ANNO SECUNDO & TERTIO

GULIELMI IV. REGIS.

****

Cap. cxii.

An Act for providing for the Discharge of a Claim in respect of Monies advanced by the late *James Hodges* Esquire on Security of the Lands of the late Zemindar of *Nozeed* and *Mustaphanagur* in the District of Fort *Saint George* in the *East Indies*, now under the Government of the Honourable the *East India* Company.

[11th *July* 1832.]

WHEREAS *Macca Narsinva Opparow*, formerly Zemindar of *Nozeed* and *Mustaphanagur* within the Presidency of *Madras* in the *East Indies*, became indebted, in or before the Year One thousand seven hundred and seventy-six, to the late *James Hodges* Esquire, then a Member of the Council of *Masulipatam* within the said Presidency, in divers Sums of Money, being Advances made partly by the said *James Hodges* and partly by other Persons of whom the said *James Hodges* had in respect of such Advances become the Assignee, by which Advances the said Zemindar was the better enabled to pay the Tribute and Kists due from the said Zemindar to the United Company of Merchants of *England* trading to the *East Indies*: And whereas by an Order of the President and Council of *Madras*, addressed to the Chief and Council of *Masulipatam*, and bearing Date the Twenty-fifth Day of *November* One thousand seven hundred and eighty-four, after stating that from the most exact

Calculation that they could form the Produce of the *Nozeed* Zemindary, after making Provision for the Son of *Opparow*, and allowing for the annual Tribute, would not discharge the Public Demands on it in less than Eleven or Twelve Years, and that every Precaution was therefore necessary for the Company's Security; in the first place, the said President and Council desired that the said Chief and Council would require from certain Creditors of the said Zemindar who held under their Management certain mortgaged Districts as a Security for the above Debts of *Opparow*, contracted as aforesaid, that they would cheerfully acquiesce in the Surrender of such Districts, and deliver in a State of the Rise and Progress of their Demands, and a regular annual Account Current, specifying the Receipts and Balances; upon which Conditions being faithfully performed the said President and Council were willing to recommend their Case to the said United Company, and to establish such Provision for them as could with any Propriety be set apart from the superior Demands of the said United Company: And whereas, on or about the Eleventh Day of *December* One thousand seven hundred and eighty-four, the said *James Hodges*, being one of the Creditors referred to in the said Order, did, in pursuance and on the Faith of the said Order, surrender the said Villages accordingly, and also transmit to the said President and Council such State of the Rise and Progress of his Demands, and such regular annual Account Current, specifying the Receipts and Balances, as by the Terms of the said Order were required, which Account exhibited a Balance, as then due and owing from the said Zemindar to the said *James Hodges*, of *Madras* Pagodas Fifty-eight thousand nine hundred and fifty-five and Twenty-five Fanams, and which said Account was thereupon declared by the said President and Council to appear perfectly consonant to the Terms prescribed in the said Order: And whereas the said United Company thereupon resumed the Management of the said Villages, the said United Company having, in the Year One thousand seven hundred and seventy-nine, sequestered the said Zemindary, on account of large alleged Arrears of Tribute then due to the said Company: And whereas the said President and Council of *Madras* did, in a Letter dated on the Twenty-fourth Day of *February* One thousand seven hundred and eighty-five, acquaint the Chief and Council of *Masulipatam*, such Chief being the said *James Hodges*, that all the Creditors of the said Zemindar, including the said *James Hodges*, must wait until the heavy Balance due from the said Zemindary to the said Company should be discharged before their Case could again become an Object of Deliberation with the said Governor and Council; and the Purport of this Letter was communicated by the said Chief and Council to the said *James Hodges*: And whereas on the Introduction of the permanent Settlement of the Landed Revenues into the Presidency of *Madras* in the Year One thousand eight hundred and three the Family of *Opparow* were restored to the said Zemindary, and the Claim of the said United Company on the said Zemindary for all Arrears of Revenue up to that Time was by the said United Company relinquished: And whereas the said *James Hodges* did, on the Seventh Day of *April* One thousand seven hundred and ninety-two, make Application to the Court of Directors of the said Company for the Restitution of the Villages herein-before mentioned, and

the said Court of Directors did refuse to comply with such Request, whereupon the said *James Hodges* did further solicit the said Court to make him an adequate Compensation and Satisfaction for his just Demands, but the said Court of Directors did also refuse to comply with such Request: And whereas repeated and ineffectual Applications for Relief in the Premises have been made by and on behalf of the Widow and Representatives of the said *James Hodges* to the said Court of Directors, and also to the Commissioners for the Affairs of *India*, and such Relief cannot now be obtained by any Process at Law or in Equity: And whereas it is reasonable that the Engagements entered into and the Expectations held out as aforesaid by the President and Council of *Madras*, in respect of the said Debt due to the said *James Hodges*, should be realized by the said United Company, without any Prejudice arising from the Measure adopted as aforesaid in the Year One thousand eight hundred and three in respect of the said Zemindary: And whereas it is reasonable and expedient that the said United Company should be considered liable, in their Political Capacity, to the said *James Hodges*, for certain Loans to the said Zemindar of *Nozeed* sanctioned by their Government: And whereas the said *James Hodges* departed this Life in or about the Month of *September* One thousand seven hundred and ninety-four: And whereas *James Arthur Murray* Esquire, a Captain in His Majesty's Navy, the Grandson of the said *James Hodges* deceased, claims to be the legal personal Representative of the said *James Hodges*: And whereas the superior Demands of the said United Company having been relinquished as aforesaid, the said Claimant is entitled to receive, out of the Revenues received by the said Company from the said Zemindary, the Amount of Claims delivered in by him as aforesaid to the Governor and Council of *Madras*, and sworn to by him on the Eleventh Day of *December* One thousand seven hundred and eighty-four; and it is therefore expedient that Provision should be made by Authority of Parliament for providing for the Discharge of the said Amount: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Court of Directors of the said United Company of Merchants trading to the *East Indies*, and the said Court of Directors is hereby authorized, empowered, and required, to pay, out of the Revenues received or to be received by the said Company from the said Zemindary, to the said *James Arthur Murray*, or other the legal personal Representative for the Time being of the said *James Hodges* deceased, the Amount so due as aforesaid.

The East India Company authorized and required to pay the Amount due.

II. And be it further enacted, That the said Court of Directors shall make such Payment as aforesaid in this Country to the said *James Arthur Murray*, or other the legal Representative for the Time being of the said *James Hodges* deceased, at the Exchange of Eight Shillings Sterling *per* Pagoda, and that the said Payment shall be made without any Fees or Deductions whatsoever within One Year from the passing of this Act.

The Payment to be made in this Country, and within a certain Period.

III. And

Public Act.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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