

have been as early as twenty minutes after 12 that I got to the factory, because I had reckoned my time down from leaving home and the number of stops, and I said it must have been between 12:20 and 12:25.

HARRY DENHAM, Sworn for the Defendant.

I work on the fourth floor of the pencil factory. I was paid off Friday, April 25, I came back Saturday to do some work. Mr. Darley asked me to come back. I had to work on the machinery when it was not running. That was the only time I could do it. I got there about 7:30. Mr. Holloway was there when I got there. Between 12 and 1 o'clock I was working on the varnish machine. We were hammering. We worked until ten minutes after 3. We began to take an old partition out and put in a new one about 12 o'clock. It took a good deal of hammering. We were making a racket up there. May Barrett was the first person to come upstairs that day. She came about quarter past eleven. Stayed about three quarters of an hour. It was after 12 when she left. Mrs. Freeman and Miss Hall were the next to come upstairs and stayed about 15 minutes. They got a coat and went down. Mrs. White came upstairs about 12:30 to see her husband. She had a good long talk with him. She was still upstairs when Mr. Frank came up. He told Mr. and Mrs. White that he was going to dinner and would like to close the doors. He stayed up there just long enough to tell us that and then went downstairs. Mrs. White went right down behind Mr. Frank. I never heard the elevator run that day. I was up on the fourth floor all day. I can see the wheels turning on that floor. There were no noises in the factory that day, excepting street noises. When the elevator stops, it makes no noise. It shakes the floor a little when it stops. You can't hear anything except shaking the building when it starts. You can hear the elevator better when the machinery is not running. If the wheels had been running that day I could have seen them from where I was. When