

Dependent
On mitigation of sentence I would
like to present to the court a few facts
surrounding the accused's case. When he
joined the Army his wife threatened to
leave him however he ^{believed} thought she was
jesting and never thought anything more
of it. Then he left for overseas and
the next thing he heard of his wife
was that she had sold out his home
and had gone to live with a strange man.
He wrote her several times but she
never answered except once and when
he had asked her to send him some
cigarettes - She replied asking him
if he thought she was crazy by asking
for cigarettes. Then the accused met
and fell in love with an English girl.
As he wished to marry her he decided
to get a divorce. Now the accused is of
Prussian extraction and neither understands
nor speaks English ^{very} well - at no time
did he discuss his troubles with
any of his officers but went to see a
priest who investigated the case.
He informed the accused that by mutual
consent - he could obtain his divorce.
His wife agreed to this and the
accused has been waiting for his divorce.
There is no doubt but what if he
had been properly advised he could
have obtained his divorce. All this
has occurred over a period of 3 years
and in the meantime his assignment
continued to his wife.