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COPY

Met Life services and insurance cover to asbestos companies in industrial medicine & hygiene, and is defending claims for compensation for asbestosis 1935 1965

METROPOLITAN LIFE INSURANCE COMPANY
Frederick H. Ecker, President
New York City.

Anthony J. Lanza, M.D.
Assistant Medical Director.

Vandiver Brown, Esq.,
Johns-Manville,
292 Madison Avenue,
New York, N.Y.

Dear Mr. Brown:

Many thanks indeed for your letter of May 25th and the two volumes of the record of the case of Butler. I am very glad indeed to get this material and appreciate your courtesy in sending it to me.

I am now back in New York for good and hope to drop in and see you some time in the near future.

As you are probably aware, there are a great many of these suits being filed, particularly in Rochester. I have had several attorneys and other interest people come to me for such advice as I could give them. These people always ask if I can refer them to others who have had similar experiences. I have always refrained from mentioning the Johns-Manville Company or anybody connected with it in any way but I am wondering whether there might not be some advantage in a community of interests, so to speak, for after all misery loves company.

Mr. Folger of Harris, Beach, Folger, Bacon and Keating, 40 Franklin Street, Rochester, New York, Attorney for the New York Central Railroad, is handling a great many of these cases. A Mr. Hardigg of the American Society of Mechanical Engineers is trying to get up some sort of a Manufacturers' Defense Association on behalf of the abrasive industries, and a Mr. de Blois, who used to be the head of the safety department of the Dupont organization is also trying to get together some organization for the benefit of the Rochester manufacturers.

I shall appreciate it if you will let me know some time whether you would wish to confer with any or all of these people or whether I should maintain the attitude that I have in the past of merely referring them to the various government authorities in Washington.

With best regards,

Sincerely,

(Signed) A. J. Lanza
Assistant Medical Director

BY DIRECT WIRE FROM

WESTERN UNION

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

R. W. WHITE
PRESIDENT

1221-S

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

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10/15/35

DR. W. J. McCONNELL,
KENTUCKY HOTEL,
LOUISVILLE, KY.

HAVE JUST HEARD YOU ARE IN LOUISVILLE. COULD YOU AND MR. FENNEL STOP AT CHARLESTON ENROUTE HOME? MESSRS. MITCHELL AND JEFFORDS VERY ANXIOUS TO TALK WITH YOU REGARDING SUITS COMING UP NOVEMBER. WE WERE VERY MUCH DISAPPOINTED AT DECISION NOT TO HAVE A METROPOLITAN MAN IN CHARLESTON DURING TRIALS, AS WE HAD GREATLY DEPENDED ON IT AND IT WILL NOW BE NECESSARY FOR MR. MITCHELL TO MAKE SOME SHIFT IN HIS ARRANGEMENTS. THIS IS IMPORTANT. STOP. WE HAVE MADE A GREAT MANY IMPROVEMENTS IN PREVENTING DUST AT CHARLESTON WHICH I THINK YOU WILL BE MUCH SURPRISED AT AND FROM AN INSURANCE STANDPOINT VERY MUCH GRATIFIED. BOTH OF YOU SHOULD INSPECT THEM AND I WOULD LIKE TO HAVE YOUR PERSONAL COMMENTS. HOPE YOU CAN ARRANGE PLANS TO STOP CHARLESTON FOR A DAY ENROUTE HOME. SSTOP. WE OF COURSE WOULD PAY EXPENSES YOU AND MR. FENNEL.

S. SIMPSON
THE RAYBESTOS DIVISION

PAID. NIGHT LETTER.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

RM 66-pl
4-29-77 pt

Duplicate of 127

Bridgeport, Conn.
October 19, 1935

Dr. W. J. McConnell, Ass't. Medical Director,
Industrial Health Section,
Metropolitan Life Insurance Co.,
New York City.

My dear Dr. McConnell:

SUBJECT: Asbestos Dust at North Charleston Plant.

As you know, our plant at North Charleston, as well as the other Divisions, have been working with your Company for a long time in the acquiring of information, medical and otherwise, regarding Asbestos Dust hazards and Asbestosis.

We have had a number of suits, as you are aware, for which you have assisted us to prepare, and at the last trial, your Mr. Fehnel testified. We have depended on your Company to present certain information that our attorney, Mr. Julian Mitchell, of Charleston, S. C., desired, and we were at a standstill to know what to do and carry on with these suits, for I again say we had depended on your Company's assistance. Naturally, we were very much upset last week when Mr. Jefferds reported that we could not expect any court assistance from your department, due to orders you had received from your superiors.

We immediately wanted to have you talk over the situation with Mr. Mitchell, to see what he could do, and when they got in touch with me and asked what I thought of subpoenaing Mr. Fehnel, I told them frankly that it looked to me as if that was the only thing we could do, if we were going to have the help of Mr. Fehnel in these particularly important cases. It may look odd to you that this subpoena was served, but really there was nothing else for us to do, and I could not see any other way out under the circumstances, after Mr. Mitchell had pointed out what it was going to mean to him to have Mr. Fehnel there. I do hope you will take this into consideration and that the assistance of Mr. Fehnel will be given us very cheerfully.

I can recognize the position of the insurance company in testifying in ordinary cases of this kind, but as I see it, these particular cases of ours at Charleston really come into a different category.

We carried Compensation and Health Insurance with your Company when these suits were first brought up at Charleston, and of course, under the policies, we were not covered against damage suits for Asbestosis.

The Metropolitan Insurance Co., nor no other insurance company in the United States, had any data that was worth very much on Asbestos Dust or Asbestosis, and naturally your Company wanted health statistics and information regarding Asbestos Dust on the lungs. Our Company was more than willing to cooperate with you, and we also induced Johns-Manville to cooperate, and your Company started with a Dust Survey of a number of the asbestos plants. When your appropriation for this work ran out, you requested that it be carried on until a new appropriation could be secured by your Company, and we did so. Later on, we hired a man, Mr. Binder, to work under your control, but at the expense of Johns-Manville and ourselves.

This all led us to believe that under the conditions, we would have your assistance in trying these unfair suits, which would eventually be a benefit to you, and also have considerable bearing on the Dust racket, about which so much has been published lately. I feel as if your Company has not taken into consideration all these various factors when turning down our request for Mr. Fehnel's presence at the trials in Charleston, Mr. Fehnel being the only man who has been following the details of the Asbestos Dust through all its various ramifications.

Naturally, if we could have foreseen the attitude the Metropolitan Insurance Co.'s Medical Department would take at this late date, we would have hired a specialist and he would have had all the data which your Company now has; and as you know, we have spent large sums to make the Charleston Plant an ideal one, with your assistance.

I do not believe that by Mr. Fehnel testifying at Charleston, it will establish a precedent, as it is hardly likely you will have this type of case come up again for many years, and I am also certain it is very questionable if you will get the same amount of assistance from any two companies that you have been getting from Johns-Manville and ourselves, and moreover, it was our intention to draw in other asbestos companies in this survey as soon as the time was right to bring them in, and this would mean a tremendous amount of information on Asbestos Dust and Asbestosis in the possession of the Metropolitan Insurance Co., who would be the only ones in the United States, so far as we know, having this information.

I have been trying to get in touch with my friend, Mr. James E. Kavanagh, Vice President of the Metropolitan Insurance Co., to endeavor to have him make an appointment with Mr. Baker, your President, so I can go over this matter with him very carefully and thoroughly, and I hope to be able to do so next Tuesday. Unfortunately, I shall be away the latter part of this week.

Very truly yours,

SS-G.

President

METROPOLITAN LIFE INSURANCE COMPANY
FREDERICK H. ECKER, PRESIDENT
NEW YORK CITY

WILLIAM J. McCONNELL, M.D.
Assistant Medical Director

October 28, 1935

Mr. S. Simpson, President,
Raybestos-Manhattan, Inc.
Bridgeport, Conn.

Dear Mr. Simpson:

This will acknowledge your letter of October 19.

I shall be very pleased to see you Tuesday when you are in New York.

I assure you that arrangements had been made to assist your company in the present litigation.

Very truly yours,

W. J. McConnell, M.D.
Assistant Medical Director
Director, Industrial Health Section

RM 12 1 [illegible]

Bridgeport, Conn.
October 31, 1936

Mr. E. H. Jefferds, General Manager,
General Asbestos & Rubber Division,
North Charleston, S. C.

My dear "Jeff":

I have your letter of the 27th, with reference to visit of Dr. H. F. Wilson, a representative of the South Carolina Board of Health, at which time, he requested that permission be given to the United States Department of Health to make an examination of the plant and take Xray pictures of our employees.

I have no objection to his making an inspection of the factory, but I hesitate at this time to permit an Xray examination of all our employees, for if these Xray records are going to be made available to all the shyster lawyers and doctors in the county, such as we have been up against the last couple of years, we may have an endless number of suits against us, especially as there are so few qualified doctors who can read an asbestosis Xray. This was verified to me in Peterborough this week, when I was talking to Dr. Faulkner, Commissioner of Health for the Province of Ontario, when he told me there were practically no doctors that could tell the difference between asbestos dust and granite dust.

For our own information, I should like to have an Xray of all the employees, and if we could get this information from the United States Department of Health without it being placed in the hands of every "Tom, Dick and Harry" in the country, I would be willing to let them make the Xrays, as it would be one way of getting them without arousing very much suspicion on the part of the employees. It would, no doubt, be interpreted as having some connection with the Social Security Act, but I certainly do not want to bring a lot of suits down on us just about the time we are getting through with the old ones.

Am sending copy of this letter to Mr. Mitchell.

Very truly yours,

SS-G.

P. S. Have received a letter from Mr. Mitchell and have written him as per enclosed copy. You can hold up answer to the Health Department until we hear from Dr. Lanza.

For identification

October 30, 1936

Julian Mitchell, Esq.,
Mitchell and Horlbeck
Charleston, S. C.

Dear Mr. Mitchell:-

It was a great pleasure to hear from you this morning and I have read your letter with much interest. I knew something of this matter because it comes under the jurisdiction of Dr/ R. R. Sayers of the Public Health Service, who is in charge of the Office of Industrial Hygiene in the Service, which whom I have worked in close cooperation for over twenty years. I happened to meet him in Harrisburg the other day and he told me that the State of South Carolina had asked his assistance in making a survey of industial plants in that State.

I think this will be very much to your advantage. Dr. Sayers has had wide industrial experience and enjoys the highest favor and confidence of industrialists and employers all over the United States. Whether he will make X-ray examinations of employees, I do not know, but Iwill ask Dr. Sayers, when he goes to Charleston, to get in touch with you.

The Public HealthService Reports rigorously follow a standard form, that is, their reports are published without mention of the firms or localities surveyed so that the identities of plants studied are not revealed. Thinking you may be interested, I enclose a copy of the report that Dr. Sayers made on Anthro-silicosis in the anthracite regions of Pennsylvania. This study was made at the joint request of the mine operators' association and the labor organizations. You will remember that when our asbestos study was published in the Public Health Reports, we simply referred to Plants, A, B, C, D, therein following the standard procedure of the Public Health Service.

No indivuduals' records are ever divulged by the Government, You may recollect that the Picher Clinic in Oklahoma was run jointly by the Public Health Service, the mine operators, and the Metropolitan. We had in our files the physical examination r cords of more than 50,000 individuals. We were often solicited by interested parties to permit them to have access to our records and our reply was always the same,namely, that they were Government records and not available for any purpose whatsoever, with the single exception of the United States Marshall in the performance of his duty in trying to apprehend criminals. I am sure that the Federal Department would not make available individual records to the State Board of Health.

As a rule, the Public Health Service studies are published but I believe that this is not an invariable custom, depending upon their number and their general interest.

Please give my very best regards to Mr. Jeffords and with best wishes, I am,

Sincerely yours
A.J.Lanza, M. D.
Assistant Medical Director

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November 5, 1936

Mr. E. H. Jeffords, General Manager,
General Asbestos & Rubber Division,
North Charleston, S. C.

My dear "Jeff":

I suppose you have received from Mr. Mitchell a copy of Dr. Lanza's letter regarding taking Xray pictures of our employees by the United States Department of Health.

In view of this letter, you may advise the Public Health Service that they may take the pictures, with the understanding that they are not available for any purpose whatever except public health information, and you want to stress the fact that we do not want them given to shyster lawyers and doctors so as to be the subject of suits, for, as you know, we have had enough adjustments for any one company.

We are perfectly willing to help them in every possible way, but they in turn must help us so far as they can legally do so.

Very truly yours,

SS-G.

Cc. to Mr. Julian Mitchell.

RM60.pd
4-21-77

December 29th, 1942.

William J. Fehnel, Esq.,
C/o Hygiene Division,
Metropolitan Life Insurance Co.,
1 Madison Avenue,
New York City.

Dear Bill:-

I am enclosing herewith a letter which I have written to Dr. Lanza, and would like you to read, and knowing that he is now in the service of his Country I am asking if you would do me the favor to forward it to him, and what I have said in that letter about the valuable services he has rendered I can also say with absolute sincerity that the services which you have rendered in helping me out of those cases in the past have been equally as valuable, and you have made a great many personal sacrifices to be present to testify and assist us. Personally I do not see how a man who is gaining in weight and working at the kind of job he has at the Navy Yard, down in the holds of ships, can be suffering from Asbestosis, though Dr. Smith in the letter he wrote to Mr. Mitchell said he was disabled as a result of the disease he had.

With my best regards,

Very sincerely yours,

P.S. I presume that you will receive this letter by about 12 or 1 o'clock tomorrow. I will telephone you at the office of the Metropolitan Life Insurance Company at about 3 o'clock.

RM 45-f
4-29-77

December 29th, 1942.

Dr. A. J. Lanza,
Assistant Medical Director,
Metropolitan Life Insurance Co.,
1 Madison Ave.,
New York City.

Dear Dr. Lanza:-

We may possibly have another suit based on alleged Asbestosis by one E. T. Hill, who worked with us for a good many years, and who was treated by Dr. Wild for pleurisy, and who only received during the time he worked with us sick benefits amounting to a little less than $10.00, and left our employ to take a very arduous position with the Navy Yard at Charleston, where he is still employed. However, Dr. T. A. Smith, whom I consider to be a crank on the subject of Asbestosis, for as soon as he finds out that any one has worked for the Asbestos Company, he puts him down as suffering from a case of Asbestosis, has not only told us that this party has Asbestosis, from which he will dio, but he told the party himself that he was suffering from Asbestosis.

A picture of this man's chest was taken by Dr. Taft in September, 1941, and another in November, 1942, and Taft's report gives no indication of any condition due to his employment. However, we are getting Dr. Taft to send his plates on to Dr. Pendegast, to whom you doubtless will remember you referred us to some years ago, so as to get another reading and interpretation of these plates and inasmuch as this claim may wind up in the Courts, I am writing you with the hopes that you may be able to render us that assistance which has been so invaluable to us in the past.

With my regards,

Very sincerely yours,

RM 44-Ad
4-29-77

THE SARANAC LABORATORY
FOR THE STUDY OF TUBERCULOSIS
OF THE EDWARD L. TRUDEAU FOUNDATION
SARANAC LAKE, N.Y.

December 7, 1942

Mr. Vandiver Brown, Secretary
Johns-Manville Corporation
22 East 40th Street
New York, New York

Dear Mr. Brown:

Thank you very much for your check covering the interpretations of films on Reynolds and Leahy.

Like yourself, I am surprised that they should reveal evidences of asbestosis-like reaction in view of the limited exposure. I am afraid I cannot agree with Lanza and McConnell's interpretation as negative. Clearly, the films show definite abnormal shadows. I wonder whether these gentlemen could have examined the same films that Dr. Sampson and I saw. In the case of Leahy, we both, of course, recognized the present evidence of old infection, but in addition to this, his films and Reynold's also show other more diffuse reaction which I would only interpret as due to inhaled dust. As indicated previously, one would expect that other men in the same group, exposed similiarly should also reveal evidence of change.

I hope we may have the opportunity to explore these effects further, both in subsequent films of these individuals and those of other men in this plant.

Sincerely yours,

Leroy U. Gardner, M. D.
Director

LUG:RSZ

PCC
EXHIBIT
MET-293

PLAINTIFF'S
EXHIBIT
4774

copy for Mr. Vanderbere Brown, Secretary
Johns-Manville Corporation

RAYBESTOS-MANHATTAN, INC.

Room 1626,
120 Broadway,
New York January 19,1944.

Leroy U. Gardner, M.D. Director,
The Saranac Laboratory
for the Study of Tuberculosis
of the Edward L. Trudeau Foundation,
Saranac Lake, New York.

Dear Doctor Gardner,

Replying to your letter of January 12th asking to be permitted to make a survey of the films of Manheim employees, would advise that Doctor Lanza has these films in his possession and it would be satisfactory for you to examine them and systematically record any changes or other information that you wish to obtain.

There are also some films at Manheim that have been taken of prospective employees who have worked in other industries that may have dust hazard and these are in possession of the Office at Manheim, Pa. and if you want to look at some of these, will you please contact:-

Mr. O.M. Gilley, Assistant General Manager,
United States Asbestos Division
of Raybestos-Manhattan, Inc.,
Manheim, Pennsylvania.

and he will be very glad to show them to you.

Of course it is understood that our name will not be mentioned in any way in the examination or in your report of the films. For a matter of your records and the Metropolitan Insurance Company it is alright, but I mean general publication.

Yours very truly,

S. Simpson,
President
RAYBESTOS-MANHATTAN, INC.

JJM

THE SARANAC LABORATORY
FOR THE STUDY OF TUBERCULOSIS
OF THE EDWARD L. TRUDEAU FOUNDATION
SARANAC LAKE, N.Y.

January 31, 1944

Mr. Sumner Simpson, President
Raybestos-Manhattan, Inc
Room 1003
120 Broadway, New York

Dear Mr. Simpson:

I appreciate very much your letter of the 19th which awaited my on my return from a recent trip. I am grateful to you for your offer to co-operate in the matter of reviewing films of your employees. I expect to see Dr. Lanza on Monday and will ask him to give my access to those films in his possession.

I do not believe that it would be profitable for us to review the pre-employment films that are at Manheim as we are particularly concerned now with the evolution of asbestosis.

I shall, of course, refrain from mentioning the names of any laboratory or employer in publication but shall acknowledge my indebtedness to a group of companies who have made such a study possible.

With best wishes,

Sincerely yours,

Leroy U. Gardner, M. D.
Director

LUG:HH

094740

UNITED STATES ASBESTOS DIVISION

of Raybestos-Manhattan, Inc.

MANHEIM, PENNA.

May 2, 1944

MAY 5 - 1944

Mr. S. Simpson, President
Raybestos-Manhattan, Inc.
Stratford, Connecticut

Dear Mr. Simpson:

Re: Industrial Hygiene
Foundation of America, Inc.

After our conference in New York in January about the Metropolitan Life Insurance report on dust counts taken in the textile mill, I arranged with the Industrial Hygiene Foundation of America to send one of their engineers here to take dust counts in various textile departments. I am quoting from the summary from the Industrial Hygiene Foundation report:-

> "This is a report of a study undertaken to locate the most important sources of dust and to develop additional dust control measures at the Manheim plant of U. S. Asbestos Division of Raybestos-Manhattan, Inc. Sixteen dust counts were made in various departments. These samples indicate that conditions in the Picker House are not satisfactory but dustiness in the Carding, Spinning and Twisting Departments is less than 5 million particles per cubic foot. Recommendations are made that can lead to a reduction of dustiness in the Picker House as well as in the Carding Department. It is believed that while the card room is under considerable negative pressure the consequent starvation of the exhaust equipment is probably not in itself sufficient to account for any marked reduction in control of dust."

I am also including herewith a record of the dust counts taken in the various departments.

Picker House	Particles per cu.ft.
At Pan Crushers	8.7 million
Floor Batching	1.7 million
Batch feeding vertical opener	9.9 million
52 minute sample at central point of room for "general air"-(near vertical opener)	5.6 million

R-M 286 Dd 5-12-77

All prices are subject to change in respect of duties, excise taxes, or other charges, hereafter imposed by any Federal, State, or Municipal authority, or because of increases in cost of manufacture, processing, or sales resulting from application of any Federal, State, or Municipal law, or regulatory measure hereafter adopted.

#2-Mr. S. Simpson

	Particles per cu.ft.
Carding	
General air conditions at various points in the Breaker Card Room	4.0 million
General air conditions in Finisher Card Room	2.8 million
At a point beside the condensers in Breaker Card Room	3.8 million
At a point near the card condensers in the Finisher Card Room	4.3 million
Along central aisle-Finisher Card Room	4.8 million
Spinning - - - -	
At mules	4.8 million
At L-Frames on 2nd floor	3.6 million
At L-Frames on 1st floor	2.0 million
Twisters	
Average for all aisles	4.0 million
Universal Winders	3.0 million

In commenting on this report on the phone, Mr. McMahon, Managing Director of the Industrial Hygiene Foundation stated, that the control of dust in this mill was far above the average for an asbestos textile plant. He indicated that a dust count under 5 million particles per cubic foot is good. However we recognize that this is a continuing program, and we propose to first correct the conditions in the Picker House at those points where the dust concentration is over 5 million particles per cubic foot. We then propose to make some changes in the card room, which will result in further improvement.

We are continuing to experiment with the application of oil to the fibre. We believe that this will result in further improvement throughout the plant.

Please consider this as a preliminary report as I plan to advise you from time to time of improvements that have been made.

A little later, after we have made some changes suggested by the Industrial Hygiene Foundation engineer, we shall arrange with Mr. Fehnel, of the Metropolitan Life Insurance Company, to make additional dust counts in our various departments.

Yours very truly,

O. H. Silley

O. H. Silley

mrs.

JAMES [illegible] and
ANDREW V. CARROLL,

Plaintiffs,

vs.

FORTY-EIGHT INSULATION, INC.,
a corporation, et al,

Original Defendants,

vs.

WHEELING-PITTSBURGH STEEL
CORPORATION, et al,

Additional Defendants,

vs.

UNARCO INDUSTRIES, INC., et al,

Additional Defendants.

No. 7880 July Term, 1974
2281 July Term, 1974

DEPOSITION OF DR. KENNETH WALLACE SMITH, a witness called by the Plaintiffs for examination, in accordance with the Pennsylvania Rules of Civil Procedure, taken by and before Richard F. Powers, a Registered Professional Reporter and a Notary Public in and for the Commonwealth of Pennsylvania, at the law offices of Stein & Winters, 520 Frick Building, Pittsburgh, Pa., on January 13, 1976, at 10:00 o'clock a.m.

Officer of
L. Peterson
COUNSELOR AT LAW

POWERS & GARRISON
[illegible]
SECOND AVENUE
PITTSBURGH, PA. 15219

Q One or two of the things on Dr. Lanza. When did you first meet and inter-relate professionally with Dr. Lanza, if you can tell us?

A 1944.

Q What was Dr. Lanza doing at that time?

A He was very active in the Medical Department of the Metropolitan Life Insurance Company, the Saranac Laboratory and Trudeau Foundation, and then or soon after the School of Medicine at New York University.

Q What was the relationship at that time between Metropolitan Life Insurance Company and Johns-Manville and Canadian Johns-Manville?

A Metropolitan Life carried our general insurance, and I believe in those years it was both occupational and non-occupational insurance in this country. Metropolitan Life sponsored surveys in various areas, especially mine workers in Quebec, asbestos mines. They carried our non-occupational group life insurance in Canada.

Q Was the Metropolitan Life Insurance Company a part of the studies begun and continued at Saranac Laboratory?

A Definitely.

Metropolitan Life Insurance Company and Johns-Manville and Canadian Johns-Manville?

A. Metropolitan Life carried our general insurance, and I believe in those years it was both occupational and non-occupational insurance in this country. Metropolitan Life sponsored surveys in various areas, especially mine workers in Quebec, asbestos mines. They carried our non-occupational group life insurance in Canada.

Q. Was the Metropolitan Life Insurance Company a part of studies begun and continued at Saranac Laboratory?

A. Definitely.

Q. Who else funded those studies, to your knowledge?

A. The only other organization that I can think of -- well, definitely the U. S. Public Health Service, and probably some monies from one or two trade organizations, such as the Asbestos Textile Institute, and perhaps the -- you will forgive me for the exact names, but I believe it was the Asbestos Cement Products Institute, National Mineral Wool Association. Those are the trade organizations that were involved.

Q. Did Johns-Manville provide any of the funding for the Saranac Laboratory's studies?

A. Yes, sir.

mu[redacted] more frequent afterwards at Saranac Lake; and they continued, well, practically until the time that I left JM in '66.

Q What other early incidents occurred which you might be able to relate to us as the pieces which presented to you that persons other than employees were exposed to the hazards of asbestos?

A You take me back a few years, but early in my career with CJM, in say '44 to '47, Metropolitan Life was conducting personnel studies of employees and non-em[redacted]oyees in The[redacted]ford and, to a lesser degree, in our town; and walking through the town of Asbestos on a dry August day, you could see little rolls of asbestos fiber rolling along the street like tumbleweed, and you just assumed that anybody walking the streets, the storekeepers or policeman walking his beat or anybody in the house, would be exposed to that airborne dust. And I can remember [redacted]r vividly Dr. Stevenson, as our senior citizen, st[redacted]ing at the edge of our open pit one day --

Q Your open pit being --

A The asbestos mine. We were standing on the edge of the open pit on the eastern side. The whole town of Asbestos was behind us, and of course the winds are constantly

as to the number of particles per cubic foot at the plant in Asbestos, Ontario?

A. May I just reframe your question, sir. Asbestos, Quebec, not Ontario.

Q. Asbestos, Quebec.

A. Yes, there were studies done continuously concerning the dust counts at the factory in Asbestos, Quebec.

Q. When were these studies? When did these studies begin?

A. I don't know the exact date.

Q. Approximately?

A. The late '30s, early '40s.

Q. And they were done on a continuous basis?

A. Yes, primarily by Billy ~~Thennell~~ Fitzhugh of the Metropolitan Life.

Q. Do you know who would have possession of the records of those studies?

A. Well, they might be still available through the Medical Department of the Metropolitan Life. They would be in the archives of JM and Saranac Lake, and probably in the library of the Hygiene Foundation here in Pittsburgh.

Q. Did you ever have an occasion to go over the results of those studies at any period of time while you were working for Johns-Manville?

GATKE CORPORATION

ANTI-FRICTION & INDUSTRIAL BEARINGS FOR • FRICTIONLESS • NON-METALLIC BEARINGS & SEALS

STATE 2-0100 — 228 N. LA SALLE ST. Chicago 1, Ill.

September 24, 1951

Metropolitan Life Insurance Company,
One Madison Avenue,
New York 10, New York.

Attention: Mr. William J. McConnell, M.D., Asst. Medical Director

Dear Mr. McConnell:

I appreciate your letter and the trouble you have gone to to give us the information that will be of great value in strengthening our resistance against unfair decisions affecting compensation cases rendered by the Industrial Board in Massachusetts.

It is particularly valuable to have the names of the Roentgenologists who have been certified by the Board of Roentgenology. Of the five names submitted we find that Dr. Robert G. Vance is an expert as having taken X-rays of our employees at North Brookfield, and from the record I had the impression that he was most capable.

What you have given us regarding the technique and the desirable specifications of the X-ray machine is of great value and certainly points out the uncertainties involved in X-ray. We, of course, will purchase the larger machine as a result of your recommendation.

One of my good friends, Mr. J. E. Watts, is the inventor of the General Electric X-ray machine with whom I conferred yesterday, and as to be expected he recommends the X-ray machine as preferable to others, and pointed out the necessity of the good service they offer in connection with the purchase and use of the General Electric machine. With the information you have furnished I am optomistic over the possibility of our creating a better defense than we have had before, and possibly inviting the Industrial Board to lean on the testimony of experts rather than the opinion of the country doctor who could not qualify as an authority on such cases as we have to deal with.

I do appreciate your cooperation and I hope you will offer any additional advise which you feel would further our interests in these matters.

Yours very truly,
GATKE CORPORATION

TLG:FT

T. L. Gatke
President

PLAINTIFF'S EXHIBIT 4841

B.214
PML 476



Sabourin & Sabourin
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SAINT-JEAN, QUE.

IVAN A. SABOURIN, B.C.L., K.C.
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Cable Address "LITIS"
Telephone - 6868

July 6, 1951.

Dr. Arthur J. Vorwald, M.D.,
Director, Trudeau Foundation
and The Saranac Laboratory,
7 Church Street,
SARANAC LAKE, N.Y.
U.S.A.

File

Re:

Dear Arthur,

We had an interesting hearing before the board at Quebec last week which is continued for the time being.

I had asked George to come down to testify in terms of the appreciation of certain physiological and respiratory data involving lungs, the Mediasetine, etc. George however, could not make the trip.

Dr. Lanza was here and contributed greatly towards clearing the prevailing confusion as to this seemingly increasing tendency to accept an alleged incidence as a fact before same has been scientifically established, even if the possibility of the existence of the incidence cannot be denied. He stated one could not say nor deny whether Asbestosis could be related to lung cancer. He helped "debunking" certain alleged figures, relating to cancer incidence in asbestos workers in the British Isles.

Warmest regards,

Yours faithfully,

IVAN SABOURIN, K.C.

IS/sd

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Re: Labbe

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Warmest regards,

Yours faithfully,

IVAN SABOURIN, K.C.

IS/sd

6/11

Thetford Industrial Clinic

Thetford Mines, Que.

February 21, 1952.

Dr. Arthur J. Vorwald,
Director of Research,
The Trudeau Foundation,
Saranac Lake, N.Y., U.S.A.

Re: Alphonse Labbé vs
Bell Asbestos Mines Ltd.
Claim No: 759807
"Cancer and Asbestosis"

Dear Dr. Vorwald,

For your information, I am pleased to send you the following "confidential" report which as you may understand has no official character whatsoever.

This case was heard before the full compensation Board during 3 full days, February 12, 13, and 14, 1952; the Bellemare group had 2 pathologists, 1 epidemiologist, 2 clinicians chest men as experts and Mr. Sabourin had Dr. Lanza. The hearing was adjourned to March 11th, 1952.

In summary, the pathologists have certified that the cancer in the case of was a pulmonary epithelioma anaplastic or oat cell carcinoma variety stating that it was impossible to have a lymphosarcoma when the cells are elongated as they were in that case.

The other experts certified that the causal relationship between asbestosis and cancer of the lungs was probable and even certain.

I am anxious to know what Mr. Sabourin will bring in March and I am also anxious to discuss this case with you at the first opportunity.

Yours very truly,

PC/JS

Paul Cartier, M.D.