

NEW COURT OF LAW IN EGYPT.

ond, four; and for the third, three. There is also a Frank attorney for the government in the Court of Appeal, who has three Frank deputies for the lower courts; making a total of twenty-five appointments from the Western nations. France is the only one of the great powers of Europe which has not, at present, a judge on the appellate bench; but a French appointment will no doubt be made. Most of the smaller foreign powers having colonies in Egypt have at least one member in the lower courts. The number of native judges on each bench is at least one less than the number of Frank judges. The whole number of judges already appointed in all the courts is, accordingly, forty. As the whole population of Egypt is but five millions, and the aggregate resident population of Europeans and Americans (of the latter there are but few) does not exceed one hundred thousand,* it is apparent that the judicial force is ample, in comparison with that generally supplied in civilized countries. Nevertheless, the scheme provides for an enlargement by placing an additional Frank judge on the Court of Appeal (which, when thus completed, will consist of seven Frank judges and four natives), and by giving the court of first instance at Ismailia the same composition as that at Cairo; that is, four Frank and three native judges. Decisions in the Court of Appeal, when thus completed, must have the concurrence of five Frank and three native judges; and in the courts of first instance, that of three Frank and two native judges. Moreover, the scheme authorizes a further increase in the number of judges, should it be found necessary; but, in such case, the established relations between the number of Franks and natives on each bench must not be changed. In hearing commercial affairs, the judges will call in two assessors—one Frank and one native.

The Frank judges are guaranteed an independent tenure of office for five years (the term for which the system has been accepted by the Western powers), and handsome salaries paid out of the Egyptian exchequer.

In mentioning that the jurisdiction of the new courts covers civil causes between natives and foreigners, and between foreigners of different nationalities, it must be understood that the Khedive has consented to place within the scope of their cognizance, transactions of foreigners with the Egyptian government itself,

and its several departments or administrations, or with his "dairas" or private estates, or those of members of his family. This is a very important concession. The new courts will also take cognizance of actions relating to real estate situated in Egypt, even when the parties belong to the same nationality. They also have a restricted penal jurisdiction, with the assistance of a jury, applying only to simple police offences, and to offences of whatever grade directly against the judges, magistrates, assessors, jurors, and officers of justice, and also covering complaints against any of the classes of persons last mentioned.

The new courts are to be governed by a series of codes, "presented by Egypt to the powers," and comprised in a printed volume of five hundred and eighty-four duodecimo pages. "In case of the silence, insufficiency or obscurity of the law," as laid down in the codes, "the judges will conform to the principles of natural right and rules of equity." The languages to be used in the courts in pleading, and in official acts and decisions, [will be the languages of the country, and Italian and French. The codes have already been printed in these languages, and copies of them extensively distributed.

The Khedive's brief but appropriate address on the occasion is worthy of record:

GENTLEMEN,—The high support of his Majesty the Sultan, my august sovereign, and the kindly co-operation of the Powers, allow me to inaugurate the judicial reform, and to install the new tribunals.

I am happy to see assembled about me the eminent and honourable magistrates, into whose hands, with entire confidence, I place the charge of rendering justice. Every interest will find complete security in your enlightenment, and your decisions will thus obtain universal respect and obedience.

This date, gentlemen, will be a marked one in the history of Egypt, and will be the point of departure of a new era in civilization.

God aiding us, I am persuaded that the future of our great work is assured.

The Khedive has been rather too sanguine as to the immediate success of the scheme. But Egypt will not for long be subject to the disturbing elements of a court of mixed nationalities.

* By a very exact enumeration made in 1871, the number was ascertained to be 79,696