

- (6.) That her child born of her intimacy with West was lost to her after an extremely painful labour shortly prior to the tragedy :
- (7.) That the tragedy supervened on West having repulsed her in gross language :
- (8.) That in October, 1915, a petition was presented to His Excellency the Governor in Council requesting clemency and praying for a reduction of the said Alice May Parkinson's sentence, which petition was signed by nearly seventy thousand electors of this Dominion :
- (9.) That on the 7th day of October, 1915, a petition was presented to Mr. Speaker and the House of Representatives similarly praying for clemency and praying for a reduction of the said Alice May Parkinson's sentence.

Your petitioners therefore renew their request for clemency, and pray that the sentence imposed on her may be reduced, and your petitioners will every pray.

CLARA E. RAE
(And 39 others).

REPORT.

No. 220.—Petition of CLARA E. RAE and Others, of Wellington, praying for clemency and for a reduction of the sentence passed on one Alice May Parkinson.

I AM directed to report that the Committee has no recommendation to make; and that the report by the Chief Justice on the case of the said Alice May Parkinson be attached to this report and the whole be printed.

28th July, 1916.

H. ORRY, Chairman.

REPORT OF CHIEF JUSTICE.

THE prisoner was indicted for the murder of one Albert West, a youth of twenty-one years. She pleaded not guilty, but during the progress of the trial suggestions were made that she acted in self-defence, that she acted under provocation, and there was a slight hint that she may have been mentally deranged. The jury, quite properly in my opinion, negatived the plea of her having acted in self-defence, and they also negatived that any provocation she received excused her killing of the deceased, and there was no evidence of want of knowledge of what she did and that what she did was wrong. They found her guilty of manslaughter, and recommended her to mercy on the ground of provocation. I could not in passing sentence accept the recommendation of the jury, because (1) the killing was deliberate, having been previously threatened, and it was planned; (2) there was, in fact, no provocation; (3) if the jury had acted according to the strict law and the evidence they ought to have found her guilty of murder.

(1.) That the killing was deliberately planned appears from her letters. She stated in her letters to his mother, who she said had interfered to prevent the deceased marrying her, "You will be sorry, because he will never marry anybody else. I will shoot him down like a dog—I will have my revenge." In another letter she also stated that she would kill the deceased, and when she was examined in the Court she stated that she had determined if he did not marry her to kill him the next day—that is, the day after the murder was actually committed. In one paragraph of a letter to him she said, "I will hunt till I find you, and by God you will know it. I have threatened you too many times. One of these days I will do what I say: you do not deserve to live, you rotter." In another letter to the deceased she said, "Don't think you will do me in, Bert, because sooner than I would let you off I would shoot you down like a dog—I will have my revenge." This is, therefore, not the case of a person who, going on some statement made to her or because of some discovery she had made, suddenly and on the impulse of the moment kills the person. She had gone to a shop in Hastings, had purchased a revolver and cartridges, and before going out to see West the accused fully loaded her revolver and carried it with her. The murder was therefore planned and premeditated.

(2.) There was no provocation unless it could be said that refusing to marry the prisoner was provocation. The history of the case, so far as it was disclosed in the case before the Court, may be briefly stated. The prisoner was a maid servant at the Masonic Hotel, and afterwards she was a servant at the Clarendon Hotel, and then at the Albion Hotel. So far as the performance of her duties in these hotels were concerned no fault was ever found with her, and the hotelkeepers considered she was of good character. If they had thought otherwise they would not, of course, have kept her in their employment. She was brought up in the inland of Hawke's Bay, at Tikokino, and attended the Sunday school there. She must have kept bad company in Napier, for the words she uses in her letters show acquaintance with slang and the seamy side of our social life. Examples may be given. In a letter to the mother of the deceased, dated 26th January, 1915, she said, speaking of the sisters of the deceased, "You have daughters of your own, and they are supposed to be the hottest in town." She refers to a woman in Napier