

be bound to attend at the said Spring Assizes for the said Spring Assize County.

12. In all cases in which the like recognizances have been entered into in respect of any offence committed in any of the counties constituting the said Spring Assize County prior to the making of this Order, such recognizances shall be deemed to have been entered into for attendance at the said Spring Assizes for the said Spring Assize County, and every person bound by such recognizance shall be bound to appear at such last-mentioned Spring Assizes, or forfeit his recognizance.

13. Ten days before the day fixed for the opening of the Commission at Lincoln, a list of the prisoners to be removed for trial at the said Spring Assizes for the said Spring Assize County, so far as the same list can then be made out, shall, together with a short statement of the offences with which they are charged, be transmitted by the Gaoler of each prison in which such prisoners may be, to the Sheriff of the County of Lincoln, and the said Sheriff shall cause to be inserted in one or more newspapers in the Spring Assize County the said list and statement, and a notice that the persons bound by recognizances to appear and prosecute or give evidence for or against the prisoners so removed shall appear and prosecute and give evidence at Lincoln.

14. It shall be lawful for the Gaoler of the Gaol in which prisoners who are to take their trial at the said Spring Assizes for the said Spring Assize County shall be in custody, three days before the day upon which the said Spring Assizes for the said Spring Assize County are appointed to be held, to send, without any writ of Habeas Corpus, such prisoners to Her Majesty's Gaol, formerly the Gaol for the parts of Lindsey, at Lincoln, for the purposes of their trial, and to take all proper steps for their transmission to the said Gaol, and their maintenance by the way, and the Gaoler of the said Gaol shall receive such prisoners into his charge and custody on their arrival, and shall keep and maintain them in the said Gaol until they are either ordered to be discharged or remanded by proper authority, or until they shall have been tried and sentenced; and proper arrangements have been made for their being sent back to the prison from which they were sent for trial, or sent to any other prison which has been duly appointed as an alternative for such prison. If, however, the said Gaol has itself been duly appointed as an alternative prison for the prison from which such prisoners were sent to trial, the Governor of the said Gaol shall, subject to the orders of the Secretary of State, keep and maintain in the said Gaol such prisoners after sentence, until they are discharged in due course of law.

15. The Clerk of Assize at the said Spring Assizes for the said Spring Assize County shall have all powers of taxation of Bills of Costs, expenses of prosecution and witnesses, and all other powers necessary for checking and paying such costs relating to the trial of prisoners that the Clerk of Assize in the county where such prisoners were committed would have had if such prisoner had been tried at the Assizes held in such last-mentioned county.

Where any person is committed for trial in the said Spring Assize County, any Judge of the High Court of Justice, or the committing Justice or Justices, or any two of the Justices of the county or place from which he is committed, may, upon the application of such prisoner, direct the Treasurer of the county or place where the prisoner was committed to

advance to the prisoner a sum not exceeding 20*l.* to enable him to defray the travelling expenses of his witnesses, and the Treasurer shall advance such sum, and shall deduct it out of the amount ultimately allowed in respect of such witnesses.

16. In any case where money is ordered by the Court at the said Spring Assizes for the said Spring Assize County to be paid in respect of costs and expenses of prosecutors and witnesses, the same shall be paid by the Treasurer of the county or place by whom the same would have been payable had a like order been made by a Court of Oyer and Terminer or Gaol Delivery in the County where the trial would have taken place but for the Spring Assizes Act, 1879, and this Order; and every such Treasurer, or some known agent on his behalf, shall attend the said Spring Assizes during the sitting of the Court to pay all such orders.

17. Where the Court at the Spring Assizes for the said Spring Assize County remand a prisoner or adjourn any trial, or otherwise make an order respecting a prisoner committed for trial but not acquitted or convicted, the Court may make such order with respect to the removal of such prisoner to a prison in the county or place in which he was committed for trial as to the Court seems just, and the prisoner may be removed accordingly, without any writ of Habeas Corpus.

18. Nothing in this Order shall authorise the trial or require the attendance at the said Spring Assizes for the said Spring Assize County of any person who shall have been admitted to bail, and shall not at the time of the holding of such Spring Assizes for the said Spring Assize County be in custody, unless such person is jointly charged with another person in actual custody.

19. Except where the context otherwise requires, terms used in this Order shall have the same meaning as that which the same terms have in the Spring Assizes Act, 1879.

20. This Order, unless earlier revoked, shall be in force during the continuance of the Spring Assizes, 1881. C. L. Peel.

At the Court at Windsor, the 1st day of April, 1881.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

IN pursuance of the Spring Assizes Act, 1879; Her Majesty is pleased, by and with the advice of Her Most Honourable Privy Council, to order as follows:—

1. The County of Derby, the County of Leicester, the Borough of Leicester, and the County of Rutland shall, for the purposes of the next Spring Assizes, be united together and form one county, under the name of the Spring Assize County, No. 5.

2. The said Spring Assizes for the said Spring Assize County shall be held at Derby.

3. The Court at the Spring Assizes at Derby shall have jurisdiction to try any prisoner committed in the said Spring Assize County who may be brought before it, and shall have the same powers with respect to the trial of and passing sentence upon such prisoner as a Court of Oyer and Terminer and Gaol Delivery would have had at the Assizes in the county where, but for the said Spring Assizes Act, 1879, such prisoner would have been tried.

The provision of Section three of the Spring Assizes Act, 1879, shall apply to the execution of any capital sentence passed at such Assizes as herein mentioned; provided that the expression