

KING'S PRINTER.

1725. July 15.

BROWN and MOSMAN, His Majesty's Printers, *against* BASKETT of London,
His Majesty's Printer.

MR ROBERT FREEBAIRN having, in August 1711, obtained a grant from her late Majesty, Queen Anne, to be sole Master-Printer in Scotland for the space of forty-one years, with an exclusive privilege to him, his partners, his heirs, assigns, and substitutes, during the foresaid space, of printing bibles, &c. ; in the month of November following, he conveyed a third of his privilege to Mr Baskett, and in April thereafter, he made over another third of it in favours of James Watson, in implement of articles of agreement entered into by the parties previous to the grant.

The business of printing was immediately thereafter begun and carried on by Mr Watson alone, with good success, though at great expense, and at present is managed by Messrs Brown and Mosman, as assignees to Mr Watson's right ; but Mr Baskett never implemented any of the articles upon his part, nor meddled in the affair, till of late, that he set up a separate printing-house in Edinburgh, to the prejudice of Brown and Mosman ; and therefore they brought an action against Mr Baskett for stopping his work ; and the *first* point they insisted upon was, " That Baskett never had accepted the gift, and could not now pretend to make any use of it, not having taken the oaths, particularly the oath of abjuration, within the time limited by statute." For by an act of the sixth of Queen Anne, intituled, An act for the better security of her Majesty's person and government, it is enacted, that all officers, civil and military, within Scotland, be obliged to take the oath of abjuration.

In *answer* to this, Mr Baskett contended, *imo*, That no person was obliged by the act *6to Annæ* to take the abjuration, but he who was by the act 1693

No 1.
The King's
Printer not
obliged to
take the oaths
of abjuration,
&c.

No. 1. obliged to take the oaths of allegiance and assurance; and *2do*, That the office of King's Printer was no such civil office, as, by the intention of the statute, could subject Mr Baskett to take the oath of abjuration.

THE LORDS found, That the King's Printer was not obliged to take the oaths.

Reporter, *Lord Cullen. Act. Advocatus Ro. Dundas & Will. Grant. Alt. Ja. Graham, Ch. Arskine, Ro. Craigie & H. Dalrymple, sen. Clerk, Mackenzie.*

Fol. Dic. v. 3. p. 369. Edgar, p. 190.

Extent of the King's Printers' privileges. See LITERARY PROPERTY.

His office, whether adjudgeable. See PERSONAL and TRANSMISSIBLE.

See APPENDIX.