PLAINTIFF'S EXHIBIT
tabbies
UC-1721

March 9, 1933.

Drs. Sayers, Russell, Lanza and Pancoast.

Gentlemen:

Re: Union Carbide Tunnel in West Virginia

Yesterday afternoon I had a telephone call from New York from a Mr. Davis who stated that he was connected with the tunnel job recently put through or still working, for Union Carbide in West Virginia. He stated that you gentlemen had recommended me as an authority on dust respirators, for which I [illegible], whereas Sayers had told him there was no good practical respirator when the tunnel job started -- 1930, I believe. With this I agreed and added that I knew of none now which would prevent, with certainty, silicosis. I told him that the Surrell mask of the Mine Safety Appliances Co., and the new one made by Willson Products were at present the best I knew of.

He wanted me to come down and testify to the above. I asked if the plaintiff really had silicosis and he said they had not had him X-rayed but were following Pancoast's advice and would submit, as I understood, the films to Pancoast. I asked him if he was being racketeered and he said he certainly was but it was made clear that I was pretty hot stuff and that he was in a bad way and needed my help. This made no particular impression.

Somehow it sounded odd. I had never heard of him and couldn't recollect anything about this tunnel which he said was in a mixture of sandstone and shale. He said he would write and might ask me to come to New York to advise their attorney. I offered to swear to the respirator dates and give him the statement for nothing but he said it was useless for legal purposes.

Match came back this morning from a meeting in New York and recalls conversations to the effect that the company had done sidgreble silicosis and had refused admittance to certain of us who wanted to see their drilling by the electric rock melting process. [illegible]. I think I now recall conversations to the effect that they had had some silicosis deaths.

Can you get down me a friendly intimation about this? I dislike the legal business (silicosis suits) and am no good at it anyway, but if the company has a genuine cause for grievance, I will try to help them. If they misrepresented conditions to me they can look for their help elsewhere.

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I might add that I suggested to Davis that perhaps Matthew van Sicklen could help him. Van Sicklen was located by telephone, stated that he was not qualified for the respirator business, so Davis called me a second time.

You are all probably sick of these inquiries. I like to get them for the simple reason that they keep us abreast of the times and every so often we get an interesting problem.

Sincerely yours,

PD.hl

Philip Drinker.
58 Van Ryke St.,
Boston, Mass.

March 10, 1933

Mr. Philip Drinker
53 Van Dyke Street
Boston, Mass.

Dear Phil:

I have your letter of March 9. Mr. Davis came to see me, accompanied by Mr. Winams, Personnel Manager of the Union Carbon and Carbide Company. Mr. Davis is the head of the department dealing with power development for this Company and struck me as being a very decent citizen and seemed to be quite well informed on the whole subject of silicosis.

I have heard from a number of sources about the high mortality that has been attendant upon the construction of this tunnel. The suits are being brought against the contractor and the insurance company and Union Carbon and Carbide is apparently not liable. However, they have decided to look into the matter thoroughly and be of such assistance as circumstances may warrant to the contractor in defending these suits.

I pointed out to Mr. Davis, and as far as I could make out, he got the same advice from Sayres, that the thing to do was to establish first of all whether these sick men had silicosis and for that purpose. I suggested that he consult Dr. Pancoast. My own opinion is that if these men were found to have silicosis and they had worked under conditions exposing them to silicosis, the suits had better be settled. Of course, there is a strong probability that many of these men were old hard-rock workers who may have had silicosis when they went to work for the contractor. Mr. Davis was anxious to establish the status of respirators and I advised him to get in touch with you, both as to type and as to the time when various types appeared on the market.

I imagine that there are probably some genuine cases of silicosis mixed up with a number of more or less fraudulent suits. The majority of these people bringing suits are negroes and naturally the whole think has been engineered by some clever lawyer. I do not know who the contractor is but I expect they have got him across a barrel. A number of suits have been filed on behalf of persons now dead and I believe their lungs have been secured. I advised Mr. Davis to consult Dr. Gardner for this phase of the job. I shall be glad to give you any further dope if I have any.

Sincerely yours,

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

EMERY R. HAYHURST, M. D., PH. D.
CONSULTING HYGIENIST
COLUMBUS, OHIO

OCCUPATIONAL DISEASE
PUBLIC HEALTH PROBLEMS

1933 CONCORD ROAD
TEL UNIVERSITY 6280

April 13, 1933

Dr. A. J. Lanza,
Policyholders' Service Bureau,
Metropolitan Life Insurance Co.,
New York City, New York.

Dear Dr. Lanza:

I have just accepted Dr. Smillie's invitation to discuss your paper on "The Epidemiology of Silicosis" at the Milwaukee Meeting of the American Medical Association, June 14th. I am very glad you have offered to present such a paper, for the subject continues to assume more and more serious proportions in this part of the country. I also wish to thank you for evidently suggesting my name to Dr. Smillie.

As soon as you have your copy prepared, please don't forget to send me a carbon.

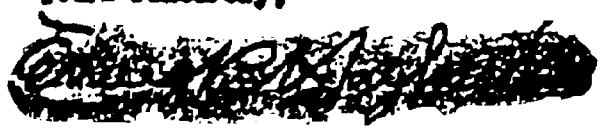
I have been down on the West Virginia silicosis outbreak in connection with the New River Power Tunnel where I gave expert testimony a week before last on the first case to be heard. They certainly have an awful situation there. One physician testified that he already had 175 cases which in his opinion were silicosis and of whom he had autopsied ten. He also told me that he thought twenty others had died of silicosis. While I was there I saw the body of one victim who undoubtedly also had a heart complication. The symptoms began to come on within three or four months' time in some victims and some deaths occurred within one year of the beginning of employment. They were working in 99 per cent silica at a feverish pace and with dry drilling and a tremendous lot of blasting. About 500-700 men were employed in total. The tunnel is 3-1/4th miles long and 35-42 feet in diameter and about three-fourths of the length was through practically solid quartz. Personally, I can't comprehend why the contractors did not take more precautions. However, the evidence of the defense was not in when I left there and perhaps there are some mitigating circumstances.

You will be interested to know that I have been appointed Chief of the Division of Hygiene as well as Consultant in Occupational Diseases of the Ohio Department of Health during this tremendous shake up in affairs in general, although I am permitted to engage in a limited amount of consulting work which doesn't take too much time out of the State.

With all best personal regards, I remain

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Yours sincerely,



April 17, 1938

Dr. Emery R. Hayhurst,
Consulting Hygienist,
1925 Concord Road,
Columbus, Ohio.

Dear Dr. Hayhurst:

I read your letter of April 12 with a great deal of pleasure. As soon as my paper is ready, I shall send you a copy.

I was delighted to hear that the Department of Health has had the good sense to appoint you as Chief of the Division of Hygiene and feel that they are to be congratulated.

This business in West Virginia must be a terrible mess. A wonder is there any information as to whether the men working on this tunnel may have already had silicosis when they started to work. Somewhere I got the impression that many of them were negroes. I am beginning to believe that the negro succumbs more rapidly to silicosis than the white man, and the thought occurs to me that this may possibly be due to the greater frequency of syphillis among the negro laboring classes. Have you any opinion on this?

With best regards

Sincerely yours,

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

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