to their being held to security, and in every case reported, orders are immediately sent to urge the Police to activity in apprehending and tracing the robbers, and enquiries into the conduct of the Village Police are made to ascertain whether such has occurred through their neglect, &c., and when necessary, rewards are offered, and orders are issued to the neighbouring Police Officers to look out for the robbers; though the offence of highway robbery would appear to have increased since last quarter, the number of cases is less than in the preceding quarters and only one is unaccounted for.

*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

Statement shewing the particulars of cases of gang and highway robbery committed in the District of Tinnevelly during the 2nd quarter of 1859.

	Talooks, &c.	Arose through disputed right to property.	Committed by regular robbers.	Total.	How disposed of.	Particulars of the property stated to have been stolen, and from what place.
		Cases.	Cases.	Cases.		
Gang Robbery.	Ottapedarum Talook...	1	1	2	1 Committed to Criminal Court and the parties released there.	Poonjah produce from threshing-floor.
					1 Do. to do. and the parties sentenced to imprisonment...	Jewels &c., from Poonjah field.
	Velathecolum Pirkah...	2	...	2	1 Committed to Criminal Court and the parties sentenced to imprisonment.	Do. from do.
					1 Do. to do. and the parties released...	Poonjah produce from threshing-floor.
					1 Dismissed by the Head of Police for want of proof...	Cumboo grain from threshing-floor.
	Sauttoor Talook	6	...	6	1 Do. by do. for do.	Utensils &c., from the house.
					1 Do. by do. for do. by Magistrate's order...	Roof of the house, wooden materials, &c.
					1 Do. by do. for do.	Jewels, &c.
					1 Do. by do. for do.	Do. do.
					1 Do. by do. for do. on preliminary enquiry...	Cotton, paddy, &c., from the house.
Highway Robbery.	Shenkerninar-coil Talook...	3	...	3	1 Do. by do. for do. on do.	Paddy from the house.
					1 Do. by do. for do. on do.	Cumboo grain from threshing-floor.
	Oroomungalum Pirkah...	1	...	1	1 Do. by do. for do. on do.	Utensils and grain, &c., from the house.
	Magistrate's Office...	2	...	2	Do. by Deputy Magistrate for do. on do.	Utensils Jewels, &c., from the house.
					Committed to Criminal Court...	Jewels, &c.
					1 Prisoner belonging to one case was sentenced to imprisonment and the other parties released...	
	Total...	15	1	16		
	Nellyembalum.	1	...	1	Dismissed by the Head of Police on preliminary enquiry as not proved...	Jewels, &c.
	Vedoogramum...	2	...	2	1 Committed to the Criminal Court and the parties released.	Jewels and ready money, &c.
					1 Dismissed by the Head of Police...	Do. do.
Sattoor...		1	3	4	2 Committed to Criminal Court and were dismissed...	Ready money, &c.
					1 Dismissed by the Head of Police...	Do. do.
					1 Not discovered...	Do. do.
	Total...	4	3	7		

TINNEVELLY,
TENCAUSEY,
24th September 1859.

(Signed) V. H. LEVINGE,
Acting Magistrate.

*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

No. 21. From J. FRASER, Esq., Acting Magistrate of Cuddapah; to the Private Secretary to the Honorable the Governor, dated 27th September 1859.

I have the honor to acknowledge the receipt of your letter of 19th Instant, wherein I am requested to explain, for the information of His Excellency the Governor, the reason of the increase of serious crime in this District in the 2nd quarter of 1859; the measures taken for the apprehension and conviction of the criminals; and the success attending those measures. I should have answered this letter sooner, but that I have been much engaged in business since its receipt; and I now take advantage of a native holiday to reply to it.

The crimes of gang and highway robbery, particularly the former, are chiefly confined to the frontier Talooks of Chitwail and Budwail which touch Nellore; Poolivendiah Cuddy Muddenpilly which adjoin Bellary and Mysore; Goorrumcondah which abuts on North Arcot; and the crimes of this sort committed in the Sub Division considerably out-number those that occur in the Principal Division. Thus the gang robberies reported in the 1st quarter of 1859, are, including attempts, 14 in the Sub, 2 in the Principal Division; in the 2nd quarter, 16 in the Sub and 6 in the Principal Division.

For the same period the highway robberies, including attempts, are, in the Principal Division 8 and 15, against 5 and 11 in the Sub Division.

The increase observed by His Excellency in the 2nd quarter of 1859, is chiefly in highway robberies in the Talooks of Chitwail and Budwail, where 9 are reported; the value of property alleged to have been stolen being under 100 Rupees. For this increase I really cannot account. I am aware of no cause which will satisfactorily explain it. The Police have not been less vigilant, or rather more negligent than usual; provisions have not been dearer; nor have vagrants of suspicious character been more abundant in the District than before. The jungly nature of many of the roads in this District render highway robberies particularly easy of commission, and difficult of detection. Stringent orders have always been issued to the different Heads of Police to exert themselves in the discovery of the criminals, and search has been made for them; but beyond these, no other measures have been resorted to; I did not issue any offers of reward, for I do not believe in their efficacy. Indeed, in a case of highway robbery that occurred last month close to Cuddapah, rewards to the amount of 500 Rupees for the Sirdar of the gang and 100 Rupees for each member have been sanctioned by the Foujdari Adalat, and proclaimed, without the slightest effect: in addition, every effort for detection by sending parties of peons on pursuit on all sides, has hitherto been fruitless.

In the matter of gang robberies, the number, including attempts, being for the whole District 22 against 16 in the previous quarter, efforts to detect have been equally unsatisfactory, though the Heads of Police have been stimulated by repeated orders, both from the Joint Magistrate and myself, to exert themselves.

As to results, in two of the cases of gang robbery in the Principal Division, the parties arrested by the Head of Police were committed to the Sub Criminal Court, and sent on to the Sessions Court, where they were released. In regard to one of these, I must express my surprise that there was no conviction. The prisoners were caught in the act of committing the robbery by the villagers, and had some of the stolen property in their possession at the time of being apprehended. They confessed the crime before the Head of Police, and he, as such confessions are looked on with much suspicion by the Courts, and as I happened to be in the neighbourhood at the time making the settlement of the talook, begged me to hear what the prisoners had to say. I accordingly allowed them to make a statement before me, which was to the effect that their confessions before the Police were genuine, and neither wheedled nor extorted from them; and they named all their accomplices and described the manner in which the robbery took place, and how it had been planned. I appended a note of this to the record, nevertheless they were released unconditionally. No cases of gang robbery were committed from the Sub Division, and the same persons were brought before the Heads of Police as concerned in them, they were

Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.

released in the Talooks for want of sufficient evidence against them. One heavy case of highway robbery that occurred close to Cuddapah in the Principal Division, was committed to the Sessions Court and is now under trial, with a tolerable certainty of conviction. I believe, two other cases were sent up to the Sub and by it to the Sessions Court, but there released.

One case of highway robbery from the Sub Division was committed to the Sessions Court and the result is not yet known.

Almost from the date of my taking charge of this appointment till the beginning of July, the whole of the Revenue and Police duties of the Principal Division (8 Talooks) devolved on me; for it was only in July that one of my Deputy Collectors, joined his appointment. I had therefore to devote the whole time I could spare from the conduct of the annual Revenue settlement, which was not completed till the middle of July, to the current work of the district, and was unable to give that close and particular attention to the subject of heavy crime which it requires.

But I must express my conviction that the modes ordinarily resorted to for its suppression, will always fail, as they have hitherto failed to eradicate it in Cuddapah. The evil of gang robbery in particular has been a chronic one in this district for many years; and until either the system which was adopted by Mr. Wauchope, for the suppression of dacoity in Lower Bengal, or that now in use in the Thuggee Department for the detection of that form of crime is put in force here, I do not expect to see real progress made towards its final extinction. I believe that Mysore, Nellore, Bellary and North Arcot, suffer equally with this district on their border Talooks contiguous to it; according to common report, a gang when they make a successful attack on any house or village, start immediately after for some unfrequented spot in the jungle near at hand, remain there all the next day, dividing and hiding the plunder and disperse during the night to their houses. When these are searched no stolen property, save perhaps a common brass pot or two and one or two old cloths, is discovered (which moreover are difficult of identification). On such evidence, aided perhaps, by the recognition of some of the gang by those who have been plundered, the case for the prosecution generally rests; and the Sessions Court rarely convicts on it. If a gang is traced from one district to another, as from here to Nellore, for instance, valuable time is lost in procuring the endorsement of the Police authorities to a warrant of arrest or search, and the robbers have time to escape or secrete the stolen property. That continuity of action which is so essential to the detection of crime, is impossible under the present system. Mr. Cochrane, and after him Mr. Murray, were much in favor of suspending the Reddies or Head-men of any village in which a dacoity occurred; not on proof, but on suspicion of their complicity in it. This practice was of some, but only temporary, benefit in checking the crime; and it is a measure to which I am loth to resort, for it is arbitrary and does not touch the root of the evil.

Now that my staff of assistants is complete I shall have more time to watch, direct, and stimulate the action of the Police authorities; and no effort shall be wanting on my part to reduce crime in this district.

No. 22. From E. B. THOMAS, Esq., Magistrate of Coimbatore; to D. F. CARMICHAEL, Esq., Private Secretary to the Right Honorable the Governor, dated 4th October 1859, No. 46.

1. I have the honor to acknowledge the receipt of your communication of the 19th ultimo, remarking upon the increase of "gang and highway robberies" in the 2nd quarter of 1859, and requesting to be informed of the measures taken for the apprehension and conviction of the criminals, and what success attended those measures.

2. In reply, I submit for the full information of the Right Honorable the Governor, a memo. shewing the actual returns of crime for 3 years past, both quarterly and annually; from which it will be seen, that though there is an increase of 14 cases in the 2nd quarter of 1859, yet the two quarters taken together, or the whole 4 quarters, shew an actual comparative decrease.

Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.

3. I beg also further to explain that 9 out of the cases, are ordinary cattle stealing cases, mostly of a few sheep only, of a light character; though orders of 6th April 1830 of the Foujdari Adalat require such to be entered under the head of gang robbery. Of the remaining cases, about two-thirds are light cases, of gang and highway robbery, and only one-third of a serious or heavy character.

4. The chief causes are, the prevailing and long continued high prices of all means of sustenance to the lower classes, after 4 successive bad years, during which the average rain in the district, (on which crops and prices depend) was only 20 inches, and the crime has chiefly been confined to 3 Talooks, where a large number of these poorer classes, addicted to gang robbery, reside. "Koravers, Valiers, Pullers," &c.

5. Every effort has been made, and with some success, to apprehend the perpetrators; and the Heads of Police have been stimulated to use their utmost efforts to check the evil now deprecated. The very inadequate pay of most of the village Police, is also another cause of laxity of surveillance by them.

Memorandum showing the number of cases of gang and highway robberies committed during the 1st and 2nd quarters of 1859, in the District of Coimbatore.

Total number of cases as entered in the quarterly statements sent to the Chief Commissioner of Police...	64
Deduct number of cases committed in the Joint Magistrate's Division (for the particulars of which no information is forthcoming on the records of this office)...	20
"Attempts at Robberies," (prevented.)...	2
Cattle stealing (7 petty, a few sheep.)...	9
Remainder...	31
	33

The particulars of these 33 cases are shown below:—

No. of Cases.	Estimated amount of property lost.			No. of Cases.	Estimated amount of property lost.		
	Rs.	A.	P.		Rs.	A.	P.
Attended with aggravating circumstances.	1	105	2 0	1	11	0	0
	1	837	6 0	1	10	0	0
	1	112	4 0	1	5	7	0
	1	293	14 0	1	19	0	0
	1	72	14 0	1	15	6	0
	1	3,081	0 0	1	10	0	0
	1	67	5 0	1	6	4	0
	1	93	12 0	1	7	10	0
	1	238	2 0	1	4	4	0
	1	462	0 0	1	16	0	0
	1	71	11 0	1	10	8	0
	1	51	15 0	1	25	12	0
12				1	42	0	0
				1	7	4	0
				1	1	4	0
				1	19	12	0
				1	11	0	0
				1	1	12	0
				1	34	8	0
				2	14	8	0
				21			

Coimbatore, Magistrate's Office,
4th October 1859.

(Signed) E. B. THOMAS,
Magistrate.

*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

ROBBERY CASES.

		Gang.	Highway.	Total.
1st quarter of 1856.	...	27	15	42
2nd do. of "	...	21	15	36
		48	30	78*
3rd do. of "	...	18	5	23
4th do. of "	...	39	8	47
		57	13	70*
Total.....		105	43	148
1st quarter of 1857.	...	41	11	52
2nd do. of "	...	42	11	53
		83	22	105*
3rd do. of "	...	60	18	78
4th do. of "	...	59	25	84
		119	43	162*
Total.....		202	65	267
1st quarter of 1858.	...	54	14	68
2nd do. of "	...	58	10	68
		112	24	136*
3rd do. of "	...	58	15	73
4th do. of "	...	28	13	41
		86	28	114*
Total.....		198	52	250
1st quarter of 1859.	...	21	4	25
2nd do. of "	...	30	9	39
Total.....		51	13	64*

COIMBATORE, }
4th October 1859. }

(Signed) E. B. THOMAS,
Magistrate.

No. 23. MINUTE by the Honorable the PRESIDENT, dated 7th November 1859.

On a perusal of the returns of gang robberies and highway robberies, furnished by the Inspector General of Police for the 2nd quarter of the year, I desired my Private Secretary on the 19th September last to call upon the Magistrates of the Districts noted in the margin, to explain the reason of the increase of serious crime observable in their Zillahs; the measures taken for the apprehension and conviction of the criminals; and the success attending those measures.

Cuddapah. }
Coimbatore. }
Tinnevely. }

CUDDAPAH.—Mr. Fraser can assign no reason for the increase in Cuddapah, which he believes to be accidental only. He points out that the nature of the country affords great faci-

*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

lity to such crime, and that the present ill-constituted Police can never be expected to cope efficiently with it. He complains that in one case, justice was not done to the prosecution by the Sessions Court, which had released a number of prisoners, who had fully and freely confessed before himself.

COIMBATORE.—Mr. Thomas pleads four successive bad years, and the inadequate pay of the Village Police.

TINNEVELLY.—The explanation of Mr. Levinge is an extraordinary one, he states that of all the cases entered as "gang robbery," only one was really so; the others being merely riotous disputes among the villagers; on a periodical division of the village crops. And as to "highway robbery," it appears that every charge of the kind, however false and frivolous, and though dismissed as such by the heads of Police, is nevertheless entered in the quarterly return as an instance of serious crime.

The attention of the Faujdari Adalat should be called to this disclosure. If such a practice as this prevails in Tinnevely, it may prevail in other Districts, thus rendering the general return of crimes deceptive and untrustworthy.

(Signed) C. E. TREVELYAN.

No. 24. MINUTE by the Honorable W. ELLIOT.

This is not the first time such an explanation has been received as that given by Mr. Levinge. The occurrence of 50, 60 and 80 crimes of the nature generally understood as highway and gang robberies, in a single province every quarter, would argue a state of society utterly disorganized and a general state of insecurity of person and property, which certainly is not the case in any of the four Districts referred to. The classification and definition of offences in the returns requires revision.

(Signed) WALTER ELLIOT.

No. 25. MINUTE by the Honorable W. A. MOREHEAD.

The returns are deceptive. They call for careful revision.

(Signed) W. A. MOREHEAD.

No. 26. ORDER THEREON, 3rd December 1859, No. 1634.

1. An examination of the returns of gang and highway robberies, submitted by the Inspector General of Mofussil Police for the 2nd quarter of 1859, makes it clear that some more definite rules for the classification and definition of these crimes are very necessary.

2. It is obvious that, to be of any practical value, these statements must all be prepared upon one system.

3. At present there is reason to believe that cases are entered in some of the returns which ought to have been excluded, and which find no place in others, and that the general results are, in consequence, deceptive and untrustworthy.

4. Among those entered as serious crimes, may be mentioned petty squabbles—riotous disputes among villagers connected with division of crops or grain, or cultivation of waste lands, or regarding contested rights in respect to houses or other property—family quarrels—and charges dismissed as false.

5. The object of these returns is to obtain information as to the number of gang and highway robberies, properly so called, excluding all cases which are not strictly of that character, and all which have been dismissed as false and malicious by the Courts, by the Magistracy or by Heads of Police.

*Proceedings of the Madras Government, Judicial Department,
for the month of December 1859.*

6. Magistrates will be careful in future to revise the lists before submitting them.
7. A copy of the Minutes should be sent to the Court of Fauzdári Adálat with these remarks, and the Judges should be requested to take measures for ensuring accuracy in the District lists upon which their general annual return is framed. It is very possible that errors which have occurred in one District, and the Government refer more particularly to Tinnevely, may be found to exist elsewhere.
8. Copy of these Proceedings will be circulated to all Magistrates.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T. Augustin.

20-26

Minute by the Honorable the President.

On a perusal of the Returns of Gang Robberies and Highway Robberies furnished by the Inspector General of Police for the 2nd Quarter of the year, I desired my Private Secretary on the 19th September last to call upon the Magistrates of the districts noted in the margin, to explain the reason of the increase of serious crime observable in their pillahe; the measures taken for the apprehension and conviction of the criminals, and the success attending those measures.

Cuddapah.
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Tinnevely.

Cuddapah.

Mr. Fraser can assign no reason for the increase in Cuddapah, which he believes to be accidental only. He points out that the nature of the country affords great facilities to such crime, and that the present ill constituted police, can never be expected to cope efficiently with it. He complains that in one case justice was not done to the Prosecution by the Sessions Court, which has released a number of prisoners, who had fully and freely confessed before himself.

Coimbatore.

Mr. Thomas pleads four successive bad years, and the inadequate pay of the Village Police.

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This explanation of Mr. Livingston at Tinnivelly is an extraordinary one, he states that of all the cases entered as "Gang Robbery," only one was really so; the others being merely riotous disputes among the villagers; on a periodical division of the village crops. And as to "Highway Robbery," it appears that every charge of the kind, however false and frivolous, and though dismissed as such by the Heads of Police, is nevertheless entered in the Quarterly Return as an instance of serious crime.--

Madras, 7th November 1859.
The attention of the Tanjdar & Adalat should be called to this disclosure. If such a ~~system~~ practice as this prevails in Tinnivelly, it may prevail in other districts, thus rendering the general Return of crimes deceptive and untrustworthy.

W. Munro

This is not the first time such an explanation has been received as that given by Mr. Livingston. The occurrence of 50, 60, & 80 crimes of the nature ~~of~~ generally understood as Highway & Gang Robberies, in a single province every quarter is a sure sign of a badly organized and a general state of insecurity.

of person & property which certainly is not the case in any of the four districts referred to. The classification of offences in the Return requires revision.

The returns are deceptive - they call for careful revision.

Ind. Sept 5

Proceedings of the Madras J.C.

Read the following papers.

From the Magistrate of Tirunelveli 24th September 1859 No.
do. — " — 27th Sept — 1859 No. 6
do. — " — 4th Oct — 1859 No. 46
Read Minute of the Hon.

The President dated 7th Nov/59.

do. by the Hon. W. Elliot —
do. by the Hon. W. A. Moorhead —

Order thereon 3rd December 1859. No. 1634

1. An examination
of the Returns of Gang
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submitted by the In-
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& definition of these
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2. It is obvious that,
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value, these statements

Memo by the Hon.

M. A. Elliott.

No 1971

Memo by the Hon.

M. A. Elliott.

No 1972.

On the same subject.

Resoln 1859. Order
of 10 Nov

Memo by the Hon.
the President

Order of 12 Nov 1859.
Res. 2nd Div

No 1970

Whereas that the at-
tention of the Magistrate should be called to the
prevalence of these crimes
in Tirunelveli in view of
the Returns of Gangs
and Highway Robberies,
and the necessity of
revising the definition
and instructions.

Item over.

must all be prepared upon
one system -

3. At present there
is reason to believe
that cases are entered
in some of the Returns
which ought to have
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untrustworthy -

Gang robberies

4. Among those
entered as serious
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mentioned petty squab-
bles - riotous disputes
among Villagers connected
with division of crop
or cultivation of waste lands,
or grain, or regarding
contested rights in
respect to houses or

^{other} property - family quarrels -
and Charges dismissed
as false.

5. It will be suffi-
-cient to declare that
the object of these ~~the~~
Returns is to obtain
information as to
the ^{number} ~~prevalence~~
of Gang & Highway Rob-
-beries, properly so called,
excluding all cases
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of that character, and
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by the Magistrate or
by the Heads of Police -

6. Mag^{ter} will be
compnd ~~to~~ in future
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submitting them -

for the attention of
the Court of Fardars.

Adalat will be drawn

to these remarks. and

the Judges will be requested.

to take measures

for ensuring accuracy

in the District lists

upon which their general

annual Return is framed.

It is very possible that

errors which have occurred

in one District - and the

last year more particularly

to Tinnery - may be

found to exist elsewhere.

A copy of these

Proceedings will be circu-

lated to all Magistrates.

By Order of the Fardars Adalat:

To the Inspector General
Mofussil Police

To the Magistrates of the several Districts

J. P. L. F.