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Conley testified that on the morning of April 26th, he went down into the basement to relieve his bowels and utilized the elevator shaft for the purpose.

On the morning of April 27th at 3 o'clock, when the detectives came down into the basement by way of the ladder, they inspected the premises, including the shaft, and they found there human excrement in natural condition.

Subsequently, when they used the elevator, which everybody, including Conley, who had run the elevator for one and one-half years, admits only stops by hitting the ground in the basement, the elevator struck the excrement and mashed it, thus demonstrating that the elevator had not been used since Conley had been there. Solicitor-General Dorsey, Mr. Howard, and myself visited the pencil factory and went down this elevator, and we found it hit the bottom. I went again with my secretary with the same result.

Frank is delicate in physique, while Conley is strong and powerful. Conley's place for watching, as described by himself, was in the gloom a few feet from the hatchway, leading by way of ladder to the basement. Also, he was in a few feet of the elevator shaft on the first floor. Conley's action in the