

shut our eyes to the fact, that the greatest part of the flimsy evidence of the Crown was liable to serious objection, nevertheless, no remonstance could prevent *its* admission.

“ Thus hath the course of justice wheel'd about.”

To attain the one great object were these acts done in open Court, and called forth, to use the words of the Crown report, the excited feelings of the public, “ in a manner scarcely consistent with judicial decorum.”

Why did these immaculate Crown lawyers dread the reading of their agent's (Banks) letters to the jury? Did they know when Banks first produced this document, that it was a forgery, got up to deceive Lord Stirling? Why did they not prosecute Banks if they wanted the truth exposed? One thing they know full well, that Lord Stirling had been for years searching for the charter of Novo-Damus, and on receiving the excerpt of it from Banks, he instantly went up to London with his Scotch and English lawyers, *and laid it before the Lord Advocate!* Would he, would any man, producing a document knowing it to be forged, go at once, and throw himself, as Mr. Robertson cleverly expressed it, into the “ tender arms,” of the public prosecutor (the Lord Advocate)?

It seems to us very extraordinary, that after so many years of continuous proceeding in the Scottish Law Courts, this case should scarcely be understood, either by judges or counsel on either side! To the grievous mistakes made in Lord Stirling's defence must, certainly, be attributed a great deal of the injustice that he has suffered, though, beyond doubt, such mistakes must have been unintentionally made. Of what avail is it now to assert, after the trial is passed, that no one understood his case but Lord Stirling; that he