

such recognizances shall be deemed to have been entered into for attendance at the then next ensuing Session of Oyer and Terminer and Gaol Delivery to be holden for the Central Criminal Court District as enlarged by this Order, in the month of October, November, or December, 1888, or January, 1889, as the case may be, and every person bound by such recognizance shall be bound to appear at such Session or forfeit his recognizance.

(8.) If the Central Criminal Court at its Session last held in the month of January, 1889, cannot finally dispose of or for the purposes of justice is of opinion that it is inexpedient finally to dispose of the case of any prisoner or person committed for trial in the said part of the County of Surrey, then the said Central Criminal Court shall order the removal of such prisoner to the Gaol of the County or place whence he came in order that he may be tried at the then next Assizes, and the Prosecutor and Witnesses in attendance at the said Central Criminal Court shall enter into recognizances for their appearance at the said Assizes, and if an Indictment or Indictments has or have been found against the prisoner, the Clerk of the said Central Criminal Court shall transmit the Indictment or Indictments and the Depositions and all other things relating thereto to the Clerk of Assize at such Assizes, together with a copy of the Order of Court, and such prisoner or person shall be tried upon such Indictment or Indictments as if the same had been found at the said Assizes, and such prisoner may be removed from Her Majesty's Prison at Holloway to the Gaol whence he came without Writ of Habeas Corpus, but with a copy of the said Order of Court, and all such other proceedings shall be had and taken as if the said prisoner or person had not been removed to Her Majesty's Prison at Holloway.

(9.) If, in pursuance of the 18th section of the Central Criminal Court Act as applied by this Order, any Writ of Certiorari or Habeas Corpus be issued for the removal of any indictment or presentment, or of any person in custody from the jurisdiction of the Justices of the Peace for the County of Surrey to the Central Criminal Court, one week's notice shall be given in manner required by that section.

(10.) Except where the context otherwise requires, the terms used in this Order shall have the same meaning as that which the same terms have in the Winter Assizes Acts, 1876 and 1877.

(11.) This Order, unless earlier revoked, shall be in force until the close of the Session of the Central Criminal Court last held in the month of January, 1889.

*C. L. Peel.*

**A**T the Court at *Osborne House, Isle of Wight*, the 10th day of *August*, 1888.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

**I**N pursuance of the Winter Assizes Acts, 1876 and 1877, Her Majesty is pleased, by and with the advice of Her Most Honourable Privy Council, to order as follows:—

1. The County of Cumberland and the County of Westmoreland shall, for the purpose of the next Winter Assizes, be united together and form one county, under the name of the Winter Assize County, No. 1.

2. The said Winter Assizes for the said Winter Assize County shall be held at Carlisle.

3. The Court at the said Winter Assizes at Carlisle shall have jurisdiction to try any prisoner committed in the said Winter 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 Winter Assizes Acts, 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 in the said section "the Sheriff of the county for which such Assizes were held" shall mean the Sheriff of the county in which the prisoner so sentenced would have been tried, if the Winter Assizes Acts, 1876 and 1877, had not been passed.

4. The Sheriff of the county of Cumberland shall alone act for the purpose of the said Winter Assizes for the said Winter Assize County, and subject to the provisions of this Order shall have jurisdiction for that purpose over the whole district constituting the said Winter Assize County, and precepts and other documents relating to the said Winter Assizes shall be addressed to him alone.

5. The Gaol Delivery precept of the Judges to the said Sheriff shall direct him to summon the Grand Jurors and Petty Jurors from the county of Cumberland, and the Jurors so summoned shall be deemed to be good and lawful men of the body of the several counties constituting the said Winter Assize County, and the Grand and Petty Jury formed out of those Jurors shall be deemed to be a Grand and Petty Jury respectively of the body of the said counties respectively, and shall have jurisdiction accordingly.

6. The precepts of the Judges to the said Sheriff shall direct him to cause the prisoners from all the prisons in the said Winter Assize County who under the provisions of this Order will have to be tried at Carlisle, to be brought there, and the Sheriff shall cause such prisoners to be brought accordingly without any Writ of Habeas Corpus.

7. In all matters not before specifically mentioned the precepts to the said Sheriff shall direct him to issue, and he shall issue the like notices, precepts, warrants, and documents, and perform the same acts (*mutatis mutandis*) as if he were Sheriff for the whole of the said Winter Assize County, and all Under Sheriffs, Bailiffs, Constables, and Officers in the said Winter Assize County shall obey accordingly.

8. The said Sheriff shall, as to all matters in relation to such Winter Assizes for which no specific provision is made by this Order, have the same power, jurisdiction, and responsibility as if he were Sheriff for the whole of the said Winter Assize County, except that this provision shall not authorize the said Sheriff to carry sentences into execution outside the County of Cumberland, or to levy outside the said county fines imposed or recognizances estreated at the said Winter Assizes.

9. All Justices of the Peace, Mayors, Coroners, Escheators, Stewards, Bailiffs, Gaolers, Constables, Officers, and persons having authority and being under an obligation to attend the Assizes for either of the counties comprised in the said Winter Assize County, or to certify, transmit, or deliver to the Court of Assize or the proper officer thereof any indictment, inquisition, recognizance, examination, deposition, or document, shall have the same authority and be under the same obligation to attend at the said Winter Assizes held for the said Winter Assize County, and to certify, transmit, or deliver to the Court of Assize or the proper officer thereof, such indictment, inquisition, recognizance, examination, deposition, or document.

This provision shall not apply to the Sheriff of the county of Westmoreland.