

deduct it out of the amount ultimately allowed in respect of such witnesses.

14. 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.

15. Where the Court at the said 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.

16. 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.

17. This Order, unless earlier revoked, shall be in force during the continuance of the Spring Assizes, 1904.

*A. W. FitzRoy.*

At the Court at *Buckingham Palace*, the 7th day of *March*, 1904.

PRESENT,

The KING's Most Excellent Majesty in Council.

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

1. The North and East Riding Division and the West Riding Division (as defined by the Order in Council of the 9th day of July, 1864) of the County of York and the County of the City of York, shall, for the purpose of the next Spring Assizes, be united together under the name of the Spring Assize County, No. 3.

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

3. The Court at the said Spring Assizes at Leeds 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 Spring Assizes Act, 1879, had not been passed.

4. The Sheriff of the County of York 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 York; 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 Leeds 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 authorize the said Sheriff to carry sentences into execution outside the county of York, 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 either of the Counties 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 Sheriff of the County of the City of York.

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. 3."

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.