

~~Referred to Dr. Sayers~~

723 EAST MILWAUKEE AVENUE

April 12, 1935

[REDACTED]

I am sending herewith copy of a letter which I have just written to Art Mittnacht, which I believe is self-explanatory. Mr. Traphagen will doubtless call on you sometime soon.

Cordially yours

Earl Bartholomew

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Copy for Dr. Sawyer

April 12, 1935

Mr. A. E. Mittnacht

Dear Art:

A Mr. Traphagen, attorney for the indemnity company which carries the parts liability insurance for the Packard Motor Car Company, was just in my office to get some information on ETHYL Gasoline for use in the defense of a suit instituted against the Packard Company by a [REDACTED] of Chicago.

In 1932 the plaintiff purchased a used car from the Chicago Branch of the Packard Company under the usual thirty-day warranty but made no payments and at the end of ninety days the car was repossessed. On the twenty-ninth day after the purchase of the car he claims to have smelled ETHYL Gasoline, which incidentally he claims to have used at the insistence of the Packard people, and was stricken by lead poisoning from which he has not recovered. No claim is made that any specific part of the gasoline system was leaking but that something allowed the escape of sufficient gasoline to be detected and produce lead poisoning.

The plaintiff is an embalmer in Chicago who has apparently handled large quantities of arsenic and it is believed by the insurance company that his present condition, which is quite serious and has the symptoms of lead poisoning, may have been caused by arsenic. The hospital to which he was confined during the most violent stages of the attack diagnosed the ailment as lead polyneuritis. The man had hallucinations and was generally unbalanced and at the present time is partially paralyzed. According to the hospital records the faeces showed no trace of lead.

Mr. Traphagen has reviewed the literature on lead poisoning quite carefully, including the Government report. He feels that he has a difficult case because the defense is practically certain to attack the lead analyses of the hospital in the light of existing information and set up the claim that the faeces might actually have contained very large amounts.

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Mr. A. E. Mittnacht
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The plaintiff's lawyer is associated with Mr. Traphagen as counsel for other insurance companies. His father was a lawyer and he has studied medicine during his spare time. Being naturally quite clever, Mr. Traphagen believes he will be a formidable adversary.

I gave Mr. Traphagen the information he desired on the nature and amount of lead compounds added to the gasoline and passing out through the exhaust and recommended that he discuss the medical phases of the case with Dr. Kehoe, which he agreed to do in the near future.

I am merely passing this information along for your information since a favorable decision for the plaintiff in this case might start a whole series of similar cases.

Mr. Traphagen's address is 1608 Waverly Avenue, Toledo, Ohio.

Very truly yours

Earl Bartholomew

EB:ed

CC: Dr. Robert A. Kehoe ✓

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