

The King's pardon may be given to a man who has committed a crime, but it does not extend to a man who has committed a crime which is a crime against the King's person or the King's honor.

* n. 1. upon which ground it hath been adjudged that
 A general Act of pardon of all felonies &c. except murder, shall extend to a wife to do so,
 1. 120. 1. 208. 209. 66 Hawkins pler. lib. 2 ch. 37 § 20.
 So cause, tho' in a strict sense a Wife do so may be called a murderer, yet his offence and
 murder are generally understood as distinct offences, the latter being always used to
 signify the killing of another; and the general words of an Act of parliament are to be
 expounded according to the common use of them. And further since the words general Reason
 to except the murder of another out of a pardon, than that of a man's self, for that
 both the Law of God and nature seem generally to require blood for blood, which can
 only be applied only to the murder of another, the word Murder was in fact an
 exception taken only to signify the murder of another. It hath been also agreed that a
 general act pardoning all felonies offences &c. done before such a day, pardons a
 glorie of a wound given before the day, whereof the party died not till after the
 day, because the stroke which was the cause of the death being pardoned, all the
 effects of it are consequently pardoned, Hawkins ibid. § 21.

* n. 2. A pardon of Treason or Felony given after a conviction or attainder does so far clear the
 party from the Infamy and all other consequences of his crime that he may not only have
 an Honour in calling him Traitor or Felon, as the Term of the pardon
 but may also be a good witness notwithstanding his Attainder or conviction, because
 the pardon makes him as it were a new man, and gives him a new capacity and
 credit, Hawkins pler. lib. 2 ch. 37 § 48

* but it is not so clear whether the pardon of a conviction of perjury, make the party a
 good witness Hawkins, pler. lib. 2 ch. 37 § 52, 2d. vol. 2. pag. 361.

* It is a settled Rule that no pardon by the King, without express words of Restitution,
 shall restore to the King or subject an Inheritance or Right in Lands or Goods, lost
 in them by an Attainder or conviction, provided that a pardon given to a conviction
 will restore any forfeitures which are Lands or Goods Hawkins pler. lib. 2 ch. 37 § 57.

* The Kings pardon cannot take the corruption of Blood by Attainder of Treason
 or Felony, which can only be done by authority of parliament Coke 1 Inst. B. a. 391 b.
 3 Inst. 233. 240. 241. Hawkins pler. lib. 2 ch. 37 § 57

* n. 1. In a criminal prosecution for a riot and assaulting & wounding the Assistant of a Mayor or in
 executing the Kings Letters at the suit of the party injured with the concurrence of the Kings
 Advocate it was pleaded for the pardon that the King was haled in and that he had been
 already found in the Kings Bench for the same crime by the Sheriff of the County of Middlesex at the suit of
 the party injured: and the sentence of an inferior Judge must stand till it be removed in the proper
 manner by a Writ of Habeas Corpus. It was answered, 1. The trial before the Sheriff was carried on lawfully
 without producing any Evidence of the guilt except the pannels confession qualified as he thought fit
 whereas the party injured could have proved the fact otherwise. 2. He is not the Sheriff of an inferior
 court might indict in a public way, & the party injured disabled or incapacitated from the
 injury; he cannot bar the private party against his will from the judgment of the Supreme court
 by a partial & precipitate prosecution before an inferior Judge: nor is there any foundation in Law
 or practice for Reducing in the court of Chancery the sentences of inferior Judges. The Lords
 of the Bench gave judgment for the pardon, 14 Novembris 1723. Alcock v. Jones younger
 of Drisham.
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* n. 2. Thus the Inflicting a Bill of Pains & Penalties as he speaking in his public capacity the peace
 and safety of the Kingdom by calling him a Traitor or Felon, as the Term of the pardon
 but may also be a good witness notwithstanding his Attainder or conviction, because
 the pardon makes him as it were a new man, and gives him a new capacity and
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 14 December 1724 Thomas Clarke.