

LIBERTY **MUTUAL**
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PARK SQUARE BUILDING
BOSTON, MASS.

June 13, 1930

#1-182072

Dr. Robert A. Kehoe,
The Eichberg Laboratory of Physiology,
University of Cincinnati,
Eden Avenue,
Cincinnati, Ohio.

My dear Dr. Kehoe:

RE: [REDACTED] dec'd vs. Jenney Mfg. Co.

You will be interested to know that a further hearing was held on the above case yesterday and counsel for the claimant produced Dr. Howard W. Haggard, a Professor of Applied Physiology at Yale University, whom you undoubtedly recall. Dr. Haggard made it clear at the very outset that he held a view, on the question of whether exposure to ethyl gasoline was injurious to health, diametrically opposite to the conclusion reached by the members of the committee appointed by the Surgeon General to make a study of this situation. Dr. Haggard's testimony could be perhaps summed up by stating he believed in spite of your tests and your study of human beings that the mere fact that you did not find lead did not necessarily mean lead was not present as a result of exposure to ethyl gasoline. He further disagreed with your statement which appeared in Public Health Bulletin 158, pages 73 and 74, in which you related your experiments in a community of Columbus, Ohio that had been free from exposure to ethyl gasoline and lead was found. A hypothetical question containing a description of Mr. [REDACTED] work and his symptoms at the time of his death was submitted by counsel for the claimant to Dr. Haggard and this witness stated it was his opinion there had been sufficient exposure to ethyl gasoline to bring about lead poisoning which in turn hastened the course of leukemia to a fatal end sooner than otherwise.

Dr. Timothy Leary, Medical Examiner of Suffolk County, whom you met in Boston when you were last here, was present during Dr. Haggard's testimony and assisted me in forming questions in cross examination. The answers throughout Dr. Haggard's entire testimony clearly indicated he appeared with a pre-conceived notion and closed mind on the effects of ethyl gasoline and neither your extensive studies nor the reports of the Committee referred to above made any impression on him. Personally I feel from his testimony that his conclusions were based more on apprehensions of what might happen rather than rendering an opinion based upon actual demonstrative facts gathered together by men who have made a personal study of this situation.

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#2. RE: [REDACTED], dec'd vs. Jenney Mfg. Company - #1-182072 6-13-30

The rest of the hearing was taken up with lay-witnesses, fellow-employees of [REDACTED], and a Dr. Carmody (female) who is in general practice. Dr. Carmody gave a rather weak opinion that the leukemia was the result of the deceased employee's condition which she treated several times before he entered the hospital.

The case will be set down again for a further hearing at which time Dr. Leary will be called by us to reiterate your opinion and to elucidate further on the testimony of Dr. Haggard.

At this time the thought occurs to me, in view of your deep interest in this case and the unquestioned effect it would have on the public mind, that the Ethyl Gasoline Corporation of New York might want you present at the next hearing. There is a possibility this continued hearing will be set down some time during the last week in June and if you will indicate to me whether you are planning to be present I will be very glad to get word to you as soon as I have received definite information that another hearing has been scheduled.

Very truly yours,



Attorney.

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