

E. Sproule a copy thereof ; and at the time of serving the said notice of motion I handed to the said Robert E. Sproule copies of the affidavits mentioned in the note to the notice of motion as being served therewith, viz : the affidavits sworn by me respectively on the 24th day of July, A. D. 1886, and the 7th day of August, A. D. 1886, with the Exhibit thereto, and the affidavit of Mr. Theodore Davie sworn on the 15th day of February, A. D. 1886, with the Exhibit thereto.

2. I did, on Saturday the 7th day of August A.D. 1886, serve Mr. Theodore Davie (Counsel and Solicitor for the said Robert E. Sproule) personally with the annexed notice of motion by handing to and leaving with the said Theodore Davie a copy thereof ; and at the time of serving the said notice of motion I handed to the said Theodore Davie copies of the 10 affidavits mentioned in the note to the notice of motion as being served therewith, viz : the affidavits sworn by me respectively on the 24th day of July A.D. 1886 and the 7th day of August, A. D. 1886, with Exhibit thereto and the affidavit of Mr. Theodore Davie sworn on the 15th day of February A.D. 1886, and the Exhibit thereto.

3. Copies of the affidavits with Exhibits thereto then served on the said Robert E. Sproule and Mr. Theodore Davie as stated in this my affidavit are hereunto annexed and marked respectively 1, 2 and 3.

Sworn at the City of Victoria, British Columbia, }
 this 12th day of August, A. D. 1886. }
 HENRY S. PELLEW CREASE, }
Judge of the S. C. of B. Columbia. }

P. Æ. IRVING.

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EXHIBIT 2.

This is the document marked 2 referred to in the annexed affidavit of P. Æ. Irving sworn before me the 12th. day of August A. D. 1886.

HENRY P. PELLEW CREASE, J.

IN THE SUPREME COURT OF CANADA.

REGINA VERSUS ROBERT E. SPROULE.

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 him to produce the body of one Robert Evan Sproule.

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I, PAULUS ÆMILIUS IRVING of the City of Victoria, British Columbia, Deputy of the Attorney General of British Columbia make oath and say.

1. On the twenty-sixth day of May A. D. 1886, I received by post, an application addressed to the Attorney General by Mr. Theodore Davie for a *fiat* for a Writ of error *coram nobis* in the case of the Queen against the above named Robert E. Sproule. A copy of the application is hereunto annexed and marked with the letter A.

2. The Attorney General refused such application and by his direction I dispatched to Mr. Theodore Davie who was then at Ottawa a telegram of which the following is a copy :