

January 27, 1931

Mr. J. C. Taylor,
Ethyl Gasoline Corp.,
Chrysler Bldg.,
New York, N. Y.

Dear Mr. Taylor:

I have Mr. Walter's letter of January 2 enclosing clipping concerning the disposition of the [redacted] case at Jamestown, New York, by Referee Blatchly. I am interested in the outcome of this case, but it is quite certain I think that nothing is to be done. I have known about the case for some time, and as a matter of fact I appeared as expert witness in the case some time last summer. The injury was clearly a case of tuberculous iritis, the only question being whether a dormant tuberculous condition was aroused by the irritation caused from the spillage of gasoline in the eye. I discussed the case with the attorneys, and I testified at the hearing that in my opinion there was no good reason for associating the tuberculous process with the injury. However, at that time I felt that the referee was fairly well convinced in his own mind that there was some doubt on this point, and I am not at all surprised that the claimant has been given the benefit of the doubt. The young man in the case, whom I examined, showed every indication of pulmonary tuberculosis, and with the specialist's examination of the eye there was, I believe, no question of the diagnosis. This is simply one of those cases in which the question of the contributory influence of an external injury has arisen. The question is almost always impossible to answer with absolute certainty, so that it becomes an expression of opinion on the part of several men who may have opposing ideas. I have read all the testimony in the case, and there was one eye specialist who felt that there was some reason for believing that the irritation of the gasoline in the eye had predisposed to the tuberculous involvement. It is quite plain that in these cases with differences of opinion the referee must use his own judgment, a judgment which is often colored by his sympathies for the claimant and to some degree, of course, also by the political factor.

So far as I was able to ascertain, the question of whether the injury was in any way due to the ETHYL fluid content in the gasoline was never taken very seriously. The only question was whether gasoline of any type would be likely to start such an injury.

I should regard the matter as a finished case.

Very truly yours,

RAK:EJ

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