

NEW SOUTH WALES.
CONDITIONAL PARDON.

L. S.

48/1333.

By His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Captain General and Governor-in-Chief in and over Her Majesty's Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS, by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the Sixth Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law affecting Transported Convicts, with respect to Pardons and Tickets of Leave," it was amongst other things enacted, that, after the taking effect of the said recited Act, in any place to which Felons and Offenders had been or might be transported by Law, the Governor or Lieutenant-Governor should, from time to time, by an Instrument in Writing, under his Hand, recommend such Felons or other Offenders as he should think fit to be recommended, to Her Majesty, for an Absolute or Conditional Pardon; and in case Her Majesty should, through one of Her Principal Secretaries of State, signify Her approval of any such recommendation, it should be lawful for the Governor or Lieutenant-Governor to grant an Absolute or Conditional Pardon, pursuant to such Instructions as should be sent to him by the Secretary of State, by an Instrument in writing, under the Seal of his Government, which should be deemed from the Day of the Date thereof, to have within such Place or Places as should be specified in such Pardon, but not elsewhere, the same effect in the Law, to all intents and purposes, as if a General, Absolute, or Conditional Pardon, had passed on that Day, under the Great Seal of the United Kingdom: And Whereas the said recited Act has taken effect in the said Colony of New South Wales: And Whereas *John Fitzgerald*

whose Description is hereunto annexed, having been indicted and convicted at *Middlesex Gaol Delivery* on the *ninth* day of *September* One thousand eight hundred and *eighteen* of the Crime of _____ was, in pursuance of the said Conviction, sentenced to Transportation, and was accordingly Transported to the said Colony, for *the period of his natural Life*

: And Whereas, in consideration of the good conduct of the said *John Fitzgerald* since his arrival in the said Colony, *Sir Charles Augustus Fitz Roy* as such Governor of New South Wales, recommended the said *John Fitzgerald*

to Her Majesty for a pardon, to take effect in all parts of the World, except *the United Kingdom of Great Britain and Ireland*

And Whereas Her Majesty has been graciously pleased to signify Her approval of such recommendation, through Her Principal Secretary of State for the Colonies: NOW KNOW YE, that I, SIR CHARLES AUGUSTUS FITZ ROY, in pursuance of the Power and Authority so in me vested by the said recited Act and of Her Majesty's gracious approval so signified, and of the instructions of the said Secretary of State in this behalf, do hereby grant unto the said *John Fitzgerald* a Pardon for the Offence, in respect of which such Sentence of Transportation was passed as aforesaid, which shall take effect in all parts of the World, except *the United Kingdom of Great Britain and Ireland*

PROVIDED ALWAYS, and it is hereby expressly declared to be a Condition of this Pardon, that if the said *John Fitzgerald*

shall, at any time during the continuance of the term of his said Sentence, go to, or be in, any part of *the United Kingdom of Great Britain and Ireland* then this Pardon shall thenceforth be and become wholly void, as by Her Majesty's Commands expressly limited and directed: And all Her Majesty's Officers and Ministers of Justice, and all other, Her Majesty's Subjects, are hereby required to take notice accordingly.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and to be sealed with the Seal of the said Territory.

GIVEN under my Hand at Government House, Sydney, this *ninth* day of *July* in the *twelfth* Year of the Reign of Her Majesty, and in the Year of Our Lord One thousand eight hundred and *forty-eight*

(Signed) CHS. A. FITZ ROY.

ENTERED upon Record at Pages *275* and *276* Register No. *29* this *twist* day of *October* One thousand eight hundred and *forty-eight*

W. Hayward
for the COLONIAL SECRETARY AND REGISTRAR.

DESCRIPTION.

NAME	John Fitzgerald
SHIP	Baring (2)
MASTER	Lamb
YEAR OF ARRIVAL	1819
NATIVE PLACE	London
TRADE OR CALLING	Shoemaker
OFFENCE	
PLACE OF TRIAL	Middlesex
DATE OF TRIAL	9 th December 1818
SENTENCE	Life
YEAR OF BIRTH	1793
HEIGHT	5 feet 6 ³ / ₄ inches
COMPLEXION	Dark Pale
HAIR	Brown
EYES	Hazel
GENERAL REMARKS	Deaf and Dumb.