

The accused has for some time been under a certain mental strain, the circumstances of which have led to his illegal absence.

He had been very desirous of proceeding abroad on a C.M.F. draft with the rest of his army associates but through circumstances was left off the draft when it eventually did leave. After this he was moved about from place to place and one unit to another. He was finally put on a C.M.F. draft only to be taken off at the last minute. This occurred at still a later date this year. Having been turned back so many times gave him a fed-up attitude.

During the past year or so he has been associating with a young lady whom he had and still has intentions of marrying. As this lady was going to bare his child he applied for permission to marry her. This was around the first of December 1943. His commanding officer refused permission on the grounds that his public debt was too high to warrant such action. However it is to be borne in mind that his unit had a had given consent to the marriage. She had also assured him that he would be granted permission to marry before he proceeded on a C.M.F. draft should such an occasion arise.

Just before Christmas 1943 he again applied for permission to marry but was again refused on the same grounds. At this time however, his debt was insignificant.

On the 12 December 1944 the young lady gave birth to his child. This child is at present living with his unit and is being supported by its mother who earns \$2.00 per week and also by the accused who sends his entire earnings.

This leads up to a recent date when the accused received a letter from the young lady urging him to come as his child was very ill. He then applied for a pass and received one.

Due to this constant worry hanging over him and his very evident concern for the well being of his child the accused allegedly absented himself because he thought he could be of service to his family. He was apparently returning to his unit when he was apprehended.