

CHRISTIE BENET
WILLIAM M. SHAND
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W. C. BOYD, JR.
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1207 NATIONAL LOAN & EXCHANGE BANK BUILDING
COLUMBIA, SOUTH CAROLINA

PHONE 22115
P. O. BOX 188

Dec. 11, 1937.

Dr. Robert A. Kehoe,
College of Medicine,
Eden & Bethesda Ave.,
Cincinnati, Ohio.

Dear Dr. Kehoe:

FILE: [REDACTED] Standard Oil Company.

The attached copy of letter to Dr. Lynch will explain itself. I will write you more in detail later, but I am hurrying this off before I leave for New Orleans where I will be for several days next week on business.

You will be interested in knowing that the Judge charged the Jury that there was no evidence that any of the Esso dispensed at the Rowe station during the times mentioned in the trial that had a greater concentration of tetraethyl lead than 3CC.

With regards and thanks for your assistance, I am

Hurriedly, but sincerely,

Christie Benet

CB-p.
(Encl).

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Dec. 11, 1937.

Dr. Kenneth M. Lynch,
South Carolina Medical College,
Charleston, S. C.

Dear Dr. Lynch:

FILE: [REDACTED] vs. Standard Oil Co.

You have probably seen in the papers where the jury in the [REDACTED] case brought in a verdict for \$60,000.00 against the Standard Oil Company and let Rowe, the co-defendant, out. This raises a very interesting legal situation which we think will help us on appeal.

There is not a great deal to add to what you already know, except that during the argument by plaintiff's counsel, particularly Mr. Edens, he made statements outside of the record and highly prejudicial to the defendant Standard Oil Company and for the obvious purpose of prejudicing the jury. When we repeatedly objected the Judge's comments were such as to rather discredit our objections. Hence, after getting our position clearly in the record on several items, we said nothing further; but at the close of all the argument - the jury having been sent out - made a motion that the Judge declare a mistrial inasmuch as he had failed to give us a fair trial and properly protect the defendant against unjust and improper statements made by counsel. This was promptly over-ruled and we then gave general notice of motion for new trial, which was marked "heard", but will be argued later.

We naturally are disappointed, but feel that we have an excellent record and are confident we can reverse the case in the Supreme Court. Will keep you advised as matters develop, and greatly appreciate your help and co-operation.

With regards, I am

Yours sincerely,

CB-p.

CC to:

Dr. Robt. A. Kehoe,
Cincinnati, Ohio.