

July 1st, 1935

Dr. Graham Edgar
Ethyl Gasoline Corporation
Chrysler Building
New York City
New York

Dear Dr. Edgar:

I returned Friday from Columbia, South Carolina, where I was engaged for practically a week in the [REDACTED] case. The evidence submitted to show the character of Hubbard's injury was too weak and flimsy to deserve more than a very brief comment. The entire claim was based on a single accidental spillage of Ethyl gasoline (SO) in the eye. The boy had a straight-forward history of infectious choroiditis following an attack of rheumatic fever, and a flare-up following within a few days of a foot ball injury which caused profuse hemorrhage and which finally necessitated the internal carotid artery in order to save his life. A certain amount of so called expert testimony was presented to show that the accident referred to might have produced injury to the eye. This evidence was presented by two men from the University of South Carolina whose ignorance of the entire subject was so abysmal as to be evident even to the casual listener.

After going over the customary long drawn out trial in which the most valuable evidence was supplied by local doctors but to which I contributed in some measure, the jury was out some six hours. I am told by the attorney for the defense that at least five members of the jury insisted upon bringing in a verdict of no liability whatever, but failing to arrive at an agreement, the case resulted in a mis-trial. I doubt if it will appear in court again, and it would seem advisable to me to settle the case for some small sum which would keep it out of further litigation. I should say that the bargain value of the case is now at a pretty low level. I believe this should rather effectively forestall the zeal of the attorneys who trumped up this case. I doubt if they will proceed very enthusiastically with the other somewhat similar cases in that part of the country.

KE 0015487

Dr. Graham Edgar

It seems wise to me to keep the file on the case in this office along with our other similar records. However, if you wish your file returned, or if you wish to have any portion of it extracted, please let me know.

Very truly yours,

RAK:is

Robert A. Kehoe, M.D.

KE 0015488