

Sir ANTONIO MICALLEF (1810-1889)

Born on 2 April 1810 at Vittoriosa (Birgu). His father was Notary Giuseppe Gaetano Micallef. Graduated LL.D. with honours in 1829, warrant 6 June 1831. As “one of the most eminent advocates at the Bar”, he was appointed Crown Advocate (today’s Attorney General) by the Governor on 27 October 1842. As such, apart from being the Government’s legal adviser, he defended its civil lawsuits, prosecuted offenders before the Criminal Court or the Court of Special Commission sitting with a Jury, and drafted legislation which he then piloted in the Council of Government, notably the Criminal Code, the Code of Organization and Civil Procedure, and the Commercial Code.

Between 1829 and 1842 he recorded the judgements delivered in the courts of first and second instance, and published with copious annotations those dated 1839-1849, some time before the official *Collezione di Decisioni dei Tribunali di Malta* started in 1858.

Dr Micallef was the most prolific Maltese author of legal works in the 19th century. They include a collection of judgements given by the *Supremo Magistrato di Giustizia* and the following books: *Trattato delle procedure civili nel foro di Malta* (1839) and *Compendio de Diritto Commerciale secondo i principii di giurisprudenza Maltese* (1841). He also published *Annotazioni* to Sir I. G. Bonavita’s *Raccolta delle leggi di procedura* (1841) and to the *Code de Rohan* (2 vols. 1841-1843). His *Osservazioni* (21 September 1844) on Mr Andrew Jameson’s report on the draft Criminal Code of 1842 were never published. A couple of his manuscripts still extant are in the collection of Dr. Albert Ganado.

In 1841 Dr Micallef was nominated to the General Council of the University and to the Special Council of the Faculty of Laws. In 1848 he was appointed member of the commission formed to draw up a

Commercial Code. On 1 January 1854 he became one of Her Majesty's Judges, raised to President of the Court of Appeal on 1 July 1859, and *ex officio* Judge of the Vice-Admiralty Court. Invested Knight Commander of the Order of St Michael and St George (KCMG) on 27 July 1860, and promoted to Knight Grand Cross (GCMG) in 1879. In that year, he prepared a lengthy report on the civil laws of Malta for Prince Bismarck at the request of the local government.

Being a septuagenarian he tendered his resignation from the Bench in September 1879, but it was only accepted on 2 November 1880 with a pension of £600 per annum, the amount of his salary, in recognition of his excellent services. Of all the Presidents of the Court of Appeal, his was the longest term of service, lasting twenty-one years and four months. In January 1881 he was elected to the Council of Government where he proposed several measures, including the merging of the Commercial Court with the Civil Court. He passed away on 5 April 1889 at his last residence, 6 Strada Doni, Rabat, and was interred in the family tomb at the Parish Church of Casal Balzan. A memorial tablet was erected in his honour at the Addolarata Cemetery. His wife Francesca Xerri died in December 1847 at the age of 33, leaving six children.

(Biographical note compiled by Dr Albert Ganado B.A., LL.D., M.O.M.)