

8 more days to complete his sentence when he broke out. I wish to ask the court to consider the circumstances under which this was done - the accused had been drinking cognac previous to the afternoon & when he was locked up & given the opportunity of escaping he was unable to force the prisoners of his offence. The accused is at present aware that drunkenness is no excuse for crime but at the time his mind was incapable of functioning properly. -- this is only too well brought out by the fact that no person under normal circumstances would do so with only 8 day of sentence left to do.

I would ask the court to take this into consideration in determining the sentence & with special reference to sections 47 & 48 of Chap III of Prob. R. where it states such circumstances should lessen the punishment.