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THE PNEUMONOKONIOSES
(SILICOSIS)

Literature and Laws

Book III

International Abstracts, Extracts and Reviews of the Pneumonokonioses and Their Associated Diseases and Subjects

by

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Canal & Jackson Building
302 So. Canal Street
CHICAGO, ILL.

1937

veyor. This trough is 20 in. wide with edges that are bent up at right angles to a height of 2½ in. It is hung from the conveyor support at intervals by ⅛-in. steel straps 18x6-in.

It was found that the rollers also served to remove the dust clinging to the conveyor belt, and this dust collected in the trough, so to avoid shutting down for an occasional clean-up—and to recover all of a marketable product, rectangular holes were cut in the trough under each idler (12 in. long and the full width of the trough), and hopper-shaped inlets to 4-in. pipes were welded to the bottom of the trough, as shown in the illustration. The dust that the return idlers remove from the belt now goes direct to sacks at the end of these down spouts. About 50 lb. of such dust is reclaimed from each of the seven spouts every 10-hour day—and sold.

The crusher plant consists of a No. 8 McCullough gyratory and a No. 4 Williams Jumbo hammer mill. The hammer mill has been added recently to produce more fines. The gyratory output is fed direct to the hammer mill by a shaker feeder. The discharge, reduced to minus 3-in., is screened on Simplicity 4x8-ft. vibrating screens.

The stone is a dolomite and comes from a quarry worked with a 130-ft. face. Some 19 ft. of overburden is removed by hand labor and mule team in order to make work for otherwise unemployed colored labor. Drilling is done by a 5⅝-in. Cyclone well drill. Drilling is done to 5 ft. below the quarry floor and holes are spaced 25 ft. back from the face and 25 ft. apart; 12 holes are shot at one time.

464. Norris, La V.

Occupational Disease Claims.

Insur. Index. 14-15; 75. Feb. 1935.

Occupational diseases, especially silicosis, have become so costly to industry, many insurance companies are declining such risks or making their coverage costs prohibitive. The industries affected and their insurance carriers have sponsored an Occupational Disease Institute to serve as a focus for their varied problems, and to carry on systematic study and research, with a view to assembling information, data and statistics, to promoting good legislation and to protect their members from fraudulent claims. This author, as General Counsel of the Institute, recalls the enormous total of occupational diseases claims outstanding in the United States today, as also those being settled out of court, together with those continually coming on for disposal. To unusually complete means of examining employees of Institute members, it has added the lie detector, whose theory, operation and results are proving of great value in fraudulent claims.

The Institute is also busy with the confused and unsettled status of silicosis cases as brought out in recent Illinois court decisions, illustrations being given, with remedies suggested. The 9 asbes-

tosis cases pending in the Federal Court of Chicago against the Johns-Manville Company are shown of particular interest to insurance carriers in their ultimate settlement. Another decision awaited from the Illinois Supreme Court is discussed in its legally significant hearings—the action of Gertrude Boshuizen vs. the Thompson & Taylor Company under Section One of the Illinois Disease Act. This author hopes that the laboratory methods and results of the Institute will contribute needed impetus and clarification to present legal "jumbles" all over the United States.

465. North Carolina and New York Include Silicosis in Compensation Acts.

Eng. News. 114: 500-501, April 4, 1935.

The New York amendment to the State Workmen's Compensation Act which became effective September 1, 1935, includes silicosis definitely, since its scope covers "all occupational diseases." Such diseases are not, however, defined nor is there any provision in the amendment to determine the degree of disability or responsibility.

The North Carolina amendment already in effect makes definite provision for determining the degree of disability sustained by an employee afflicted by any one or more of the 25 occupational diseases specified. Both silicosis and asbestosis are definitely included. The obligations of employers are somewhat cautiously guarded, and the rights of employees carefully expounded. The relations of both to the Industrial Commission are definitely set forth. Silicosis is defined as a characteristic fibrotic condition of the lungs, caused by inhaling dust of silica or silicate; asbestosis, similarly, is caused by inhaling asbestos dust.

466. North End Foundry Co. v. Industrial Commission (Wis.).

Workmen's Compensation Acts: Silicosis and Tuberculosis Not Compensable in Absence of Existing Disability.

J. A. M. A. 105: 1296, Oct. 19, 1935.

The North End Foundry Company had to reinsure its employees. The prospective insurer demanded as a condition precedent to the execution of a policy that all employees be examined by a physician selected by it. Before the examination was made, all employees were discharged. Only those were reemployed who were believed to be physically fit for the duties to be imposed on them. Five employees who were not reemployed, because they were not physically fit, were awarded compensation by the industrial commission, under the Wisconsin workmen's compensation act. Thereupon their employer and its insurance carrier brought actions against the commission and the several claimants to set aside the awards. From a judgment modifying and affirming the award in each case, the industrial commission, the several claimants, the employer and the employer's insurance carrier all appealed to the Supreme Court of Wisconsin.

terval for preparation between the date of its enactment and the date when it shall take effect; and the compensation for such diseases should be specially reduced and limited substantially below what would otherwise be appropriate until the "accrued liabilities," are worked off.

Compensation for occupational diseases should be insurable separately from compensation for accidents; and at least, in the initial stage of a regime of compensation for such diseases as silicosis, the rating practices now imposed upon insurance carriers by public regulation need to be radically modified and liberalized.

Pressure is strong for "liberality" in compensation laws. Merely a few among a large number of probably slight diversions from what the writer suggests, would convert compensation for occupational diseases into indefinite health, old-age and life insurance for workmen in many industries, the cost whereof might ruin many of such industries, and, at the least,would be so incalculable as to make the risks "uninsurable," that is, uninsurable except on the unlimited assessment plan, with all its financial perils and uncertainties.

475. Occupational Disease Ruling Favors Companies.

Insur. Field. 64: 10, Jan. 10, 1935.

A ruling which apparently removes silicosis, asbestosis and kindred dust diseases and probably a number of toxic cases, except lead and lead derivatives, from the effects of Section 2 of the Illinois Occupational Disease Act, has been handed down in Chicago by Federal Judge Barnes. The ruling was made against the Johns-Manville Company in connection with nine asbestosis cases. The Company asked to have the cases dismissed from the Federal Court on the count that they came within Section 2 of the act and consequently the award should be made by the industrial commission. Section 2 is that section which defines certain occupational diseases as accidents within the interpretation of the compensation act. Diseases falling within Section 1 are not compensable, being outside the province of the Illinois industrial commission, and are not covered under compensation policies except by special endorsement. The ruling was seen as a relief to insurance companies, but was considered a blow to employers.

476. Occupational Diseases in 1934. Yearly Report of Industrial Insurance.

Reichsarbeitsbl. 15 (n.f.) III, 182, 1935.

Abstr. Zentralbl. f. Gewerbehyg. 22: 167, Aug.-Sept. 1935.

Elich of Berlin reviews for *Gewerbehygiene* (loc. cit. above) the interesting statistics on occupational diseases in 1934 in Germany as given out officially from Industrial Insurance records. The increased compensation available in occupational diseases