repair the driving belt of the machine generally used for day power; and that generator being out of commission, the shaft projecting into the space through which the fly-wheel was being moved had been linked up with one of the turbines, and was rotating at a speed of 160 revolutions a minute. The shaft which had a diameter of nearly five inches, projected 23 inches beyond a pulley from which a belt led to a generator up-stairs. This projecting end was three feet six inches above the uneven floor of the power house and had cut into it a key-seat a foot or more in length one and a quarter inches in width and three-sixteenths of an inch in depth. The shaft had been installed sixteen or seventeen years, and had when placed in position the key-seat cut into it—no doubt as a means of coupling on an additional length of shafting or attaching another pulley. The angles formed by the key-seat with the periphery of the shaft and were sharp—"auger-like" as one witness described them—and the edges of the key-seat and the end of the shaft itself slightly indented from contact with the tools of the workmen or with other hard bodies.

I credit the testimony of the witnesses who deposed that the passage was dangerous when the shaft was in motion. It is beyond question that the place was extremely dangerous when men were moving through it a wheel of over four tons in weight, requiring on their part very hard labour continued through a period of about an hour. The men were using pinch-bars about five feet in length, and to obtain proper leverage had to lean on the bars in a stooping position at some distance from the fly-wheel. Hicks' position was near the projecting end of the revolving shaft. Henderson, the superintendent, was on the same side of the fly-wheel and Jaecle near the door leading into the engine room. All three by prying and blocking had succeeded in working the fly-wheel up the inclined plane, and in giving it a quarter turn on the platform near the engine room door. Henderson then said "that's all right boys," and rose from the stooping position which he like the others had occupied. Hicks also rose and in straightening himself up stepped, according to Henderson, back towards the projecting shaft, which engaging the jacket of his overalls "made a rope of it" as put by Fraser—the joint superintendent with Henderson—and caused injuries of which the man died a few hours later.