

shall, in case such order or direction as aforesaid shall have been made or given as aforesaid, be obligatory on the parties bound by such recognizance so as to compel them to appear and prosecute or give evidence or to appear and answer, as the case may be, and to do all things therein mentioned at the Assizes at which by such order the trial is to take place in like manner as if such recognizance had been originally entered into for appearing and prosecuting or giving evidence or appearing and answering or doing such other things at such last-mentioned place: Provided that one week's notice shall have been given either by serving the same personally upon the parties bound by such recognizance, or by leaving the same at the place of residence as of which such parties are described in such recognizances, of the change of the place of trial, and to appear at the place to which the trial has been changed: Provided also that the Court or Judge making such order for trial or removal as aforesaid shall cause the party applying for such order, whether he be the prosecuting party or the party charged, to enter into a recognizance in such sum and with or without sufficient sureties as such Court or Judge may direct, conditioned to give such notice as aforesaid to the parties bound by such recognizances.

(r.) The venue in all indictments and all informations shall (when necessary) be stated to be as of the County of Warwick with the addition of "Warwick Division" or "Birmingham Division," as the case may be.

8. Notwithstanding anything herein contained, but subject to the express directions of this Order, the district of the said "Birmingham Division" shall continue to be part of the County of Warwick.

9. In order to enable the Judges so far as may be possible to leave no cause untried at any place on any circuit, one of the Judges in London (in accordance with a rotation to be settled by the Judges for that purpose) shall, with the sanction of the Lord Chancellor, and on request of the Judge or Judges on any circuit, proceed to any place on such circuit in aid of such Judge or Judges for such time as may be necessary.

10. When any Judge has been absent from London on circuit for 35 days, he shall be entitled on his request to be relieved by a Judge from London of the same Division, according to a rotation to be settled by the Judges for that purpose, and to take the place of such Judge in London.

11. The two schedules hereto and the directions therein shall be taken as part of this Order, and

shall be taken as model schemes to be followed as far as may be consistent with the requirements of the business of every occasion to which they have to be adapted.

12. The names of all the Judges of the Supreme Court shall be placed in every Commission, to the intent that the duties necessary to be performed by such Judges under each such Commission may be performed by one or more of such Judges at each place appointed for holding Assizes in conformity with the schedule to this Order.

13. It shall be lawful for any Judge on circuit, if he shall think it necessary in order to enable the business at any particular place to be concluded, or for other good cause, to postpone the Commission day at any place or places, and whenever a Judge shall thus postpone the Commission day at any place or places, to any day later than the day (exclusive of Sundays and days of public rest) next after the day theretofore fixed by the Judges for the Commission day, he shall immediately inform the Lord Chancellor of his having so done, and of the particulars of the reason why he has so done, and in all cases he shall cause such public notice of the postponement to be given as the circumstances of the case admit.

14. Henceforth it shall not be necessary to read or proclaim in Court at any Assizes the Royal Proclamation against vice and immorality heretofore accustomed to be read or proclaimed, and it is hereby directed that the Commissions at all Assizes be opened by producing in Court the Commission or Commissions under which they are to be holden before the commencement of the business of the Assizes on the first day of the Assizes on which a Judge shall sit in Court at each place without reading them at length, and by the Officer of the Court shortly stating that the Judges or Judge present at the Assizes are, or is, thereby with others appointed to hold the Assizes.

15. The expressions "Summer Assizes" and "Winter Assizes" in this Order shall be construed as referring to the Assizes heretofore usually holden during the summer and winter respectively for the dispatch of both civil and criminal business under any Commissions of Oyer and Terminer, Gaol Delivery, Nisi Prius, or Assize and other Commissions, or any Commissions issued in lieu thereof under the Supreme Court of Judicature Acts, 1873 and 1875, or any Acts amending the same.

16. This Order may be amended, added to, or repealed by order in Council. *C. L. Peel.*