

therefrom plaintiff filed his claim. The Medical Board made specific findings as to all the issues, particularly, the important one, when in compliance with the statute, it found in effect that plaintiff was injuriously exposed to the hazards of an occupational disease and that such disease was due to the nature of the occupation or process in which plaintiff was employed. It was conceded that plaintiff had been subjected to chrome dust and fumes over a long period of time. It was not disputed that he was permanently disabled. It was generally agreed by most of the medical experts that chrome products will irritate the lungs. The doctors, in varying degrees, stated that plaintiff suffered from chronic ulcerative bronchitis and a pneumonitis. There was evidence—though there was also evidence to the contrary—that the pulmonary disease suffered by plaintiff was due to the nature of the employment and that the hazards of the disease actually exist. There was also evidence that occupational diseases in the chrome industry do exist and that pulmonary dust diseases are characteristic and peculiar to chrome workers, but there was also evidence that it has not been definitely established that the rare and unusual combination of ailments which had disabled the plaintiff was due to exposure to chrome fumes and dust. The court, therefore, felt that it must, in this case, as did the lower court, on the basis that there was some substantial or legally sufficient evidence to support the finding of the Commission that the Medical Board was correct when it found that plaintiff had sustained a compensable occupational disease. Affirmed. Mutual Chemical Company v. Thurston, Maryland Court of Appeals, No. 154, September Term, 1959, March 17, 1960.

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727 Occupational Diseases—Tenosynovitis—Insurer's Liability—Date of Disability.

Suit was brought by an employee against her employer and its two successive insurers for workmen's compensation for disability to each of her wrists and hands arising out of and in the course of her employment. Plaintiff was employed as operator of a sewing machine and developed an occupational disease known as tenosynovitis from the constant strain on the muscles and tendons of her wrists and hands. The first "knots" in the tendons developed in May, 1955, and recurred from time to time until May, 1958, and she was finally discharged on August 4, 1958, because of her permanent disability. The condition which she has is compensable under the occupational diseases statute but the question herein is which two successive insurers is liable to plaintiff. While the disability for which compensation is sought came into existence before May 2, 1958, while St. Paul was insurer, the statutory test for liability is when the employee was "last injuriously exposed to the hazards of the disease" and provides that the employer and its insurer, during the time of such exposure, "shall alone be liable therefore, without right to contribution from any prior employer or insurer". Thus the very purpose of the statute was to fix a clear and definite test for determining which employer and insurer was liable. The proof shows that plaintiff was "last injuriously exposed to the hazards of the disease" during the period from May 2 to August 4, 1958, while Travelers was the insurer. So, by force of the statute, Travelers (the last insurer) is made solely liable to plaintiff. So much of the judgment of the lower court as awarded a recovery to plaintiff against her employer is affirmed, but so much as awarded her a recovery against St. Paul is reversed and judgment is here entered against Travelers. Tennessee Texting Company v. Polter, Tennessee Supreme Court, April 6, 1960.

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728 New Smoke and Air Pollution Control Rules and Regulations Enacted by Allegheny County.

Legislation pertaining to smoke and air pollution control in Allegheny County became effective August 1, 1960. Article 13 which relates to rules and regulations of smoke and air pollution control consists of the following sections: Purpose; Definitions; Air Pollution Control Advisory Committee—Declaration of Policy; Administration and Enforcement; General; Railroad Locomotives, Boats, and Other Vehicles; Power Plants.