

IN THE SUPREME COURT OF CANADA.

REGINA, VS. ROBERT EVAN SPROULE,

Take Notice, that upon the hearing of the motion, before this honourable Court, on Wednesday, the first day of September, A.D. 1886, to set aside the writ of *Habeas Corpus* to J. E. McMillan, Sheriff for Vancouver Island, directing him to produce the body of Robert Evan Sproule before Mr. Justice Henry, at Ottawa, and all subsequent proceedings, including any order of the Honourable Mr. Justice Henry, for the discharge of the said Robert Evan Sproule, whereof notice was served upon you on the 7th day of August, A.D. 1886, there will be read :

1. The affidavit of Paulus Emilus Irving, sworn the 14th day of August, 1886, a copy of 10 which is served herewith, and

2. The affidavit of Mr. Theodore Davie sworn herein, on the 1st May, 1886, and filed in the Supreme Court of Canada, on the 3rd day of May, A.D. 1886.

Dated the 14th day of August, A.D. 1886.

(Sgd.) ALEX. E. B. DAVIE,
Attorney General for British Columbia.

To the above-named Robert E. Sproule, and to Theodore Davie, Esq., his Solicitor and Counsel. This is the notice referred to in the annexed affidavit of Paulus Emilus Irving, sworn before me herein, this 16th day of August, A.D. 1886.

(Sgd.) J. H. GRAY, 20
A Judge of the Supreme Court of British Columbia.

IN THE SUPREME COURT OF CANADA.

In the matter of a writ of *Habeas Corpus* issued out of the Supreme Court of Canada directed to the Sheriff of Vancouver Island and commanding the said Sheriff to produce the body of ROBERT EVAN SPROULE, a prisoner confined in the common gaol at the City of Victoria, in the Province of British Columbia.

I, PAULUS EMILUS IRVING of the City of Victoria British Columbia Deputy Attorney General make oath and say as follows :

1. I did on the 14th day of August A.D. 1886, personally serve Robert Evan Sproule, mentioned in the notice hereunto annexed, with the said notice, by delivering a copy of the 30 said notice to the said Robert Evan Sproule personally at Victoria gaol and at the same time I delivered to him a copy of my affidavit sworn herein on the 14th day of August A.D. 1886.

2. I did on the same day personally serve Mr. Theodore Davie mentioned in the notice hereunto annexed, with the said notice, by delivering a copy of the said notice to the said Theodore Davie personally at the residence of the said Theodore Davie in the City of Victoria and at the same time I delivered to him a copy of my affidavit sworn herein on the 14th day of August A.D. 1886.

3. A copy of my affidavit sworn herein on the 14th day of August A.D. 1886 and mentioned in paragraphs 1 and 2 of this my affidavit as being served with the annexed notice is now shewn to me and marked Z. 40

Sworn at the City of Victoria, British Columbia, this)
16th day of August A.D. 1886, before me, (Signed) P. E. IRVING,
(Sgd.) J. H. GRAY,
Judge of the Supreme Court of British Columbia.)