

Bennettsville, South Carolina

as submitted in evidence in a suit against a Mr. E. W. Rowe and the Standard Oil Company of New Jersey.

Some time in the summer of 1929 the claimant as a result of an accident spilled a small amount of Esso (which contained almost 2 ccs of tetraethyl lead per gallon) over one side of his face and, as he now claims, in his right eye. He had no apparent reaction at the time. Discovering some visual disturbance at a later date, he consulted an eye specialist in 1931. The record of the examination of this doctor, a competent eye specialist at Florence, shows that he had a choroiditis of a chronic type. This doctor's history shows that some years before the patient had rheumatic fever and a chronic tonsillitis. On the basis of the history and the findings, despite the necessity of taking into account the history of accident, this ophthalmologist makes a diagnosis of an infectious choroiditis associated with chronic tonsillitis and rheumatic fever. He concluded that the accident as described had no relation to the condition of the eye.

Some time afterward the boy was injured in a foot ball accident sustaining a fracture apparently with profuse hemorrhage, which could only be relieved by tying off the internal carotid artery after almost exsanguination. Within a week or eight days of this ligation of the artery an iritis developed as a result of which the vision in the eye was found after recovery to be 20/200. There was light sensitivity, however, and the doctor did not believe that any appreciable optic atrophy was present.

This represents the entire clinical story of the case as substantiated by a number of physicians who saw him at various times.

The suit was brought up some three years after the accident alleging the loss of vision in the one eye and the diminution of vision in the other as a consequence of the accident. The facts disclosed in the course of the trial, which began on June 21st, 1935) corresponded to the description given above. The case resulted in a mis-trial as a result of the disagreement of the jury. The information is to the effect that a number of the jurors held out for no damage or liability on the part of the defendant.

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