General Headquarters
May 9, 1957

H. J. O'Brien - Manville

Cardio-Respiratory Laboratory
Middlesex General Hospital

I have just received a letter from Dr. Kler on this subject. Following is an excerpt from this letter which I think may be useful to you in developing the proposal for Mr. Huffine:

"The Laboratory has been received with unusual enthusiasm by everyone I have contacted. No one has not assured me of active interest. To date we have received from the Wallace Laboratories $2,500.00; Sebolt Ready Mix Concrete Co. $1,000.00; and Webb Wire Works $250.00. These contributions are far in excess of - - - - - -$15,000.00 of Johns-Manville on the basis of number of employees or assets or any other yardstick one might use. I am expecting confirmation of the following contributions - Research Cottrel Corp. $5,000.00; C. D. Smith Pharmacal Corp. $2,500.00; James DeLaplaine Electrical Co. $2,000.00; Ives Needle Works $250.00.

Active participation by the following companies has been promised, but the financial contribution has not been acted upon by the Head Offices: American Cyanamid, Delco-Remy (division of Gen. Motors), E. R. Squibb (Div. Olin-Matheson); DuPont Finishes Division and Photo Products Division in Parlin; Pioneer Latex (Div. of Borden Co.); Esso Standard Oil Co.; and Bakelite Corp."

I think that it might be very interesting to develop the comparison of J-M to other companies on a contribution per capita basis. I feel that we should be leaders in this field, but I am aware of the fact that it is against company custom to take leadership in projects such as this. Therefore, I believe that developing the per capita donation basis might show that even though the sum is larger, we are not donating more than others in the area.

Kenneth W. Smith, M.D.

KWS:EB
cc: M. F. Naylor - Manville

CONFIDENTIAL

Manville General Plant
June 5, 1957

George M. Wilson - GHQ

Contribution
Cardio-Respiratory Laboratory
Middlesex General Hospital, New Brunswick

The interpretation of the New Jersey Workmen's Compensation Law regarding the Occupational Disease Statute is becoming more liberal rapidly.

Aggravation of pre-existing disability has already become a well establish basis for award. Many conditions formerly determined as non-occupational, are now interpreted as occupational, based on the possible aggravation factor in work exposures.

In evaluating pneumoconiosis cases, the trend presently is to determine disability on the basis of X-ray changes only, without evidence of disability. Pulmonary Function Study is the only method which we have to objectively evaluate actual disability. These studies are essential to us now, and we are sure that they will become much more so.

Results of Pulmonary Function Studies indicating existence and extent, or non-existence of disability, may only be introduced as evidence if the examining doctor will testify in court that he performed the tests, and arrived at the conclusions. Such testimony is not available to us from either the New York or Philadelphia Cardio-Pulmonary Laboratories at this time, therefore, only if the petitioner's attorney agrees, can the Pulmonary Function Study report be presented as evidence. We have had several cases where the petitioner's attorney wouldn't agree.

While we may have been fortunate in having the need for few of these studies in the past, (there have been fourteen; one in 1952, none in 1953, four in 1954, two in 1955, four in 1956, and three this year to date) we know that we are facing a critical need for many of them in the future.

We have on our so-called "No Dust List", the sum of 367 people. Of these, 164 had X-ray changes which might be considered compatible with a work exposure; the remaining 203 are employees who have arrested or inactive TB, residuals of previous infections, or other lung pathology our doctors consider medical in origin.

However, should members of the above-mentioned second group be exposed to any occupational dust condition and develop an aggravation of their underlying condition, the end results could well be construed as disability due to their employment.

We thus have the potential of having to perform complete Pulmonary Function Studies on all 367 people, should they elect to bring claims against us. Most of them would, of course, be well furnished with labor attorney coaching and help—for a good-sized fee.

As to what others intend to do, American Cyanamid stated that they gave $25,000 to the combined New Brunswick hospital expansion fund and that they might consider a $2,000 contribution to this drive. They feel that they have very little exposure.

Bakelite pledged $60,000 over a three-year period to this hospital expansion fund, and said they most likely would contribute to this one.

Diehl hadn't been contacted either on the hospital expansion or regarding the laboratory; they feel that all of their attention should go to the Somerset Hospital. Their President, Mr. Langille, is also President of the Somerset Hospital.

I am advised that Wallace Laboratories have contributed $2,500; Sebolt Ready-Mixed Concrete $1,000; and that Dr. Kler expects confirmation of the following donations: Research Cottrell $5,000 - C. D. Smith Pharmacal $2,500 - J. De Laplaine Electrical Company $2,500.

We feel that we should contribute handsomely to this project, and should we do so we should expect fair treatment in the way of service from the institution in future years, compatible with our needs. Our recommendation, therefore, is that we reconsider a $15,000 contribution whether in a lump sum, or over a five-year period, as suggested by Dr. Kler.

E. J. O'Brien

General Headquarters
June 18, 1957

H. J. O'Brien

Contribution
Cardio-Respiratory Laboratory
Middlesex General Hospital

The contribution requested to cover the subject laboratory has been reviewed by Jack Syme with Mr. Fisher and Mr. Cassidy. It is their decision that we should not contribute more than that given by American Cyanamid or Bakelite. They would prefer a one-time contribution of $2,000.

It is my suggestion that you prepare a check request for this amount and forward it to my office, and I will see that the check is returned to you for presentation.

The laboratory is not yet a qualified organization for contributions from the Controlled Chairman's Fund. For this reason, it will be necessary that the check be made out to the Middlesex General Hospital. It is my suggestion that you try to arrange to have this method of addressing the check meet the demands of the Cardio-Respiratory group.

GMW(ct)
George M. Wilson

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H. J. O'Brien

C
O
P
Y

MEH
Note & return
promptly
HJO'B

June 21, 1957

K. W. Huffine

Contribution
Cardio-Respiratory Laboratory
Middlesex General Hospital

It is surprising to get the report from Mr. O'Brien and Dr. Smith that they propose we not make any contribution if we cannot do better than match approximately what American Cyanamid or Bakelite might give.

Apparently they feel that it is very important that we support this Laboratory, and I am inclined to agree with them.

However, they still have not presented to me a convincing case why we should make a donation representing approximately 10% of the expected cost of this facility when it is considered that it will be available for industry in the entire State of New Jersey.

John P. Syme

CC: A. R. Fisher
C. W. Hite

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MEMO

To Pat (Office)

Location

Date 6/28/57

Subject

(Write a separate letter on each subject)

Of the large contributions of Patients and Personnel to the overall expansion fund (which we did not contribute to) and the extensive and greater use we would make of the proposed laboratory we are not contributing enough, I believe so.

FORM 3-2 PRINTED IN U.S.A.

Signed MGH

CONFIDENTIAL

Manville General Plant
June 28, 1957

George M. Wilson - GHQ

Contribution
Cardio-Respiratory Laboratory
J. P. Syme's letter 6/21

I am afraid that I can do no more in the way of justifying my feeling in this matter than the statements made in my letter of June 5th to you.

We doubt that any industry, large or small, in the State has anywhere near the exposure that we do—I would guess that American Cyanamid and Bakelite together wouldn't have 10% of our potential claims.

See copies of Dr. Ken Smith's letters attached.

H. J. O'Brien

encl.

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Helen
Put this request
for check
H J

H. J. O'Brien

General Headquarters
July 12, 1957

Cardio-Respiratory Laboratory

This entire subject has again been reviewed by Messrs. Huffine and Syme.

The original decision has not been changed and you are authorized to make a contribution up to a maximum of $2,500. Since neither Mr. Hite nor Dr. Smith feel that anything more can be added and that this subject is important enough to expend the effort on an additional selling job, little more can be done on this matter.

George M. Wilson

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July 19, 1957

Dr. Joseph M. Kler
Middlesex General Hospital
New Brunswick, New Jersey

Dear Dr. Kler:

We are pleased to enclose with this letter, our check in the amount of $2,500.00, which represents our contribution toward the proposed Cardio-Pulmonary Function at the Middlesex General Hospital.

Very truly yours,

M. J. O'Brien

encl.

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