

dant before the commencement thereof; and if no tender is made, the defendant may, by leave of the Court, at any time pay into Court such sum of money as he thinks fit; and thereupon such proceeding and order shall be had and made in and by the Court, as the Court thinks just.

*Sale of Copies.*

45. A copy of this Order shall be exhibited in each Court. Printed Copies shall be provided and shall be sold at such reasonable price as the Supreme Court directs.

*Forms.*

46. The forms set forth in the Second Schedule to this Order, or forms to the like effect, may be used, with such variations as circumstances require.

*Fees.*

47. The fees specified in the Third Schedule to this Order shall be paid.

*Reconciliation.*

48. In civil cases, the Court and its officers shall, as far as there is proper opportunity, promote reconciliation among persons over whom the Court has jurisdiction, and encourage and facilitate the settlement in an amicable way, and without recourse to litigation, of matters in difference among them.

Where a civil suit or proceeding is pending, the Court may promote reconciliation among the parties thereto, and encourage and facilitate the amicable settlement thereof.

In criminal cases, the Court may promote reconciliation and encourage and facilitate the settlement in an amicable way of proceedings for assault or for any other offence not amounting to felony and being of a private or personal character, on terms of payment of compensation or other terms approved by the Court, and may thereupon order the proceedings to be stayed.

*Language.*

49. Every summons order and other document issuing from the Court shall be in English or Italian or in English and Italian.

Every petition answer and other document filed in the Court in a civil or criminal proceeding by a party thereto shall be in English, or French, or Italian.

Every affidavit used in the Court shall be in English, or in the ordinary language of the person swearing it.

An affidavit in any language other than English, or French, or Italian, shall be accompanied by a sworn translation into English, or French, or Italian, procured by and at the expense of the person using the affidavit.

Where there is a jury, all the proceedings before the jury shall be conducted in English,—evidence, if given in any other language, being interpreted.

*Seals.*

50. Summonses, orders, and other documents issuing from the Supreme Court, or from the Court for Egypt, shall be sealed with the seal of that Court.

Those issuing from a Provincial Court shall be sealed with the official seal of the Consular officer by whom they are issued.

*Minutes of Proceedings.*

51. In every case, civil or criminal, minutes of the proceedings shall be drawn up, and shall be signed by the Judge or Consular officer before whom the proceedings are taken, and shall, where the suit is heard with Assessors, be open for their inspection and for their signature if concurred in by them.

These minutes, with the depositions of witnesses, and the notes of evidence taken at the hearing or trial by the Judge or Consular officer, shall be preserved in the public office of the Court.

*Counsel, Attorneys and Agents.*

52. Every person doing an act or taking a proceeding in the Court as plaintiff in a civil case, or as making a criminal charge against another person, or otherwise, shall do so in his own name and not otherwise, and either—

- (a) by himself; or
- (b) by his counsel or attorney-at-law; or
- (c) by his procurator or agent thereunto lawfully authorised in writing.

Where the act is done or proceeding taken by an attorney, procurator, or agent, the power of attorney, or instrument constituting the procurator or agent, or an authenticated copy thereof, shall be first filed in the Court.

Where the authority has reference only to the particular proceeding the original document shall be filed.

Where the authority is general, or has reference to other matters in which the attorney, procurator, or agent is empowered to act, an authenticated copy of the document may be filed.

If any person does an act or takes a proceeding in the Court in the name or on behalf of another person, not being lawfully authorised thereunto, and knowing himself not to be so authorised, he shall be deemed guilty of a contempt of Court.

Where in this Order appearance is referred to, appearance in person, or by counsel, attorney, procurator, or agent as aforesaid, is meant, unless it is otherwise expressed.

*Service.*

53. Service of a petition, notice, summons, order, or other document of which service is required by this Order, or according to the course of the Court, shall be made by an officer of the Court, unless in any case the Court thinks fit otherwise to direct.

Service shall not be made except under an order of the Court, indorsed on or subscribed or annexed to the document to be served, which order is for the purposes of this Order deemed part of the document to be served.

Unless in any case the Court thinks it just and expedient otherwise to direct, service shall be personal,—that is, the document to be served shall be delivered to the person to be served, himself.

Where it appears to the Court (either after or without an attempt at personal service) that for any reason personal service cannot be conveniently effected, the Court may order that service be effected either—

- (i) by delivery of the document to some adult inmate at the usual or last known place of abode or business within the particular jurisdiction of the person to be served; or
- (ii) by delivery thereof to some person being an agent of the person to be served, or to some other person within the particular jurisdiction, on it being proved that there is reasonable probability that the document will, through that agent or other person, come to the knowledge of the person to be served; or
- (iii) by advertisement in some newspaper circulating within the particular jurisdiction; or
- (iv) by notice put up at the Court, or at some other place of public resort within the particular jurisdiction.

An order for service may be varied from time to time with respect to the mode of service directed by the order.

Service not required to be personal shall be made before five o'clock in the evening.