

FILE NAME: Caterpillar (CAT)

DATE: 1935 Apr 4

DOC#: CAT046

DOCUMENT DESCRIPTION: Trade Journal Article - NC and NY Include Silicosis in Compensation Acts

# Engineering News-Record

APR 10 1935

McGraw-Hill Publishing Company, Inc.

April 4, 1935

Twenty-five Cents, Five Dollars per Year

ARTICLES IN THIS ISSUE:

Progressive Cofferdam for a Long Low Dam

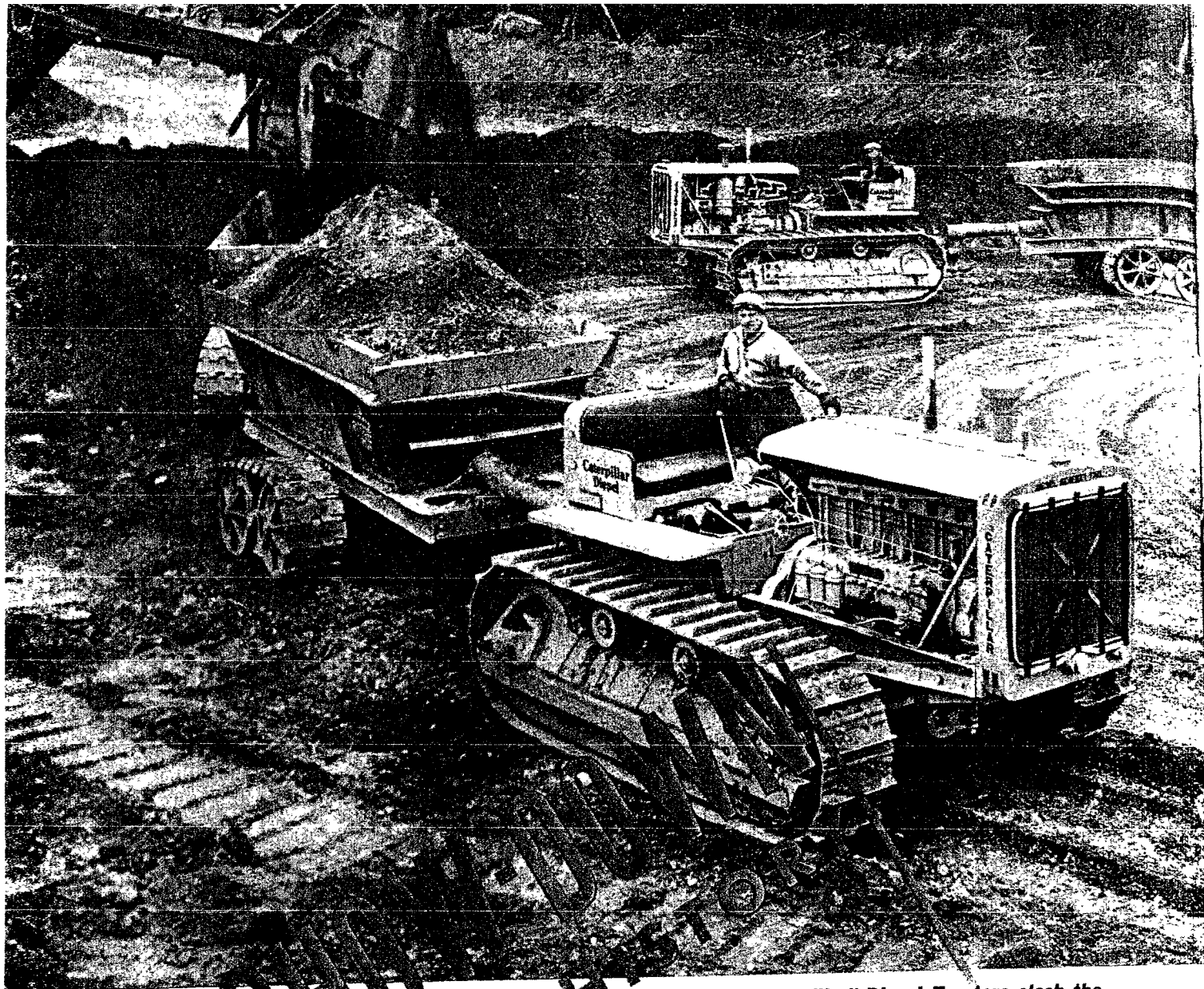
Droughts Since 1881

Composite Steel and Concrete Bridge Slabs

New Plan for Mississippi Flood Control



BETTER NAVIGATION on the Allegheny River. Dam No. 3 above Pittsburgh is being built within a cellular wall cofferdam with such modern equipment as a gantry pile driver, an all-electric mixing plant, mobile form carriages and concrete vibrators.



*On a road-building contract near Towson, Md., "Caterpillar" Diesel Tractors slash the costs of moving earth from cut to fill*

**THE SHIP  
IS MAKING**

New records for economy and dependability, a new basis for the estimating of power costs—the performance of thousands of "Caterpillar" Diesel Tractors on hundreds of operations is making engineers and contractors sit up and take notice. Your dealer can show you complete, comparative figures on "Caterpillar" Diesels now at work, and let you put one to the test yourself. Caterpillar Tractor Co., Peoria, Illinois, U. S. A.

REG. U. S. PAT. OFF.

**D I E S E L**

## IN WASHINGTON

By Paul Wootton  
Washington Correspondent

After an unusual amount of pulling and hauling the work-relief bill comes through with few additional limitations on the discretion of the President. The important thing is that \$4,000,000,000 is about to be made available for the purpose of supplying direct employment to 3,500,000 persons. Having learned its lesson from past experience with public works, the Administration is prepared to do whatever is necessary to attain velocity in the expenditure of this great sum. It realizes that if the pump is to be primed the handle must be worked vigorously.

Unexpectedly strong opposition has arisen to the proposal of the Chief of Engineers and the Mississippi River Commission to divert excess Mississippi River flood waters at Eudora in northeastern Louisiana. Land owners and the parishes involved have acquainted the Flood Control Committee of the House that they will resist to the last legal ditch any such use of their lands.

Testifying before the Flood Control Committee of the House, Chief of Engineers Edward M. Markam revealed that the proposed west bank diversion from the Mississippi at Eudora, La., would be constructed so as to carry as much as 1,500,000 second-feet in the event of a super flood.

The Supreme Court of the United States has refused to dismiss the suit brought by the state of Nebraska against the State of Wyoming as requested by Wyoming. The suit involves the ascertainment of the equitable apportionment of the waters of the North Platte River as between the two states. An injunction against further use of water for the Casper-Alcova and Seminole reservoir projects is sought.

### President Acts to Offset Let-Down in Code Operations

In a letter to Donald Richberg, chairman of the National Industrial Recovery Board, President Roosevelt on March 26 requested that the full power of NRA be exerted to obtain compliance with code requirements. Asserting that there is no excuse whatsoever, at the present time for members of industry who have sponsored and are subject to these codes not to give them wholehearted support, he called upon the Department of Justice to take prompt and vigorous action to prevent or punish violations. In an effort to halt the very noticeable let-down in industry cooperation and compliance as a result of the uncertainty as to extension of the Recovery Act, the President also suggested that the Recovery Board bring the facts of this situation to the attention of Congress so that it may understand the importance of accelerating action on its decisions.

#### State Recovery Acts

The uncertainty of court decisions as to the constitutionality of certain provisions of the Recovery Act, and therefore of the codes of fair competition, brought about a program to have the several states of the Union enact state NRA acts that would regulate intra-state activities should the national act be declared ineffective in some respects. The latest reports indicate that

16 states now have recovery acts paralleling the national act, as follows:

|            |                |
|------------|----------------|
| California | Oregon         |
| Colorado   | South Carolina |
| Idaho      | Utah           |
| Illinois   | Virginia       |
| Indiana    | Washington     |
| New Mexico | West Virginia  |
| New York   | Wisconsin      |
| Ohio       | Wyoming        |

Four others have passed legislation to aid the operation of the NIRA, but without complete enforcement laws, three of which suspended the state anti-trust laws. A state act in New Jersey was abolished by the Governor last fall, but a new bill has been introduced into the present session of legislature. Bills also have been introduced into the legislatures of 22 other states.

It is specified in the model draft for state NRA acts that invitations to bidders shall contain a provision to the effect that no bid shall be considered unless accompanied by a compliance certificate executed by the bidder. This provision is similar to the content of Executive Order No. 6646 issued by President Roosevelt on March 14, 1934, under which similar certificates are required on projects employing federal funds, but omits the provision in this executive order whereunder contracts already awarded may be cancelled when noncompliance with applicable codes is proven.

### Delaware County Roads Transferred to State

Effective July 1 all county roadways and bridges in the State of Delaware will be transferred from the Levy Court Commissions to the State Highway Department. At the same time the Levy Courts will discontinue the levying and collection of taxes for county road purposes.

## North Carolina and New York Include Silicosis in Compensation Acts

SILICOSIS and other occupational diseases were made compensable in North Carolina and New York by amendments to the State Workmen's Compensation Act passed recently by the legislature. A New York amendment which becomes effective September 1, 1935, includes "all occupational diseases." It does not apply to any case of occupational disease in which the last injurious exposure to the hazard of the disease occurred prior to September 1, 1935. There is no statement in the act defining an occupational disease, nor does it contain any provision for determining the degree of disability or responsibility.

The New York legislature also passed a bill designed to eliminate medical abuses in workmen's compensation cases. This new law provides that an injured employee, and not his employer, has a right to select his physician. The Industrial Commissioner is directed to establish a schedule of minimum charges and fees for such medical treatment and care. The bill also provides for licensing of compensation medical bureaus and the revocation of a license if the bureau resorts to corrupt or unethical practices.

The North Carolina amendment now in effect makes definite provision for the determination of the degree of disability suffered by an employee afflicted by any one or more of 25 occupational diseases specifically named. Silicosis and asbesto-

### Another Damage Suit Begun Over Abandoned San Gabriel Dam

The contractors on the abandoned San Gabriel Dam of the Los Angeles Flood Control District, Fisher-Ross-MacDonald & Kahn, Inc., on March 20, filed a claim for \$4,290,459 against the district. The suit is a counter-claim to the district's suit against the contractor for \$830,766, the amount of the district's settlement with the contractor following the abandonment of the work, plus \$1,846,167, the amount paid the contractor for excavation work (ENR, Sept. 14, 1933, p. 332).

### J. Waldo Smith To Be Honored By Tablet at Ashokan Reservoir

The tower on Winchell Hill at Ashokan Reservoir 30 ft. square and 40 ft. high, originally built as a triangulation tower of concrete masonry faced with native blue stone, is to be reconstructed and designated as the J. Waldo Smith Memorial Tower. The project is being carried out by Mr. Smith's friends with the cooperation of the Department of Water Supply, Gas and Electricity of the City of New York.

A large panel of stone suitably framed with like material is to be placed on the southwest face of the tower, and the small tablet now on the face of the tower giving the names of the chief engineers and of the consulting engineers is to be moved to the opposite face. The work is estimated to cost about \$5,000, including the cost of maintenance. Friends who wish to participate are asked to send their remittances to John M. Carroll, Room 1104, 346 Broadway, New York City.

sis are included in this list. Features of the amendment are abstracted in the following:

No compensation is payable for asbestosis or silicosis if the employee, at the time of entering into the employment of the employer by whom compensation would otherwise be payable, falsely represented himself in writing as not having previously been disabled or laid off because of asbestosis or silicosis. Compensation is payable only in the event of becoming actually incapacitated, because of an occupational disease, from performing normal labor in the last occupation in which remuneratively employed.

The provisions of the act apply only to cases of occupational disease in which the last exposure in an occupation subject to the hazards of such disease occurred on or after the effective date. In any case where compensation is payable for an occupational disease, the employer in whose employment the employee was last injuriously exposed to the hazards of such disease, and the insurance carrier, if any, which was on the risk when the employee was so last exposed are liable.

An employer is not liable for any compensation for an occupational disease unless disablement or death results within three years after the last exposure to such disease, or in case of death, unless death follows continuous disability from such

disease, commencing within the period of three years, and results within seven years after such last exposure.

When authorized by the Industrial Commission after consulting with the Advisory Medical Committee, the employer must provide reasonable medical or other treatment for such time as in the judgment of the Industrial Commission will tend to lessen the period of disability or provide needed relief, not to exceed a period of three years nor a cost of more than \$334 in any one year.

The Industrial Commission will designate by order each industry found subject to any such hazard of silicosis or asbestosis and will notify the employer therein and compulsory examination of employees and prospective employees will be required. The Industrial Commission will make inspections of employment and keep a record of all employment subjecting employees to the hazards of silicosis or asbestosis and will notify the employer in any case where such hazards exist.

Where an employee, though not actually disabled, is found to be affected by asbestosis or silicosis and if such employee would be benefited by changing occupation, and if the disease has progressed to such a degree as to make it hazardous for the employee to continue in his employment, he will be paid compensation as for a temporary total or partial disability as the case may be, until he can obtain employment in some other occupation, compensation being limited to 20 weeks for an employee without dependents and 40 weeks for an employee with dependents. If the forced change of occupation requires that the employee be given special training in order to properly readjust himself, he will be paid for such training and incidental traveling and living expenses up to \$300 for an employee without dependents, and \$500 in the case of employee with dependents. If an employee has been compensated for an occupational disease and thereafter engages in any occupation which exposes him to the hazards of silicosis or asbestosis without obtaining the written approval of the Industrial Commission, he forfeits all right to future compensation.

Silicosis is defined as the characteristic fibrotic condition of the lungs caused by the inhalation of dust of silica or silicate. Asbestosis is a characteristic fibrotic condition of the lungs caused by the inhalation of asbestos dust.

Compensation will not be payable for silicosis or asbestosis unless the employee has been exposed to the inhalation of dust of silica or silicate or asbestos dust in the employment for a period of not less than two years in the state, provided no part of such period of two years was more than ten years prior to the last exposure. In case of disablement or death from silicosis and of asbestosis, complicated with tuberculosis of the lungs, compensation is payable as provided, except that the rate of payment may be reduced one-sixth.

The amendment provides for definite notification of the Industrial Commission in cases of manifestation of silicosis or asbestosis or death resulting therefrom, and also provides for inspection and examination. The inspections and examinations will be paid for out of a general fund, excepting that if sufficient funds are not available, employers will be liable to assessment.

## New Maryland Law Authorizes Chesapeake Bay Bridge

The Maryland legislature on March 29 passed a measure authorizing the construction of a bridge from a point near Baltimore City across Chesapeake Bay to the eastern shore. The measure provides for a commission of three men who will be empowered to borrow \$11,720,000 with which to purchase the Claiborne-Annapolis Ferry Co. and construct the bridge. Any borrowings of the commission shall not create or constitute an indebtedness of the state of Maryland or any political subdivision, but only of the bridge authority, according to the law. Whether the bridge is built or not, the commission is authorized to acquire the ferry company for \$1,200,000 in 15-year 3 per cent bonds.

## Henry C. Meyer, Founder of Engineering Record, Dies

Henry C. Meyer, founder of one of the papers combined in 1917 to form *Engineering News-Record*, died at his home in Montclair, N. J., on March 27, age 91 years.

Mr. Meyer was born in New York City in 1844, studied in private schools and after distinguished service in the Civil War, for which he was awarded the Congressional Medal of Honor, being discharged for disability, returned to New York and entered the employ of the New York Shot & Lead Co., manufacturers of shot and lead pipes. Subsequently he went into business for himself, organizing the firm of Henry C. Meyer Co., dealers in plumbing supplies.

Mr. Meyer's contact with the field of house sanitation so impressed him with the lack of fundamental information on that and allied questions of public health and sanitation that in 1877 he established the *Plumber and Sanitary Engineer*, a monthly magazine for the publication of information on sanitary matters and to serve as a forum for their discussion. Charles F. Wingate, a newspaper man, was appointed editor, and such men as John S. Billings, president of the National Board of Health, Prof. Charles F. Chandler of Columbia University, James J. R. Croes, hydraulic engineer, Prof. Henry Morton, president of Stevens Institute, and Col. George E. Waring, Jr., were called upon as contributors.

### Tenement house problem attacked

One of the first problems that Mr. Meyer attacked vigorously through the new paper was the tenement-house condition in New York City. Through the cooperation of sanitary engineers a competition in tenement-house design directed toward elimination of the then existing evils was arranged. The competition received wide attention in the newspapers and resulted in an agitation for an improvement in conditions that culminated in the New York State tenement-house act of 1879.

Similarly, the new journal undertook to improve the plumbing code of New York and Brooklyn, setting forth the fundamental requirements of such a code, and ultimately brought about the adoption of a state law requiring buildings in New York City and Brooklyn to conform to such a code. Mr. Meyer also was active in development of railway car heating by steam to eliminate the hazards of stoves.

In 1881 Mr. Meyer himself assumed charge of the editorial direction of the

paper and changed the name to *Sanitary Engineer*. Under his close personal direction its scope was expanded, and in 1887 the name again was changed to the *Engineering and Building Record*, and in 1890 to *Engineering Record*. Mr. Meyer continued in direct charge of the editorial policies of the paper until the late '90s.

In 1902 Mr. Meyer, wishing to retire from active business, sold the paper to James H. McGraw. In 1917 it was combined with *Engineering News* to form *Engineering News-Record*.

## Supreme Court Will Hear Nebraska-Wyoming Dispute

The U. S. Supreme Court, on April 1, declined to dismiss the action brought by the state of Nebraska "praying for ascertainment of the equitable apportionment, as between the two states, of the waters of the North Platte River, and a decree to enforce compliance with the findings in that behalf." Wyoming had sought to have the action dismissed on several grounds including those that the state of Colorado and the Secretary of the Interior should be made parties to the action. The court holds that it is not necessary at this time to determine whether Colorado should be a party to the action but that on the face of the bill that state is not a necessary party. As to the Secretary of the Interior, the court states that his rights can rise no higher than those of Wyoming, that Wyoming will stand in judgment for him as for any other appropriator in that state.

The defendant is given 60 days in which to answer the bill of complaint.

### BERKELEY BRANCH OF APPROACH TO SAN FRANCISCO BAY BRIDGE

First east approach arm to the San Francisco-Oakland Bridge to be completed is the 1½-mile hydraulic fill along the waterfront north to Ashby Ave., Berkeley. Paving will be the next contract. Other arms will extend east to 38th and Market Sts. and south to 7th and Cypress Sts., Oakland. The north and south arms are also a part of a projected east shore highway to run from San Jose to Albany.

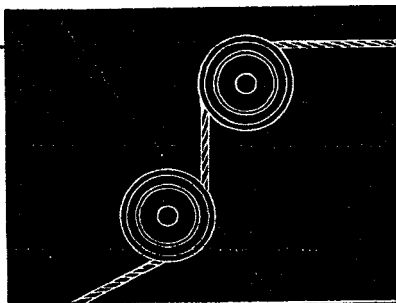
In the foreground of the picture, the new fill turns west to connect with the fill which parallels the Key Route Mole to the East Bay bridge head. All of this fill was constructed by first excavating the soft mud to a depth of 5 to 20 ft. and then pumping in nearly 3,000,000 cu.yd. of sand.



# 10 REVERSE BENDS

LIKE THIS

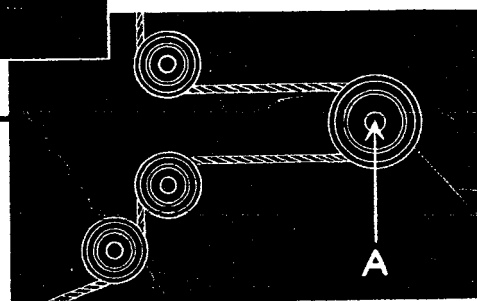
AND STILL  
TRU-LAY PREFORMED IS  
GIVING SATISFACTORY  
SERVICE AFTER 2½ YEARS



In the penthouse a sheave arrangement like this is necessary.

Down in the pit, the valves are operated by the travel of Sheave "A".

AND THIS



● In one twenty-story building (Chicago) the elevator cable installation involves 19 sheaves with 10 reverse bends. And *you* know what reverse bends do to ordinary wire rope! It's one of the hardest tests for wire rope in *any* service.

Before Tru-Lay Preformed was put on the 12 cars in this building, the *non*-preformed rope they used gave an average service of 15 months. Since they installed Tru-Lay Preformed, five years ago, *not a single replacement has been made*. The Tru-Lay Preformed rope operating the No. 1 car (over 10

reverse bends) has been in continuous service for over 2½ years, and at last inspection it looked good for another two years.

This is just an example of what Tru-Lay Preformed will do for *you*. Just another case record that proves Tru-Lay Preformed to be the one serviceable, really economical wire rope. Let us tell you more about Tru-Lay Preformed. Write for full particulars.



**AMERICAN CABLE COMPANY, Incorporated, Wilkes-Barre, Pa.**

An Associate Company of American Chain Company, Inc.

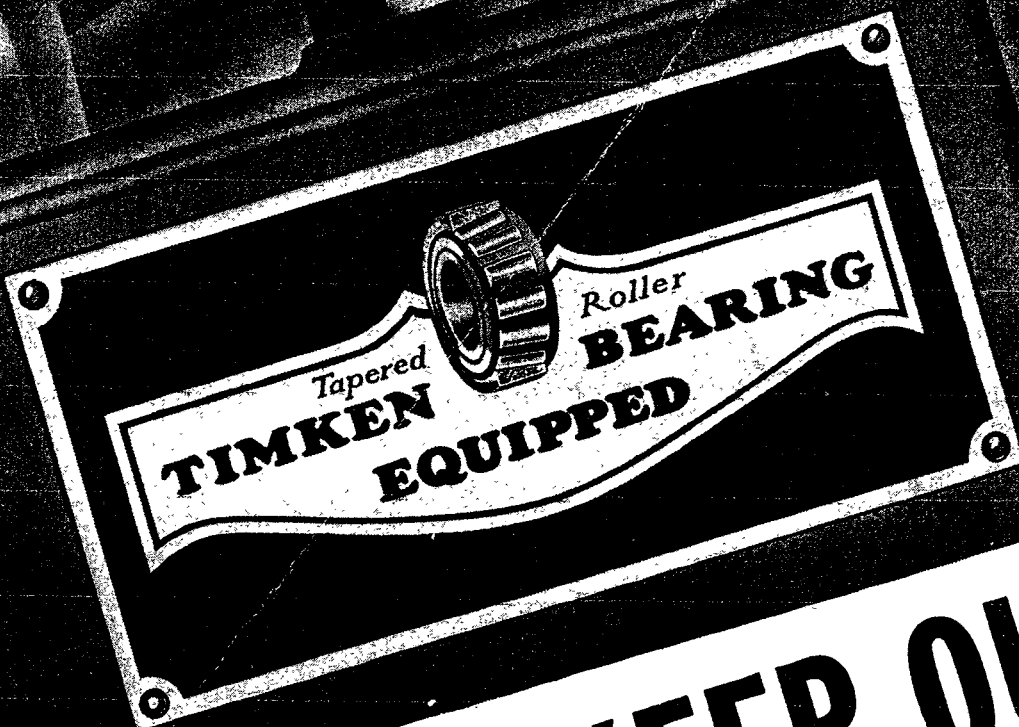
*"In Business for Your Safety"*

Denver, Detroit, Chicago, New York, Philadelphia, Pittsburgh, Houston, San Francisco



## TRU-LAY \* *Preformed* Wire Rope

\*PREFORMED ROPE IS MADE IN ALL GRADES, CONSTRUCTIONS, TYPES AND LAYS



# means "KEEP OUT" to friction, wear and waste

THERE is no room for these enemies of speed, dependability, economical operation and long life in modern tractors, power shovels, excavators, drag lines, concrete mixers, pumps, air compressors, hoists and other types of construction machinery equipped with Timken Tapered Roller Bearings.

Besides eliminating friction and wear, Timken Bearings carry heavier loads than any other types of bearings, size for size—radial loads, thrust loads or both together in any combination; and hold moving parts in correct and constant alignment. These are additional and extremely important factors of extended machine life.

Because Timken Bearings give you benefits you cannot get in any other way, one of your most important questions when buying new construction equipment of any type is: "Is It Timken Bearing Equipped?"

THE TIMKEN ROLLER BEARING COMPANY, CANTON, OHIO

# TIMKEN TAPERED ROLLER BEARINGS