

of descent; namely, whether Lord Stirling's grandfather, the Rev. John Alexander, of Dublin, was the son of John Alexander, of Antrim; and this John, of Antrim, the son of the Hon. John Alexander, of Gartmore. And he adds, "*The whole of the defender's case depends upon the genuineness of these two descents.*"*

We cannot, here, enter into a discussion as to the soundness of the views taken by his Lordship as to the sufficiency of the evidence before him, nor need we allude particularly to the style and temper of the note in explanation of his Lordship's reasons, which accompanied the Interlocutor. Some points it may be necessary, in the after parts of this review, to notice in connection with the case of the Crown lawyers; but, at present, we shall only observe, that an appeal to the Upper Division of the Court of Session was instantly lodged for Lord Stirling.

In April following, some documents of importance, alleged to have been stolen from Lord Stirling's father, were given up to a member of the family; and in July (same year) intimation was received of the recovery, in France, of a document of considerable importance. Applications were accordingly made to the Court of Session for a delay, in order to consider what steps should be taken before submitting this new evidence in the case to their Lordships. The appearance of these documents immediately after the decision of Lord Cockburn, has subsequently formed an argument in favour of the Crown counsel; but, without considering the utter impossibility of inventing, as well as of fabricating, such complicated and numerous writings within so short a period, it has been kept out of view, that, some months *previously* to this unfavourable decision, a

* Cockburn's note, Appendix, p. xxii.—*Swinton's Report*.