

ANACONDA LEAD PRODUCTS COMPANY



EAST CHICAGO, INDIANA

February 14th, 1936

Mr. Frederick Laist, Vice-President,
Anaconda Lead Products Company,
Room 1720 - 25 Broadway,
New York, N. Y.

Dear Mr. Laist:-

For the past week I have intended to write you concerning a former employee, Lawrence Nelson. He had been employed intermittently in our plant from June 2nd, 1927 to May 3rd, 1935, at which time he was discharged for exceptional carelessness on the anode washing operation at the White Lead Plant. His entire record of employment indicates an inefficient workman. After he was discharged he obtained employment as a laborer with Hcess Brothers Machine Shop in Hammond, and in August 1935 suffered a paralytic stroke and has since been under a physicians care. Incidentally, he was one of the eleven men who picketed the plant early in July, and as far as we could determine he was led into this position due to his wife's relationship with the wives of two other pickets.

At the time of his paralytic stroke he asked Dr. D. R. Johns, our plant physician, to take care of him, presumably as his personal physician. Dr. Johns was familiar with his record of employment with us, and also advised us that the family was in distress and had no funds to give adequate medical attention. Under these circumstances we made arrangements with Dr. Johns to take care of Nelson without revealing to him that the International Smelting and Refining Company would, if necessary, reimburse Dr. Johns for his services. As far as we know, Nelson is still of the opinion that Dr. Johns, during the time he was under his treatment, was acting as his personal physician. At Dr. Johns' request we have made no payment to date for his care of Nelson, though the fee will be modest since there is not a great deal a physician can do under these circumstances.

Nelson remained in St. Catherine's Hospital under treatment for a considerable period of time, and tests made at the hospital reveal that his ailment is primarily due to syphilis. This is typical of the complications which we are continually facing on lead absorption. His record of lead absorption while in our employment is a typical average picture of occasional exposure, treatment, and with the exception of short periods off duty, working practically all of the time.

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FREDERICK LAIST'S FILE

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ANACONDA LEAD PRODUCTS COMPANY



EAST CHICAGO, INDIANA

February 14th, 1936

Sheet #2 - Mr. Frederick Laist, Vice-President.

During January of this year Dr. Johns advised us that apparently Nelson had obtained another physician. This action on the part of Nelson was not surprising to us. We were advised by Dr. Johns within a week or two after Nelson's first illness that in his opinion the company would ultimately be sued on the grounds of lead absorption. Since that time we have heard frequent rumors of similar intent. These rumors were confirmed by an action filed by Todd and Slaughter, Attorneys, of Hammond, Indiana, in the Lake Superior Court, against the International Smelting and Refining Company on behalf of Lawrence Nelson, plaintiff, in which the essence of the complaint is as follows: "That by reason of said lead poisoning, plaintiff suffered cerebral-hemorrhage and became paralyzed on the left side, and has been permanently injured, and will never be able to work again at a gainful occupation, and all on account of defendant company's carelessness and negligence as aforesaid, and was not caused by any negligence or negligent acts of plaintiff. That then and there and thereby plaintiff has been damaged in the sum of Fifty Thousand Dollars."

In the original development of this case we advised Mr. Henry Gardiner of our Chicago office and he has in turn advised Mr. D. M. Kelley of the situation involved and the suit as filed. Mr. Gardiner advised me yesterday that Mr. D. M. Kelley expects to be in Chicago within the next few weeks, and will probably go over with us the conditions involved in this suit. While the suit as filed may appear formidable, our experience in similar cases in the past indicate that situations of this kind are primarily a matter of obtaining a reasonable settlement with an employee. Since the primary cause of his difficulty is due to factors not involved in his employment, a fair recognition of the lead hazard involved generally adjusts the matter satisfactorily. Whether this outcome will be possible in this case of course no one can predict.

Nelson, under Dr. John's treatment, has recovered sufficiently to be able to walk around reasonably well, he has a slight limp in the left leg, his arm movement is fair, his fingers have not fully recovered their normal strength; i.e., the improvement under treatment has been reasonably satisfactory.

As far as we can determine, the case now is in the hands of the Legal Department for whatever action and position they may wish to adopt.

Very truly yours,

GEJ/s

Manager.

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