

From the desk of
DR. ROBERT A. KEHOE

Copy the portions of the
file attached hereto
The two letters
on the bottom need not be
copied

KE 0011953

JOHN K. TRAIN, M. D.

1107 BULL STREET

SAVANNAH, GA.. July 1st, 1937.

Dr. Robert A. Kehoe,
College of Medicine,
Cincinnati, Ohio.

Dear Doctor Kehoe:

I am returning today holders containing specimens
of blood and urine of Mr. [REDACTED], as per our recent
correspondence.

Thanking you very much for the interest you have
taken in this case, I am,

Yours very truly,

John K. Train

KE 0011954

JOHN K. TRAIN, M. D.

1107 BULL STREET

SAVANNAH, GA. June 23rd, 1937.

Dr. Robert A. Kehoe,
University of Cincinnati,
Laboratory of Applied Physiology,
Cincinnati, Ohio.

My dear Dr. Kehoe:

Your very kind letter of June 19th was read with a great deal of interest, and I must say rather coincided with my train of thought, as it was almost impossible for me to conceive of lead poisoning under circumstances as told by the patient, but I have only seen the man on one occasion and then not for examination, but just for a conversation.

I feel that it has been so long that the urine and blood would show nothing at this time, but the man is so anxious to feel that something is being done for him that I believe at least the psychological effect would be good. I would, therefore, be very grateful if you would send me proper containers in which I will get the blood and urine and mail them out to you immediately.

Again thanking you for your interest in the matter,

I am,

Cordially yours,

John K. Train

*Jade: would you please see that
a bottle for a spot sample of urine
and the needle and tube for a blood
sample, together with the instruction
sheet for the collection of the samples
are sent to Dr. Train*

RAK

KE 0011355

DR. J. C. METTS
SAVANNAH, GA.

September 21, 1938

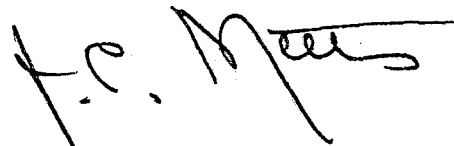
Dr. Robert A. Kehoe
University of Cincinnati
College of Medicine
Cincinnati, Ohio

Dear Dr. Kehoe:

Thank you very much for your kind letter this morning. As a matter of fact, I had only this morning called the attorney who is representing the Oil Company to know when this case would come up. As soon as he notifies me, I will get in touch with you. I am very much afraid that it will be necessary to trouble you to come down inasmuch as we have no one with any particular knowledge of the subject available near here. I will write you more in detail later.

With kindest regards and best wishes, I am

Very sincerely,



JCM/vh

J. C. Metts, M. D.

KE 0011956

September 19, 1938

Dr. J. C. Metts
Savannah,
Georgia

Dear Doctor Metts:-

In reply to your letter of June 16th, I think I should let you know that I have returned to my work and will be available in connection with the case of alleged lead poisoning which you brought to my attention some months ago.

If there are any further developments in this case, I should appreciate knowing about them, and if my services are required I should appreciate your letting me know as far in advance as possible.

Very truly yours,

RAK:is

Robert A. Kehoe, M.D.

KE 0011957

DR. J. C. METTS
SAVANNAH, GA.

June 16, 1938

Dr. Robert A. Kehoe
University of Cincinnati
Cincinnati, Ohio

Re: Lead poisoning

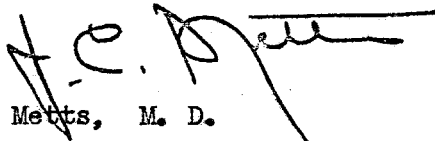
Dear Dr. Kehoe:

Thank you very much for your kind letter of June 10th. I immediately got in touch with the attorneys who are defending this suit. Inasmuch as you are going abroad on June 22d, we felt that it would hardly be worth your time to come down as the plaintiff's attorney stated that this man was in the country and could not be brought in until next week. Mr. Atkinson, who is defending the case, suggested that the case might be postponed until your return if you could give me an idea of approximately when you will return it would help to decide this.

I wish to thank you for the reprints. Am planning to examine this man in consultation with several other physicians and will send you a copy of our findings. We will, of course, be very glad for you to examine him also and will be grateful for any assistance or suggestions which you may see fit to give.

With kindest regards and best wishes, I am

Very sincerely,



J. C. Metts, M. D.

JCM/vh

KE 0011958

June 10, 1938

Mr. J. A. Costello
Ethyl Gasoline Corporation
Rhodes-Haverty Building
Atlanta, Georgia

Dear Mr. Costello:-

Thanks for your letter of June 7th and its enclosures concerning the case of alleged lead poisoning in Savannah. This case has all the earmarks of a rather serious one, in that the type of injury complained of resembles lead poisoning in some respects, and it will be necessary to investigate it as thoroughly as possible. I have, therefore, written to Dr. Metts at some length after receiving a letter from him about the case. I should appreciate it if you would pass on to us, as promptly as possible, any further information which you may receive. Moreover whatever assistance you can give in collecting information without involving the Ethyl - Gasoline Corporation in any way, should be given toward clarifying this case.

Cordially yours,

RAK:is

Robert A. Kehoe, M.D.

cc Mr. Lewis

KE 0011959

ETHYL GASOLINE CORPORATION

ATLANTA OFFICE

RHODES-HAVERTY BUILDING

ATLANTA, GEORGIA June 7, 1938.

INTER-OFFICE
CORRESPONDENCE

Dr. Robt. A. Kehoe,
Cincinnati, Ohio.

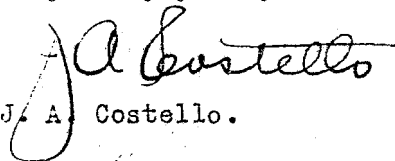
Dear Dr. Kehoe,

I am attaching a letter from our Georgia representative which contains information about an investigation he made of an alleged lead poisoning case in Savannah, Georgia. As is indicated by his letter, we were advised of this by the marketing company supplying the gasoline, and have taken no part in it other than to get whatever pertinent information we could.

There is also attached a copy of the Plaintiff's Petition which was filed in the City Court of Savannah and upon which the suit will be based.

We are passing this along for your information for any disposition which you wish to make of it.

Very truly yours,


J. A. Costello.

JAC/F.L

enclosure.

CC-Mr. Lewis

KE 0011960

TO THE HONORABLE THE CITY COURT OF SAVANNAH:

The petition of [REDACTED] respectfully shows the following facts:

I

The defendants in this cause are D. CLARK ABBOTT and J. MERRELLE MOCK and A. & M. WRECKING AND PARTS COMPANY;

II

D. CLARK ABBOTT and J. MERRELLE MOCK are residents of Chatham County, Georgia; at all times mentioned in this petition; said Abbott and Mock were engaged together as co-partners in business under the name and style of A. and M. WRECKING AND PARTS COMPANY which business was located in said County on the Coastal Highway about one mile north of Savannah;

III

The business in which the defendants were engaged at said location was, among others, the wrecking and salvaging, purchase and sale of motor vehicles and parts thereof; the disassembling, repairing and sale of motor vehicles and parts thereof;

IV

On May 20, 1936, plaintiff was in the employ of defendants at their said place of business as an automobile mechanic, having been so employed by them for about a year prior to said date;

V

Plaintiff's duties as such employee of defendants were, among other things, to disassemble motor vehicles and to clean and repair such parts of said vehicles as were suitable for sale or further use;

VI

Many of the parts so taken by plaintiff from such motor vehicles, and parts which it was plaintiff's duty to clean and repair, were so covered with grease and dirt that it was necessary and was part of plaintiff's duty, to wash them in a liquid or solvent that would soften and remove such grease and dirt;

VII

In washing and cleaning such parts, which was a part of plaintiff's duty as employee of the defendants, and under the instructions and authority of defendants, Abbott and Mock, plaintiff used the materials and equipment furnished him for this purpose by the defendants;

VIII

For washing and cleaning such parts, the liquid or solvent so furnished plaintiff by defendants was gasoline containing lead;

IX

Obedient to the authority and instructions of defendants, in washing and cleaning such parts, plaintiff used the gasoline so furnished him by the defendants;

X

In washing and cleaning said parts of motor vehicles as aforesaid, it was necessary that plaintiff's hands and other parts of his body should be frequently exposed to and wet by the gasoline which was furnished to him by defendants and which he used for this purpose;

XI

On May 20, 1936, plaintiff suffered lead poisoning, which was caused by absorption into plaintiff's system of lead from the gasoline containing lead which was furnished to him by defendants and which, as aforesaid, he used under defendants' instructions to him as their employee;

XII

The absorption of lead into plaintiff's system from said gasoline containing lead was caused by plaintiff's use of said gasoline in performing the work for which he was employed by the defendants, using the gasoline furnished by the defendants in obedience to defendants' instructions;

XIII

The results of said lead poisoning to plaintiff have been, since May 20, 1936, the following:

He suffers paralysis of the wrists which is known as "wrist drop" and paralysis of the ankles which is known as "ankle drop"; the muscles of plaintiff's legs, ankles and feet have wasted and become flacid and weak; he has lost, almost totally, the use and control of his ankles and feet; he can walk only haltingly and with great difficulty; the muscles of plaintiff's arms, wrists and hands have wasted and become flacid and weak; he has lost, almost totally, the use of his wrists and hands; the muscles of his hands and fingers, on the under side or palm side of his hands and fingers, are drawn so that his fingers are held in a claw-like half-closed position; and from said lead poisoning, plaintiff suffers disturbances of his nervous system, impaired digestion, poor nutrition, anaemia and weakness. Said impairments of plaintiff's body and health are incurable and permanent; by them he is totally disabled to engage in any gainful occupation and will remain so disabled the remainder of his life.

XIV

The disabilities, impairments and injuries set forth in the next preceeding paragraph of this petition were caused to plaintiff by lead poisoning contracted by the use by plaintiff of gasoline containing lead, which was furnished to plaintiff by the defendants and was used by plaintiff in obedience to the defendants' instructions, as is set forth by this petition;

XV

Neither of the defendants warned plaintiff that there was lead in the gasoline which they furnished him to use in his said work in their employ, or that such use of such gasoline was accompanied with any danger to plaintiff's health or person.

XVI

Defendants furnished plaintiff no safeguard or protection against the absorption of lead into his system from the use of gasoline containing lead, as aforesaid; nor advised him of the need or wisdom of such safeguard or protection.

XVIII

When the defendants furnished said gasoline to plaintiff for use by him, as aforesaid, the defendants, and each of them, knew or should have known, and by the exercise of ordinary care would have known that such gasoline contained lead;

XVII

When plaintiff used said gasoline as aforesaid, he did not know said gasoline contained lead and did not know that the use of gasoline containing lead was dangerous to the health or body or members of the person so using it. He relied upon the discretion and care of the defendants to furnish him only such materials for use in doing the work assigned to him by them, as could be used with safety. By the exercise of ordinary care, he could not know that the use of the gasoline furnished him by defendants, as aforesaid, was accompanied by the danger of lead poisoning.

XIX

When the defendants furnished said gasoline to plaintiff for use by him, as aforesaid, the defendants and each of them knew, or should have known, and by the exercise of ordinary care would have known, that such use of said gasoline was accompanied by the danger of lead poisoning to the person so using it;

XX

The lead poisoning suffered by plaintiff and the injuries to plaintiff's person and health, hereinabove set forth by this petition, and the resulting loss and damage suffered by plaintiff, as are by this petition hereinafter set forth, were caused by the negligence and lack of care of the defendants and each of them, as follows:

(a) In furnishing to plaintiff, as aforesaid, gasoline containing lead with which to clean automobile parts;

(b) In requiring plaintiff, as aforesaid, to use gasoline containing lead with which to wash automobile parts;

(c) In failing to inform plaintiff that the gasoline furnished to him for washing automobile parts was gasoline containing lead;

(d) In failing to inform plaintiff, or warn him, that the use of gasoline containing lead, for washing automobile parts, was accompanied by danger of lead poisoning;

(e) In failing to inform plaintiff, or warn him, that the use of the gasoline furnished plaintiff, by defendants, for washing automobile parts was accompanied by danger of lead poisoning;

(f) In failing to provide plaintiff with any safeguard or protection against the absorption into his system of lead from the said gasoline containing lead;

(g) In failing to advise plaintiff of the need or wisdom of using some safeguard or protection against the absorption into his system of lead from said gasoline containing lead.

XXI

At the time plaintiff became disabled by lead poisoning, as aforesaid, he was a mechanic and was earning Eighteen Dollars (\$18.00) per week;

XXII

At the time plaintiff became disabled, as aforesaid, he was twenty-nine (29) years old and had a life expectancy of thirty-five (35) years;

XXIII

Plaintiff's ability to work and earn money has been, by said lead poisoning, totally destroyed from May 20, 1936, for the remainder of plaintiff's life; by the said loss of his ability to work and earn money he has been injured and damaged in the sum of Ten Thousand Nine Hundred Forty-four Dollars (\$10,944.00);

XXIV

Because of said lead poisoning, plaintiff has incurred and suffered the loss of the following expenses which were necessary in the treatment of his said malady:

For services of physicians	284.00
For services of trained nurses	227.60
For male attendant	35.00
For hospital service	
For board of trained nurses	58.00
For drugs and medical supplies	43.51
For treatment and expenses at Hot Springs, Ark.	135.11
For Electric vibrator	10.00
For extra domestic servant	35.00
	807.62

For the facts set forth by this petition, plaintiff shows that defendants have damaged him in the sum of Eleven Thousand Three Hundred and Six & 62/100 Dollars (\$11,306.62);

WHEREFORE plaintiff prays that he have judgment against defendants D. Clark Abbott and J. Merrelle Mock and A. and M. Wrecking and Parts Company and each of them for the damages by this petition set forth in the sum of Eleven Thousand Three Hundred and Six & 62/100 Dollars (\$11,306.62).

AND that process issue requiring the defendants: D. Clark Abbott, J. Merrelle Mock and A. and M. Wrecking and Parts Company, and each of them, to be and appear at the next term of this Honorable Court to answer plaintiff's petition.



Plaintiff's Attorney at Law

State of Georgia
County of Chatham
City of Savannah

TO THE SHERIFF OF THE CITY COURT OF SAVANNAH, GREETING:

VS

D. CLARK ABBOTT AND J. MERRILLE MOCK, and A. & M.
WRECKING AND PARTS COMPANY,

The defendant s D. CLARK ABBOTT AND J. MERRILLE MOCK, and A. & M.
WRECKING AND PARTS COMPANY,

are hereby required, personally or by their Attorney, to be and appear at the next
City Court of Savannah, on the first Monday, being the Fourth (4th)
day of July, 1938 next, then and there to answer the Plaintiff on the
merits of the foregoing petition; as in default of such appearance the said Court will proceed as
to justice will appertain.

Alexander R. MacDonell,

WITNESS, the Honorable Judge of said City Court, this 18th day of

in the year

One Thousand Nine Hundred and thirty-eight

CHARLES D. RUSSELL

Plaintiff's Attorney.

Savannah.

Plaintiff, vs. Defendant

There being no issuable defense filed on oath in this case, judgment is rendered by the Court
for the Plaintiff against Defendant for Dollars and
Cents, principal Dollars and
Cents, as interest, and Dollars and
Cents for cost of suit.

In Open Court, this day of 19

Judge City Court of Savannah.

Plaintiff, vs.

Personal service of the petition and process having been made upon Defendant and there being
no denial of any of the material allegations of the petition, and a default having been entered in
said case, upon proof submitted judgment is rendered by the Court for the Plaintiff against the
Defendant for Dollars and Cents, principal
Dollars and Cents, interest
and Dollars and Cents for
cost of suit, and all future interest and cost.

In Open Court, this day of 19

Judge City Court of Savannah.

KE 0011269

..... Plaintiff, vs. Defendant

The jury empanelled to try said case having on the day
of, 19, returned a verdict for Plaintiff for the sum of
..... Dollars and Cents, principal
and Dollars and Cents, interest
Judgment is rendered for the Plaintiff against the Defendant for the sum of
..... Dollars and Cents, principal
and Dollars and Cents, interest
and Dollars and Cents for cost
of suit, and all future interest and costs.

This day of 19

.....
Plaintiff's Attorney.

Judgment, Signed and Filed this day of 19

.....
Clerk, City Court of Savannah.

12

Copy
In the City Court of Savannah
.....
.....
Term, 19 *28*
July
.....
VS.
A. Clark Abbott & J. Merrill
Mark & Co. & M. Winkley &
Panta Company
Filed in Office this
Wed day *May*, 19 *28*
W. H. B. B. B.
Clerk C. C. S.
Chas. M. Russell
Plaintiff's Attorney.
.....
H. C. REELEY & SONS PRINTING CO.

RECEIVED
CITY COURT SAVANNAH

F. C.

KE 0011969

EDMUND H. ABRAHAMS
JOHN J. BOUHAN
DAVID S. ATKINSON
ALEXANDER A. LAWRENCE

CABLE ADDRESS
ABALAW

ABRAHAMS, BOUHAN, ATKINSON & LAWRENCE
ATTORNEYS AND COUNSELORS AT LAW
FOURTH FLOOR COMMERCIAL BUILDING
SAVANNAH, GEORGIA

April 6th, 1939

Dr. Robt. A. Kehoe,
University of Cincinnati,
College of Medicine,
Cincinnati, Ohio.

Dear Doctor:

RE: [REDACTED] V. A. & M.
City Court of Savannah- Suit for damages

We wish to acknowledge receipt of your letter of
April 3rd.

April 10th is so close upon us that it will not be
possible to arrange an assignment on that date.

Since your engagements preclude your presence here
during the remainder of April, we will endeavor to get the case
set for sometime in May, or the first part of June.

If you will let us know when you will be avail-
able, in May and June, we will try to arrange a date that will
be convenient to you.

Will you, therefore, please advise us at what time
during May or June you will be available.

Give us as many dates as you can because we have to
fix a date that will be agreeable to the Court, to counsel, and
to some of the other interested parties.

In your letter of June 10th, 1938, to Dr. Metts,
you state that "Investigations of this laboratory, of the
United States Public Health Service, and of the British Ministry
of Health failed completely to show any evidence of danger from
lead absorption as the result of contact with gasoline containing
the commercial quantities of tetraethyl lead."

We think it would be helpful to the case if we could get
a copy of any reports of the United States Public Health Service
or the British Ministry of Health to this effect, or if we could
take the testimony of someone in either of these Departments,
showing this observation to be the result of experiments and
information received by the departments.

RE 0011970

Dr. Robt. A. Kehoe

4/6/39

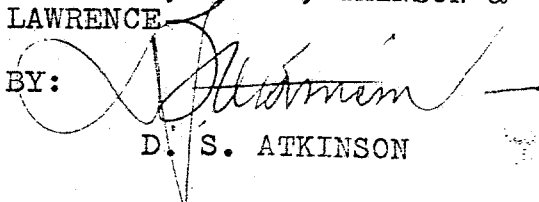
Can you suggest some way that we may get this evidence, either by depositions or interrogatories, or in the form of official reports so as to have it before the Court when the case comes on for trial.

Thanking you for your kind consideration, we are

Yours very truly,

ABRAHAMS, BOUHAN, ATKINSON &
LAWRENCE

BY:


D. S. ATKINSON

DSA:epc

KE 0011971

April 10, 1939

Mr. David S. Atkinson
Abrahams, Bouhan, Atkinson and Lawrence
Fourth Floor Commercial Building
Savannah, Georgia

Dear Mr. Atkinson:-

In reply to your letter of April 6th, I am giving you herewith a list of open dates for your convenience in setting the case. I find I have no fixed appointments for the week beginning Sunday, May 21st and for the following week May 28th. I shall be involved in several engagements during the first week in June, but for the week of June 11th and for the week immediately following that, I have no fixed appointments at this time.

I hope you will be able to set the case during one of the times I have indicated, and I would appreciate it very much if you would communicate the final date to me promptly since it will be difficult for me to keep all of these weeks free of engagements.

During the past two weeks I have been going over some records which have accumulated over a period of months. To my surprise I found that Dr. John K. Train of Savannah wrote to one of my associates on June 8, 1937 reporting in some detail the illness and the occupational history of one Lonnie C. Norton and suggesting that we might be interested in looking into this case in as much as a number of physicians had made a diagnosis of lead poisoning. My associate, Dr. Kitzmiller, brought the matter to my attention after having written to Dr. Train and after having expressed the opinion that the patient was probably suffering from a severe virus infection of the central nervous system, which had produced an acute poliomyelencephalitis. I wrote to Dr. Train, expressing my essential agreement with Dr. Kitzmiller's opinion but offering to make some analyses on the urine and blood of the patient. Samples were received on July 6th, 1937 and were analyzed and reported to Dr. Train on July 9th, 1937. The results were well within the range of normal values and were, in fact, lower than those usually seen in normal persons. This information, I believe, will be

quite useful to you and I shall bring the entire file of correspondence with me when I come.

With respect to the reports of the United States Public Health Service and of the British Ministry of Health, I am sending to you under separate cover one copy each of these bulletins. Both of these are from my own collection of material and although I realize their importance to you, I should be loathe to lose them by having them presented as exhibits in this case. Obviously if it is necessary to put them into the record, you will have to do so, but I trust that this will not be necessary and I shall be glad to get these bulletins back again.

Very truly yours,

RAK:is

Robert A. Kehoe, M.D.

KE 0011973

4-6-39

Telegram

Relet April 3rd CANNOT SET CASE APRIL 10th -
LETTER FOLLOWS.

David S. Atkinson

KE 0011974

EDMUND H. ABRAHAMS
JOHN J. BOUHAN
DAVID S. ATKINSON
ALEXANDER A. LAWRENCE

CABLE ADDRESS
ABALAW

ABRAHAMS, BOUHAN, ATKINSON & LAWRENCE
ATTORNEYS AND COUNSELORS AT LAW
FOURTH FLOOR COMMERCIAL BUILDING
SAVANNAH, GEORGIA

April 1st, 1939

Dr. Robert A. Kehoe,
Associate Professor Physiology,
University of Cincinnati,
Cincinnati, Ohio.

Dear Doctor:

RE: [REDACTED] VS. ABBOTT & MOCK,
[REDACTED] - City Court of Savannah
for alleged lead poisoning from use of
Ethyl gasoline

Dr. Metts of this city advises us that he has
been in correspondence with you in reference to the above
case.

This case will come on for trial at the present
term of Court, sometime during this month, and at the suggestion
of Dr. Metts we are writing you to ask if you can give us some
late information upon the subject of lead poisoning from the
use of ordinary motor vehicle gasoline which has been treated
with tetraethyl and contains lead in quantity varying from
approximately .7 cubic centimeter per gallon to approximately
1.3 cubic centimeter per gallon.

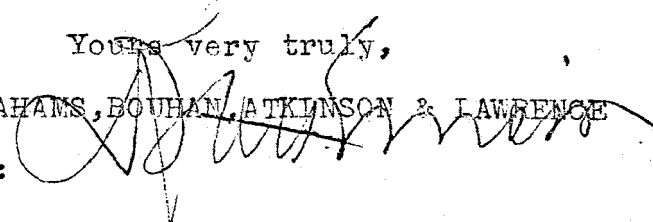
Dr. Metts has also suggested that you may be willing
to come to Savannah and advise with us in the preparation of
the trial of the case.

We can have the case set for trial on almost any
day in April, except Friday, Saturday, or Sunday, and if you
can help us in the case, we would like for you to advise what
day would be suitable to you.

Thanking you for your cooperation, and with
assurances of our high regards, we are

Yours very truly,

ABRAHAMS, BOUHAN, ATKINSON & LAWRENCE

BY: 

DSA:epc

KE 0011975

April 3, 1939

Mr. David S. Atkinson
Abrahams, Bouhan, Atkinson and Lawrence
Fourth Floor Commercial Building
Savannah, Georgia

Dear Sir:-

I have your letter of April 1st concerning the impending trial of the case of [REDACTED] versus Abbott and Mock.

Some time ago I had some correspondence with Dr. Metz of your city and I sent him a number of articles which gave the essential information and the investigation of the potential hazards associated with the handling of gasoline containing tetraethyl lead. There is little or nothing which can be added to the information I gave Dr. Metz except to say that nothing has occurred since my correspondence with him to alter the facts in any way. So far as my knowledge goes, there has never been a case of lead poisoning from the handling of gasoline containing tetraethyl lead, even in the maximal concentrations which are permitted commercially. The accumulated evidence of the years would tend to demonstrate that no such cases of poisoning are likely ever to occur. There is, in fact, no evidence whatever that there is any likelihood of lead absorption among persons who handle such gasoline.

I feel that under the circumstances it would be advisable for me to give my assistance in your preparation for this case, and I shall try to make such arrangements as will permit me to do so. Unfortunately, however, April is a rather busy month and I have a number of engagements which make it difficult for me to be away from home for longer than a few days at a time. In fact, the only free date which I can see as a logical one is on Monday, April 10th. It will be absolutely necessary for me to be in Cincinnati on Thursday the 13th. Therefore, if I am to be of much assistance to you, I think it might be well if you were to arrange the date for the beginning of the case for Monday the 10th, in the hope that it could be completed some time on Wednesday, the 12th. I realize that in making this suggestion, I am anticipating that it will take several days to cover this case. I may be wrong but my previous experience with cases of this type indicates that a con-

siderable amount of time is required in the presentation of the facts, especially if the case has been well prepared by both sides. In this latter connection, it might be well if I let you know that I had been consulted indirectly by opposing attorneys in this case to whom I gave the same kind of general information that I gave to Dr. Metz, although not to quite the same extent. I merely make mention of this in order to indicate that opposed council has apparently made rather extensive attempts to obtain information.

By reason of the fact that I have no engagements after the middle of this week, I could be with you on Saturday, April 8th in order to go over the various aspects of the case, if you consider it advisable.

Please let me know promptly what you will wish me to do since I am having some difficulty in arranging my engagements through the month of April.

Very truly yours,

RAK:is

Robert A. Kehoe, M.D.

KE 0011977