

APPENDIX.

PART I.

REPARATION.

1776. *August 8.* SCOTLANDS *against* THOMSON.

No. 1.

THIS case, mentioned under this title, No. 21. p. 13934, where a clergyman was found liable in damages for defamatory language used in the pulpit, will be found at large in APPENDIX, PART I. *voce* DELINQUENCY, No. 3.

1805. *November 15.* MACLEAN *against* GRANT.

No. 2.

ANN MACLEAN was, by her father's settlement, entitled to a provision of £300 out of his estate, to which her brother Colonel Maclean of Kinlochaline succeeded. To make this claim effectual, she employed Nathaniel Grant, writer in Edinburgh, who undertook the business, and promised to take the necessary steps to render the debt effectual against the estate of Kinlochaline.

In what circumstances an agent is liable in damages for mismanaging the business of his client.

The estate of Colonel Maclean consisted of four lots. Two of these stood feudally vested by sasine in his person, and two were still *in hereditate jacente* of his father. A number of adjudications were led against these estates by different creditors.

In leading the adjudication for Mrs. Maclean's debt, Mr. Grant included the whole four lots of the estate, but did not use a special charge to connect the common debtor with the two lots which were not feudally vested in his person; and his adjudication was conjoined with one posterior to the first effectual adjudication, contrary to the directions of the 33d Geo. III. Cap. 74.

The common agent in the ranking of Kinlochaline's property, objected to this adjudication, as well as to various other adjudications on the estate which