

the power of making laws which bind the people in the territory. Though the country has passed under English control, the European powers still maintain exceptional privileges for their resident subjects which were conceded by the Ottoman Empire in the Capitulations. At the same time the need for the extension and amendment of this special law which applies to the privileged class is generally admitted; and, therefore, legislative functions have to be exercised by some body. It is the singular feature of Egyptian administration that the judicial and legislative functions, so far as Europeans are concerned, are combined.

It was in 1875 that fourteen foreign powers entered into treaties with the Khedive's government with a view to remedying the state of judicial anarchy which reigned in Egypt, and under these treaties the mixed tribunals were instituted. They were to have exclusive jurisdiction in all civil and commercial actions arising between natives and foreigners or between foreigners of different nationalities, in actions about immovable property even though both parties were foreigners of the same nationality, and in a limited number of penal actions. The courts were to consist of native and foreign judges with a preponderating proportion of the latter; and it was agreed that the foreigners who sat should be representatives of the several states which had Capitulations with Egypt. At the same time six codes were framed (civil, commercial, maritime, penal, civil procedure, and criminal procedure) which the mixed courts were to apply in all cases that came before them. It was further provided that in case of silence, inadequacy or obscurity of the law, the judge should conform to the principles of natural law and equity, and that extensions and modifications of the laws in force should be enacted upon the advice of the "*Corps de la Magistrature*," i.e., the general body of the judges of the courts. By these provisions it was hoped that the changes of the law which experience might suggest would be regularly brought into effect. But those hopes were futile. The principles of natural law and equity, as has been demonstrated recently in the con-