

Thursday, 5th July, 1860

**PROCEEDINGS**

**OF THE**

**LEGISLATIVE COUNCIL OF  
INDIA**

**Vol. VI**

**(1860)**

Thursday Morning, July 5, 1860.

PRESENT :

H. B. Harington, Esq.

and

H. Forbes, Esq.

No other Member of the Council was this day present.

Saturday, July 7, 1860.

PRESENT :

The Hon'ble the Chief Justice, *Vice-President*,  
in the Chair.

Hon'ble Sir H. B. E. Frere,	H. Forbes, Esq., A. Sconce, Esq., and	Hon'ble Sir M. L. Wells.
Right Hon'ble J. Wilson, H. B. Harington, Esq.,		

KOONCH AND CALPEE.

THE VICE-PRESIDENT read a message, informing the Legislative Council that the Governor-General had assented to the Bill "to remove the Pergunnahs of Koonch and Calpee in Zillah Jaloun, from the operation of the General Regulations."

INDEMNITY.

MR. HARINGTON presented the Report of the Select Committee on the Bill "to indemnify Officers of Government and other persons in respect of fines and contributions levied, and acts done by them during the late disturbances."

DEBTORS AND CREDITORS.

SIR MORDAUNT WELLS moved the first reading of a Bill "for facilitating arrangements between debtors and creditors."

He said, the principal object of the Bill was to enable debtors and creditors, under the sanction of the Insolvent Commissioner, to make arrangements without being driven through the Insolvent Court, which of necessity led to an exposure of their

affairs, and often deprived them of the means of assisting themselves, after having been relieved from their temporary difficulties. He had therefore prepared for the consideration of the Council a Bill for the purpose of enabling a debtor and his creditors to manage and settle the affairs of the former without his becoming amenable to the Insolvent Law. Before he explained the provisions contained in this Bill, he trusted the Council would permit him briefly to state the reasons which had induced him to bring in this Bill. He had watched closely the working of the Insolvent Law in this country, and he could say with great confidence that, in many cases that had come before him as Insolvent Commissioner, persons had been compelled to pass through the Court under circumstances which caused him to feel considerable regret that they should have been compelled to seek the only protection the law afforded. He believed the provisions of this Bill would be a great boon to the Native community. He had, on several occasions, been instrumental in bringing about an amicable arrangement between Native debtors and their creditors. In a recent case that came before him, in which the debts amounted to many thousands of Rupees, it was suggested to him that several members of the family of the debtor were prepared to assist him out of his difficulties. Obstacles at first existed, on account of the combined obstinacy and greediness of two or three of his creditors. He succeeded at last in bringing about a settlement. The Native community did not like to have their family affairs exposed, and to avoid this, would make great sacrifices in assisting their relations when involved in pecuniary difficulties. He believed the Bill would be highly beneficial and advantageous to the European Commercial Community. He had had two or three cases before him as Insolvent Commissioner, in which European gentlemen would certainly have availed themselves of the provisions of the present Bill to obtain an amicable adjustment of their affairs. He was satisfied the Bill he now asked