

gas' department, foreman on the third floor, 85 cents for the payment of a very small bill to King Hardware Company, \$11.50 to a tinsmith for a small job he had done, 5 cents for thread, and ten cents for carfare one item. Then this young man, Harold Wright, of whom I spoke, omitted from the payroll. I added this up, and that was \$39.31, and transferred it from here (Defendant's Exhibit 41) to there (Defendant's Exhibit 40). I then made the balance in the usual way, checking it against the money on hand, that I had in the cash box that night, and after checking and re-checking it, and finding no money missing from any source that we could trace, found that it was \$4.34 short of the cash box, which was due to shortage in payroll in the past three months.

4:35 P. M.

I finished this work that I have just outlined at about five minutes to six, and I proceeded to take out the clock strips from the clock which were used that day and replace them. I won't show you these slips, but the slips that I put in that night were stamped with a blue ink, with a rubber dating stamp, "April 28th (Defendant's Exhibit 1); at the bottom, opposite the word "date." Now, in reference to these time slips and the reason that the date April 28th was put on these slips, which was put in the clocks that night, Saturday night,—no one was coming down to the factory on Sunday, as far as I knew, or as far as custom was, to put the slips into the clocks, and, therefore, we had to put the slips into the clock dated with the date on which the help were coming into the factory to go about their regular duties and register on the Monday following, which, in this case was April 28th. Now on one of these slips, Newt Lee would register his punches Saturday night, and on Sunday night he would register his punches on the other. His punches on Monday night would be registered on two new slips that would be put into clock on Monday night. As I was putting these time slips into the clock, as mentioned, I saw Newt Lee coming up the stairs, and looking at the clocks, it was as near as may be six o'clock,—looking straight at the clock—; I finished putting the slip in and went back to wash up, and as I was washing, I heard Newt Lee ring the bell on the clock when he registered his first punch for the night, and he went down stairs to the front door to await my departure. After washing, I went down stairs,—I put on my hat and coat—got my hat and top coat and went down stairs to the front door. As I opened the front door, I saw outside on the street, on the street side of the door, Newt Lee in conversation with Mr. J. M. Gantt, a man that I had let go from the office two weeks previous. They seemed to be in discussion, and Newt Lee told me that Mr. Gantt wanted to go back up into the factory, and he had refused him admission, because his instructions were for no one to go back into the factory after he went out, unless he got contrary instructions from Mr. Darley or myself. I spoke to Mr. Gantt, and asked him what he wanted, he said he had a couple of pairs of shoes, black