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Dust

Briageport, Conn.
Sept. 7, 1935

Mr. G. R. Weber, Gen. Mgr.,
United States Asbestos Division,
Manheim, Pa.

My dear Mr. Weber:

I have today been reading the report of Dr. W. J. McConnell, Assistant Medical Director, Industrial Health Section, Metropolitan Life Insurance Co., a copy of which was sent you a few days ago.

The report is rather startling, and very unfavorable, and may in the long run, cause us considerable trouble. Wish you would discuss this very thoroughly with your operating heads, and obtain recommendations as to what can be done.

So far as the asbestos dust is concerned, I think we have conquered it at Charleston, and the same methods could be applied at Manheim, with about one-half the cost at Charleston, because it is all laid out and we are working out the process, and we do know we have just about as satisfactory a system there as it is possible to get at this time. You are familiar with the results obtained at Charleston.

I realize it is going to be expensive, but it is also going to be considerably cheaper, in the long run, to protect our employees in the proper way.

Very truly yours,

SS-G.

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00365

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.

00403

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 then 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. Fennell's presence at the trials in Charleston, Mr. Fennel 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. Fennel 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 L. 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

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Nov. 8, 1935

Mr. Jas. H. Kavanagh, Vice Pres.,
Metropolitan Life Insurance Co.,
New York City.

My dear Mr. Kavanagh:

Thank you for a very pleasant visit at your office last week. I appreciated it very much.

In reference to the insurance at the various Divisions, will take it up with Mr. Lunn, our Comptroller, as soon as he returns from a trip he is now making, which will probably be the first of next week.

With best wishes,

Very truly yours,

SS-G.

President

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