

May 5, 1939

Mr. David S. Atkinson
Abrahams, Bouhan, Atkinson and Lawrence
Fourth Floor Commercial Building
Savannah, Georgia

Dear Mr. Atkinson:-

In reply to your letter of April 25th, I want you to know first of all that I shall be in position to testify as to our analytical data on samples of the urine and blood of the plaintiff from my own direct knowledge. The work carried out in this laboratory is under my general direction, and the work carried out in relation to the problem of lead poisoning is under my direction and daily guidance. Therefore I know on my own knowledge the manner of carrying out these analyses and the results obtained. It will not be necessary to have depositions from any other persons in the laboratory, therefore.

With further reference to your question as to the significance of the analytical results, it must be pointed out that a lapse of a year or more is a serious factor in the interpretation of the analytical results. There are several points at issue which I can explain better in conversation with you than by means of correspondence. Suffice it to say, however, at this time that if the patient were suffering from active symptoms attributable to lead poisoning at the time of Dr. Train's examination, then the negative results of the analyses would tend definitely to show that some agent was active in the production of intoxication. If, therefore, lead could be excluded at this time, it would be reasonable to assume that some other factor was at work. In any case it would appear to be rather difficult to prove the occurrence of lead poisoning in this man in the absence of any positive evidence that he had absorbed lead. For this reason the presentation of negative evidence, even though it had to be qualified in some measure, would still not be without pertinence in the case. An additional factor of consequence in this case is that in severe cases of poisoning the blood and urine show quantities of lead slightly in excess of the normal values for a long time after the cessation of exposure, and often for a year or more. In this case the fact that the results were not even slightly above the normal level would tend to indicate

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that this man had not had any serious lead exposure at any time within a period of twelve to eighteen months of the time of the analyses.

I believe, however, that all of these questions can be discussed at the time of the trial, and the advisability or inadvisability of the presentation of these data can be determined at that time. In any case I shall be in position to present any and all of the data which is available in our laboratory as matters of my own knowledge.

Very truly yours,

RAK:is

Robert A. Kehoe, M.D.

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