

STATE OF SOUTH CAROLINA

COUNTY OF HAMPTON

)
) AFFIDAVIT
)

Personally appeared before me Anne McGinness Kearse who being duly sworn, deposes and says:

1. That I am a paralegal in the law firm of Speights & Runyan, 304 Lee Avenue, Hampton, South Carolina.

2. That I have been employed with this firm since July of 1984.

3. That in June of 1985, I met with Mr. Richard Levine of the Commonwealth of Massachusetts, Division of Occupational Hygiene in West Newton, Massachusetts.

4. That I reviewed and copied files from the Division of Occupational Hygiene and that I stamped the copied documents with a stamp provided to me by Mr. Levine.

5. That Mr. Levine provided me with the attached affidavit to authenticate the documents I copied from his files.

6. That the following documents were among those I copied and stamped from a file labeled "Dewey and Almy Chemical Company, 235 Harvey Street, Cambridge."

- a. Letter from Manfred Bowditch to Anthony J. Lanza, M.D., dated 12/10/37.
- b. Letter from Leroy U. Gardner, M.D. to Manfred Bowditch, dated 12/14/37.
- c. Letter from Manfred Bowditch to Bradley Dewey, dated 2/19/38.
- d. Letter from Bradley Dewey to Manfred Bowditch, dated 2/23/38.
- e. Letter from Manfred Bowditch to Bradley Dewey, dated 3/4/38.
- f. Letter from Manfred Bowditch to Leroy U. Gardner, dated 3/4/38.
- g. Letter from Leroy U. Gardner to Manfred Bowditch, dated 3/22/38.
- h. Letter from Manfred Bowditch to Bradley Dewey, date 3/24/38.

- i. Letter from Bradley Dewey to Manfred Bowditch,
dated 3/28/38.
- j. Letter from Bradley Dewey to Manfred Bowditch,
dated 11/8/39.

7. That copies of the documents listed in number 6 are
attached and are an exact duplicate of my original stamped copies.

Anne McGinness Kearse
ANNE MCGINNESS KEARSE

SWORN TO before me this

25th day of September, 1990

James L. Bates (L.S.)
Notary Public for South Carolina
My Commission Expires: 12-21-97



Leonard D. Pagnotto, C.I.H.
Director

The Commonwealth of Massachusetts

Executive Office of Labor

Department of Labor and Industries

Division of Occupational Hygiene

1001 Watertown Street

West Newton 02165

AFFIDAVIT

June 17, 1985

I, Richard Levine, Assistant Director of the Division of Occupational Hygiene do make this oath that:

The attached documents bearing the stamp:

The Commonwealth of Massachusetts
Division of Occupational Hygiene
1001 Watertown Street
W. Newton, MA 02165

were located in the files of the Division of Occupational Hygiene located at the address noted above.

June 17, 1985

Richard Levine

Notary:

Anne M. Rosenbloom
Notary Public

ANNE M. ROSENBLOOM
NOTARY PUBLIC
My Commission Expires
May 9, 1991

DENTY AND ALDY CHEMICAL COMPANY
235 HARVEY STREET, CAMBRIDGE

858

December 10, 1957

Anthony J. Lanza, M.D.
Assistant Medical Director
Metropolitan Life Insurance Company
1 Madison Avenue
New York, New York

Dear Tony:

Thank you for your note of December 8th. I find that we also have a copy of "Solvents" by Durrans and, judging from its well thumbed appearance, it is a useful tome.

You will recall that we have a Dust and Fume Code Committee which is engaged in setting up maximum allowable concentrations for dusts and fumes. As to silica dust, we are planning to follow the recommendations of your Medical Committee of the National Silicosis Conference and our figures on the various industrial fumes are those which I showed you the other day. While asbestos is at present no very important factor in Massachusetts industry, I feel that we should nevertheless set up some sort of a figure for it and I would be very grateful if you would be willing to give me your advice on this. You will no doubt feel that this is just what you don't want to do, but I hope that you will be a good guy nevertheless and give me at least what you regard as a "best guess".

I had quite a talk today with Bradley Dewey, president of the Dewey & Alay Chemical Company, who formerly owned the Multibestos Company, the concern about whose former employees Dr. Hawes has recently so eloquently written. I mentioned to him Roy Gardner's opinion that asbestosis is definitely not progressive and was quite surprised to have him take pretty definite issue with this. He gave it as his opinion that the four principal types of asbestos, Canadian, Russian, Rhodesian and African, varied markedly in their pulmonary effect and he thought that the results of experiments with one type would not hold for another. Dewey is a highly intelligent chap and definitely one of the leaders in industrial chemistry in this country; also, incidentally, an ex-colonel in the Chemical Warfare Service. If you have any dope which would be interesting in reply to his theory about the different types of asbestos, I would be more than glad to be able to transmit it to him.

Sincerely,

Manfred Bowditch
Director

MB EB

THE SARANAC LABORATORY FOR THE STUDY OF TUBERCULOSIS
OF
THE EDWARD L. TRUDEAU FOUNDATION

POST OFFICE BOX 591
7 CHURCH STREET
SARANAC LAKE, N.Y.

December 14, 1937

Mr. Manfred Dowditch, Director
Division of Occupational Hygiene
Department of Labor and Industries
25 Joy Street
Boston, Mass

Dear Manfred:

Tony sent me a copy of a letter which he received from you on the subject of asbestosis. I replied and am enclosing a copy of that portion of my letter for your reference. I do not think the subject is closed but I would be surprised if we found evidence of a difference in the irritating properties of the various kinds of asbestos. As to progression of the disease, I am inclined to believe that the factor of infection is the one largely responsible for the cases that appear to have progressed.

With best regards,

Sincerely yours,


Leroy U. Gardner, M.D.
Director

LUC:CC
Enclosure

February 19, 1938

Mr. Bradley Dewey, President
Dewey and Almy Chemical Company
235 Harvey Street
Cambridge, Massachusetts

Dear Bradley:

Referring to our conversation on December 10th as to possible differences in the effects of various types of asbestos in causing asbestosis, you may think me mildly crazy in following up a matter which you indicated over the telephone the other day to be closed as far as you are concerned. While that is quite naturally the case, my interest in asbestosis and its causes is such that I am risking being put down as a pest by sending you herewith copies of two letters and an enclosure received some time ago from Drs. A. J. Lanza of the Metropolitan Life and L. U. Gardner of Saranac as an indirect result of my talk with you.

You will note that Dr. Gardner has experimented with five different types of asbestos, which I presume are about all there are. While his experiments have thus far been by injection, the best opinion seems to be that the results of injection are indicative of those to be expected from inhalation. If this is so, the fact that the five types give similar results by the former method may be taken to indicate that the inhalation effects would also be much alike.

Sincerely yours,

Manfred Bowditch
Director

MB MB
LEB

Encl-3

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DEWEY AND ALMY CHEMICAL COMPANY

INCORPORATED IN MASSACHUSETTS

DAREX

DEWALCO AND GOLD SEAL PRODUCTS

CAMBRIDGE B. MASSACHUSETTS

CABLE ADDRESS
"DEWALCO" BOSTONCAMBRIDGE, MASSACHUSETTS
OAKLAND, CALIFORNIAMONTREAL
MELBOURNELONDON
HAMBURG

February 23, 1938.

Mr. Manfred Bowditch, Director,
Division of Occupational Hygiene,
Department of Labor and Industries,
The Commonwealth of Massachusetts,
23 Joy Street, Boston, Mass.

Dear Manfred:

I am sorry if I sounded as though I suddenly turned into a black sheep with no further interest in asbestosis. That isn't what I meant to convey.

I have no evidence that would impress Lanza. However, despite the fact that I love positive proof as well as the next fellow, I know that it will take a lot more than injection experiments to remove the hunch that I have.

Your answer to the above is -- what is your hunch due to? It is due in a large measure to the following circumstances. (You will note that I do not dignify them with the term of proven facts.)

1. As I understand it, Multibestos ran for years without much trouble. It then switched to Russian and Rhodesian crudes and suffered an enormous amount of trouble.
2. I have been through plants of competitors (for various reasons, I do not want to name them in a letter but will be perfectly glad to discuss them) where conditions have been so bad that vision from one end of the shop to the other was actually impaired by asbestos dust in the air. In some of these, long streamers of asbestos fiber hung from every beam, sprinkler pipe and shaft hanger. Where these plants reported no trouble, I could not help but be impressed by the fact that they had seemed to have a long history back of them of having used only Canadian fiber.

Mr. Manfred Bowditch,
The Commonwealth of Mass.
Page 2.

Feb. 23, 1938.

3. It seemed to me that in many of the cases where I had heard that plants had suffered trouble, they were the ones that had used goodly quantities of foreign fibers.
4. I personally cannot study the disease record of the Walpole plant and not believe that asbestosis is a very serious and sometimes fatal disease. I think it is one that should not be belittled and it is one which should be objectively studied until reliable facts are known and out in the open.

All this is simply so that you may know my own personal feeling. Far be it from me to get embroiled in somebody's else troubles.

Sincerely yours,

Bradley Newby

BD:EB

March 4, 1938

Mr. Bradley Dewey, President
Dewey and Almy Chemical Company
235 Harvey Street
Cambridge, Massachusetts

Dear Bradley:

Thank you very much for the interesting statement of your views on asbestosis contained in your letter of February 23rd. I had no thought whatsoever that you were anything approaching a "black sheep" in this connection but am very glad to have this statement. I am sure that you will have no objection to my passing it along to my friends, Lanza and Gardner.

Sincerely yours,

Manfred Bowditch
Director

MB EB

858

See 100-10000

March 4, 1938

Leroy U. Gardner, M.D., Director
Saragac Laboratory for the Study of Tuberculosis
of the Edward L. Trudeau Foundation
7 Church Street
Saragac Lake, New York

Dear Roy:

I had thought that the Bradley Dewey as-
bestosis matter was ended, but last week I received
the letter from him of which a copy is enclosed.
While it contains nothing startling, it is perhaps
worthwhile to pass it along to you. I am also send-
ing a copy to Tony Lunza.

Sincerely yours,

Manfred Howlitch
Director

MB EB
Encl.

THE SARANAC LABORATORY FOR THE STUDY OF TUBERCULOSIS
OF
THE EDWARD L. TRUDEAU FOUNDATION

858

POST OFFICE BOX 191
7 CHURCH STREET
SARANAC LAKE, N.Y.

March 22, 1938

Mr. Manfred Bowditch
Department of Labor
23 Joy Street
Boston, Mass.

Dear Manfred:

On my return from Guatemala I found your letter of the 4th with its enclosure from Mr. Bradley Dewey. I do not think that his explanation that Russian and Rhodesian asbestos might be the cause of asbestosis is the proper one. I cannot help but feel that the length of the fibre has more to do with it. However, one must admit that there have apparently been more cases of this disease in your state than Tony was able to detect up at Mannheim and other places.

I talked with Tony not so long ago and promised to send him autopsy reports on all the cases I have seen. His experience with x-rays tends to make him minimize the condition, but certainly it is a real thing and cannot be ~~sloughed~~ off too easily. On the other hand I do not believe that we are seeing the extreme cases that have been reported from England.

Thanking you most kindly for keeping me informed, I am, with very best wishes,

Sincerely yours,

Rm

Leroy U. Gardner, M.D.
Director

LUG:CC

858

March 24, 1938

Mr. Bradley Dewey, President
Dewey & Almy Chemical Company
62 Whittemore Avenue
Cambridge, Massachusetts

Dear Bradley:

Flinging down the curtain on the asbestosis
matter, herewith is a copy of a letter received today
from Dr. L. U. Gardner who has been away from his of-
fice for a number of weeks.

Sincerely yours,

Manfred Sowditch
Director

MB EB
Encl.

DEWEY AND ALMY CHEMICAL COMPANY

INCORPORATED IN MASSACHUSETTS

DAREX

DEWALCO AND GOLD SEAL PRODUCTS

CAMBRIDGE, MASSACHUSETTS
OAKLAND, CALIFORNIA

MONTREAL
MELBOURNE

LONDON
NAPLES

CAMBRIDGE B. MASSACHUSETTS

CABLE ADDRESS
"DEWALCO" BOSTON

March 28, 1933.

Mr. Manfred Bowditch, Director,
The Commonwealth of Mass.
Department of Labor, Division of
Occupational Hygiene,
22 Joy Street, Boston, Mass.

Dear Manfred:

As a postscript to the final curtain,
I call your attention to the second paragraph of Dr.
Gardner's letter about the conditions in England.

As I understand it, Rhodesian as-
bestos is used in considerable quantity in England.
Perhaps I am wrong on this point.

Why not have the biological departments
of some of the universities that you are in touch
with make some microscopic and X-ray studies to see
if they can't find differences in various types of
asbestos?

Sincerely yours,

BD:EB

Bowditch & Almy

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DEWEY AND ALMY CHEMICAL COMPANY

INCORPORATED IN MASSACHUSETTS

DAREX

DEWALCO AND GOLD SEAL PRODUCTS

CAMBRIDGE B. MASSACHUSETTS

CAMBRIDGE, MASSACHUSETTS
OAKLAND, CALIFORNIA

MONTREAL
MELBOURNE

LONDON
NAPLES

CABLE ADDRESS
"DEWALCO" BOSTON

November 8, 1939.

Mr. Manfred Bowditch, Director,
Division of Occupational Hygiene,
The Commonwealth of Massachusetts,
23 Joy Street,
Boston, Massachusetts.

Dear Manfred:

A thousand thanks for the paper
by Dr. George and Dr. Leonard on the asbestos
situation. It is a scholarly work and I have
read it with a lot of interest.

I am still aware of the fact that
I ought to be getting together with you but,
on the otherhand, the problems incident to
the present upset conditions of the world
seem to be multiplying rather than lessening,
and I am pretty nearly frantic.

Sincerely yours,

Samuel Dewey

BD:EB