

Judgments by the Court of Session.

the very beginning: The plaintiffs denied the existence of such a one; but now he is found to have actually been a practising accoucheur in Paris in the year 1748, and to have had conversations with his brethren of the profession about his having delivered a foreign lady, of an advanced age, of twins. Lord
Monboddo

Sir John and Lady Jane further told, that they had left their youngest son under his charge somewhere in the neighbourhood of Paris. Lady Jane named Menilmontaine as the place the child was left at. Madame Rutledge says, that Lady Jane named the place, though she has forgot the name.

Are all these things then possible upon the supposition of an imposture? I wish that the plaintiffs had here given us a calculation of chances upon all these wonderful circumstances. For if all these particulars be true, as I have no doubt they are, then Sir John's contradictions and falsehoods are of no importance.

Upon the whole, his Lordship declared, that he had not even a suspicion remaining in his mind of the truth of the defendant's birth.

The whole fifteen judges having thus given their opinions, and the Court being equally divided upon this important question, the Lord President proceeded to state the vote, Sustain or repell the reasons of reduction? And it was carried by his Lordship's casting voice, Sustain. And then the judgment of the Court was wrote out in the following words. "The Lords having considered the state of the process, the writs produced, and testimonies of the witnesses adduced, and heard parties' procurators thereon; and having advised the same with the memorials, observations, and other papers given in by each party, they sustain the reasons of reduction, and reduce, decern and declare accordingly."

For the Plaintiffs—

The LORD PRESIDENT.
Lord BARJARG.
Lord ALEMORE.
Lord ELIOCK.
Lord STONEFIELD.
Lord KENNET.
Lord HAILES.
Lord JUSTICE-CLERK.

For the Defendant—

Lord STRICHEN.
Lord KAMES.
Lord AUCHINLECK.
Lord COALSTON.
Lord PITFOUR.
Lord GARDENSTONE.
Lord MONBODDO.