

C O P Y

Paintsville, Kentucky,

December 19, 1938

R. J. Reynolds Tobacco Company

Attention: Mr. P. Frank Hanes

Referring to your letter of December 13th regarding Earnest Wallen of Blue River, Ky., I first went to see Mr. Forrest D. Short, Attorney, Prestonsburg, Ky. He did not seem to know very much about the case, and he asked me to see the claimant. Mr. Waller showed me the tobacco in question, which is a ten cent cut of Day's Work. It had been handled so much that I could not see any place in the tobacco where any foreign body had been imbedded in it. However, he did have a small object about the size of a ten cent piece that looked like the head of a spider or some other insect, which was covered with tobacco licorice, etc.

Burl Spurlock, merchant at West Prestonsburg, said when he cut the tobacco open there was about two forked pieces in it that resembled the legs of some insect, about one inch long each. He also said that the claimant cut a small piece off the corner and within five minutes he was trying to vomit, and was pretending to be very sick, and wanted to be taken to the hospital. Mr. Spurlock took him to Dr. J. G. Archer, Prestonsburg, Ky. This doctor told me he did not recommend sending him to the hospital at that time, but Mr. Waller came back to see him the next evening claiming he was in a critical condition, and Dr. Archer agreed to take him to the hospital. He went to the hospital on December 2nd and left December 6th.

I saw Dr. Vernon, head surgeon at Beaver Valley Hospital, Martin, Ky. He said he was not at the hospital when claimant was admitted for medical attention. He and Dr. Archer said they could not truthfully say it was something in the tobacco that caused claimant's illness. They also said that it could have been this.

The claimant has been working on the W.P.A. for about three years. His salary is thirty cents (30¢) an hour, averaging about thirty two dollars (\$32.00) each month. He is thirty years of age, and lives on a small farm which he rents from Samuel Hale, Blue River, Ky. This is a small place back in the hills of Floyd County about six miles from Prestonsburg, Ky. He is now back at work on the W.P.A. He said this illness has affected his heart, nerves, and stomach, and he does not think he will get over it. However, he looks healthy to me, and both doctors told me they could not see how this illness could affect his health in the future. The claimant wants a settlement of fifteen thousand dollars (\$15,000.00) and disability.

I went back to see Mr. Short, the attorney, and he was very much surprised at the amount claimant was asking for settlement. Mr. Short is the County Attorney of Floyd County, Ky.

Burl Spurlock, West Prestonsburg, Ky., said that the foreign substance was in the tobacco when claimant cut it open.