

unless such person is jointly charged with another person in actual custody.

17. 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.

18. This Order, unless earlier revoked, shall be in force during the continuance of the Spring Assizes, 1879. *C. L. Peel.*

**A**T the Court at *Windsor*, the 22nd day of *March*, 1879.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

**I**N 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 Lincoln, the County of Nottingham, and the County of the Town of Nottingham shall, for the purpose of the next Spring Assizes, be united together and form one county, under the name of the Spring Assize County, No. 4.

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

3. The Court at the said Spring Assizes at Lincoln 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 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 Act, 1876, the Winter Assizes Act, 1877, and the Spring Assizes Act, 1879, had not been passed.

4. The Sheriff of the County of Lincoln shall alone act for the purpose of the said Spring Assizes for the said Spring Assize County, and subject to the provisions of this Order shall have jurisdiction for that purpose over the whole district constituting the said Spring Assize County, and precepts and other documents relating to the said Spring 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 Lincoln, and the Jurors so summoned shall be deemed to be good and lawful men of the body of the several counties constituting the said Spring 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 Spring Assize County, who under the provisions of this Order will have to be tried at Lincoln, 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 Spring Assize County, and all Under Sheriffs, Bailiffs, Constables, and Officers in the said Spring Assize County shall obey accordingly.

8. The said Sheriff shall, as to all matters in relation to such Spring 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 Spring Assize County, except that this provision shall not authorise the said Sheriff to carry sentences into execution outside the County of Lincoln, or to levy outside the said County fines imposed or recognizances estreated at the said Spring 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 any county comprised in the said Spring 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 Spring Assizes held for the said Spring 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 Sheriffs of any of the Counties constituting the said Spring Assize County, other than the Sheriff of the County of Lincoln.

10. In all indictments and presentments at the said Spring Assizes, the venue laid in the margin thereof shall, in addition to the name of the county where the offence is charged to have been committed, contain the words "Spring Assize County, No. 4."

11. Any person who after the date of this Order and before the said Spring Assizes, enters into a recognizance to appear and prosecute, or give evidence, or to appear and answer before a Court of Oyer and Terminer or General Gaol Delivery, to be holden for any of the counties constituting the said Spring Assize County, shall 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