Profit before people: did the 1894 Albion colliery disaster influence UK government policy in coal mining?

EMA – Dissertation
for
BA (Hons) History, Open University,
For A329, ‘The Making of Welsh history’

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Submitted May 2023

Word Count 7394
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Introduction

“King coal” aptly describes the monetary and cultural value of the coal industry in the nineteenth century to the Welsh, and the British, nations.¹ Much of this coal was mined in the Rhondda Valley, which was to some ‘the greatest coal-producing valley in the world’.² In 1884 the whole South Wales Coalfield had an output of 25.9 million tonnes, in the mid-1890s output from south Wales accounted for 18% of the entire British coal produced, and 38% of exported coal, rising to 57.7 million tonnes in 1913.³ By 1911 the mining industry in Wales employed just over one-quarter of a million people, largely men and boys, and of these 86% were employed directly in coalmining, whilst the associated employment in related industries supported villages and towns throughout south Wales.⁴ Coalmining was hugely important to the Welsh economy and identity in the nineteenth century, and that latter point still remained the case relatively recently; following a 2008 survey of its readership, the Western Mail found that the production of coal was considered the greatest of the many contributions Wales had made to the world.⁵ In late nineteenth and early twentieth-century Wales, coal was indeed king.

The mining work was dirty, dangerous, occasionally disastrous and it is this latter phenomenon that this dissertation focusses on. Of the accidents and disasters which led to the deaths of five or more people, listed by Welsh Coal Mines online, there were over 6,000 deaths, representing 17% of the estimated total fatalities (discounting those who died subsequently from illnesses related to the colliery environment) and although these incidents killed hundreds of people and caused devastation to families and small communities, it is proposed here that the economic value of the coal industry and the ancillary benefits to the people and country may have led to a political acceptance of these accidents.⁶ The largest death toll in a singular event resulted following a disaster which took place at Senghenydd in 1913, in which 439 people were killed.⁷ This event has been covered elsewhere, for example by Jen Llewelyn

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¹ It is not clear who coined the phrase ‘King Coal’ but the earliest mention I located was in a poem by Charles Mackay, “Old King Coal”, Illustrated London News, 1 January 1859, p. 12, available at https://www.britishnewspaperarchive.co.uk/viewer/B/00001578/18590101/033/0012. Accessed 10th May 2023 (Also in Appendix 1 in case the link does not work as it was behind a paywall on one check).
⁵ Catherine Preston, ‘Chapter 9: Industrialisation’ P. 1
⁷ Welsh Coal Mines (2023) ‘Welsh Mining Disasters’. 
who focussed largely on the impact on the people, and the causes of the disaster.\(^8\) The second largest death-toll historically, and contemporarily the deadliest to date, followed the catastrophe which took place on 23\(^\text{rd}\) June 1894, at Albion Colliery, Cilfynydd near Pontypridd, when 290 men and boys died following an explosion.\(^9\) This dissertation will use the reports commissioned by the government and the company, the press coverage of the Coroner’s Inquest, which took nine days, and reports from the Western Mail and South Wales Daily News, in order to investigate the causes of the accident, and assess what actions the government took as a result of the Albion tragedy. It will attempt to establish why actions were or were not taken to prevent similar occurrences in the future. There were 19 years between Albion and Senghenydd and it is intended to establish if lessons learnt from the former accident may have helped prevent the latter.

There appears to have been little historiographical research into the actions taken by the government to improve the safety of the mines although some occasions when employees and owners have faced prosecution after disasters have been covered. For example, whilst Meurig Evans’ book One Saturday Afternoon does refer to the investigators’ recommendations that the owners and managers of Albion colliery be prosecuted, this was for contravening elements of the Coal Mines Regulations Act 1887; there were no charges which were equivalent to manslaughter made.\(^10\) Martin Daunton has written about the conditions in mines, the practices and methods utilised to extract coal but makes little reference to the politics which surrounded mining in his work ‘Down the Pit…’ at either local or national level.\(^11\) With so many hundreds of thousands of people and millions of pounds of money involved, it is proposed that the political will to implement greater safety measures was either not strong enough in the face of potentially negative impacts on profits of powerful company and land-owners, or it was understood that the safety mechanisms within the existing mining legislation were sufficient; essentially, coalmining was considered a dangerous but very profitable business and if people died in that work then perhaps the government, and even wider society, considered that to be an inevitable cost.

Over the following three chapters this “profit or people” question will be unpicked, firstly Chapter One will analyse the governmental reports into the

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\(^8\) Jen Llewelyn, Remember Senghenydd - The Colliery Disaster of 1913 (Llanrwst, 2013).
Albion disaster and then the Albion Steam Coal Companies’ own report (which is held in the Glamorgan Records Office, and provided here in Appendix 2). This will show that there was some dispute as to the location of the initial explosion, and consequently who or what was responsible, which impacted responses by the government. Figure 1 is the image showing the plan of the colliery from the government report, provided here to aid understanding of these different interpretations of events (it may need enlarging). Then local newspaper reporting will be examined for any overt political bias and investigation of political influence of newspaper owners and/or editors undertaken. In Chapter Two, alongside looking into further press reporting, an analysis of the roles, perceptions, and public performances of two MPs, David Alfred Thomas and William Abraham, will be made, with a view to establishing if there were practical reactions other than sympathy to the disaster, and how they were manifested. For example, over a year after the Albion disaster, in August 1895, Thomas is recorded in Hansard questioning the Welsh language skills of Roskill, who was appointed by the Secretary of State to investigate the Albion explosion; was this a genuine case of there being an English-Welsh language barrier in investigating these disasters? Or was Thomas being opportunistic? These are the sort of questions which will help shed light on some of the politics surrounding Welsh coal mining. Chapter Three will discuss mining legislation enacted post 1894 to appraise what changes were introduced, and if there can be a causal link discerned between Albion and these Acts, or if there were other forces at hand, and look at the prosecution process following Albion too. The reports, the press coverage, the parliamentary debates, legislative amendments, or regulatory obligations introduced, and prosecutions will together show if the 290 lives lost on Saturday 23rd June 1894 at the Albion colliery in Cilfynydd impacted those of subsequent miners via government policy in action.


14 There are some technical terms in use in this work, such as ‘shot-firing’ and ‘fire-damp’ and a search of some of the various mining-related websites cited in this document will provide more information if required, although explanations have been provided in the body of the paper too.
Figure 1. House of Commons Parliamentary Papers (2023). ‘Reports on disaster at Albion Colliery, Cilfynydd, near Pontypridd, June 1894’. Plan 2.
Chapter 1 – The Albion 1894 Disaster - reports and reactions

Between 3.45pm and 3.50pm on Saturday 23rd June 1894 an explosion occurred at the Albion Colliery in Cilfynydd near Pontypridd which took the lives of 290 men and boys. The exact causes of the explosion, what precisely happened across the pit that afternoon, who was responsible and whether it could have been prevented provide a launchpad to investigate more widely the governmental role in preventing these accidents. In this case there was an investigation by Her Majesty’s Inspectors of Mines, three reports (Roskill, Robson and Dixon), a lengthy Coroner’s Inquest and a report commissioned by the company which owned the mine, the Albion Steam Coal Company Limited. Nearly 130 years later it cannot irrefutably be said what caused the explosion, and the government and company, perhaps unsurprisingly, came to different conclusions, so it is worth looking into both sides before moving on to look at the reporting of aspects of the inquest in the Welsh press.

J. Roskill, the Barrister appointed to investigate and report on the disaster, essentially attributed the cause to dangerous shot-firing of timbers in a dry pit at Grover’s Level on the north-west side of the pit, which was underwatered, and that this took place when a new shift had started and not in between shifts, as it should have been because fewer people would have been present should accidents occur. ‘Shot-firing’ is the use of explosive material, such as dynamite or gelignite, to loosen the coal-seam and enable more easily the hand picking of the coal or speedily remove wooden infrastructure in place to make safe the excavations, and the requirements for safely undertaking shot-firing are outlined in Section 12 of the Coal Mines Regulation Act 1887; the practice was not illegal, but was dangerous and therefore precise rules applied and it was the government’s position that these had been contravened. The reasons that Roskill considered that blasting timber in Grover’s level had caused the explosion are outlined in pages 11-14 of the report, and neatly summarised below:

‘Now it is a strange thing that the three men whose duties were specially concerned with blasting, should have been found together in or near the horse-pump dip, at that time, unless they had been engaged in it…conclusion is strengthened by the fact that William Roberts (the

chargeman) was found with detonators (caps) in his pocket. Edward Rees (day fireman), who was present when a box or tin containing these caps was found on Roberts, said he could not tell whether it would be in Roberts' possession for blasting purposes or not “as he might carry the box with him very often when he did not want it,” and he has known him sometimes to do this. Even if this were true, and I do not believe it, it does not explain the presence of these three men together, and in that place, except for some reason connected with blasting'.

Roskill could see no reason for the men’s bodies, those of men involved in blasting timber to be found near Grover’s Level horse-pump dip; he thought the company explanations unreliable, and that the explosion was caused by this shot-firing.

In a letter dated 30th July 1894, covering the report undertaken by David Hannah who was an agent for Ferndale, the colliery which was commissioned by the Albion Steam Coal Company to investigate, it is denied that shot-firing caused the explosion, and the letter concluded that “the disaster was caused by a sudden outburst of fire-damp [flammable gases present in coal mines] accompanied by a large fall of rock...on the Cilfynydd side”. Essentially, these explanations are about apportioning responsibility and deflecting blame. There is no explanation from the company for this “sudden outburst” just the denial that shot-firing played any part, and Roskill has no explanation as to why this practice of shot-firing timber was taking place seemingly unsupervised by anyone outside of the company, such as HM Mines inspectors. Neither side are seen to accept any responsibility. Roskill blamed the company and the company seemingly blamed fate. Meurig Evans points out that given ‘the nature of society and the coal industry in the late nineteenth century it could be argued that the colliery agents could have many reasons to ensure that the management would not be blamed’, thus essentially alleging that the company commissioned report is akin to a pupil marking their own work. However, the company report is nonetheless worth examination, if only to see how the fallout from this incident was handled internally.

David Ellis, the Albion Company Secretary was ‘glad’ to inform the chairman and Board of Directors that the colliery was open again, when he sent them their copy of the company commissioned report. This report is provided in Appendix 2. The Ellis letter is dated 30th July 1894, just over five weeks after the explosion, and whilst it is not suggested here that coalmining in the Cilfynydd pit should have stopped permanently, this apparent pleasure

20 See Appendix 2, Page 9.
expressed here is insensitive at best, and indicative that for Ellis, in representing the Albion colliery, profit was at the very least desirable. That said, they did send their own inspectors to investigate early, and the report provided does give a timeline to their investigation.

On 26th June the first place within the pit where they investigated was the Grover’s Level/ Westside, before going on to concentrate on Llanfabon Dip, which was close to where Roskill considered the explosion to have started; the report concludes this section by stating that the direction of the blast suggested force came towards rather than away from this area.23 Between 26th and 28th June the company report focussed in this area of the pit, providing what it seemingly hoped would be evidence that the explosion did not start where Roskill believed it had, essentially contradicting Roskill, but they do not conclusively prove their point. On 29th June, the report examined the Cilfynydd/ East side and begins at the boiler room, near to the downcast shaft; presumably to show that an explosion in the boiler room was the overall cause. They state that there is no evidence of force there, but that Phillip Jones (the Colliery Manager) said that he had seen burning at the boiler room; this reads as being shoehorned into the report, because whether the explosion started in the East or West of the pit, it is not unreasonable to expect that a blast that strong would show evidence in the boiler room in the middle of the pit, but apparently not according to the companies’ own report. The Albion document is muddled and appears disjointed. For example, there is an 11-day gap between 29th June and 10th July, where evidence may have been changed or been damaged, or tampered. At the bottom of Bodwenarth Incline, on the Cilfynydd side of the pit, the report states that evidence was found indicating preparation for shot-firing of timber, although it fails to then account for the sudden roof collapse but does suggest that the fact that the fireman David Griffiths’ body was found 150 yards away is relevant, without stating why but implying that shot-firing was not taking place because Griffiths body was found a significant distance away from where the company expected him to be. The company report is confusing, and apparently self-serving, and it is this latter point which is pertinent; the response to this disaster in the first instant involved governmental and private company investigations, there was no independent body investigating.

Turning to the newspaper reporting, between the 23rd June 1894 and 31st December 1894 there were 156 articles which included the words “Albion” and “disaster” in the Western Mail, 350 in the South Wales Daily News, and overall there were 1368 articles in Welsh newspapers in that period, indicating that there was an appetite to report the disaster, which is to be expected given the

death-toll. At the end of the Roskill report, there is a list of witnesses called to give evidence at the Inquest and there was substantial reporting in the local press. The Western Mail reported that on the fifth day of the inquest Mr Morgan Dyer, a day fireman responsible for safety, had stated that he had found no gas, and then defended shot-firing, until a juror asked if it should be totally abandoned and he reported ‘no’, but that ‘he did not now believe in blasting of timber’. The newspaper did not say anything else, just left that comment hanging, and perhaps by omission this was indicating either that the reader should make up their own mind or that the comment suggested that timber blasting may have been responsible for the explosion. The South Wales Daily News reported a quarrelsome interaction between Mr Dyer and Mr Morgan Thomas of the Haulier’s Association, who was questioning Dyer. Dyer was asked if the colliery took the potential dangers of the roof collapsing into account when deciding on blasting or removing spent timber by hatchet, then Thomas essentially goaded him before the coroner stepped in. What is being reported here is the confrontational nature of the inquest, and this example shows that these two papers reported that same interaction differently, but it is not clear if there was public pressure for greater regulations, punishment, or change, no sense of a campaign for reform. It is worth considering the ownership or editorial nature of each paper to seek an explanation of this differential reporting because readers of the Western Mail on 21st July 1894 would have had little sense of the atmosphere in the coroners’ court, whereas the South Wales Daily News readers would have been clear that there were arguments occurring in court.

The Western Mail was founded in 1869 by the marquess of Bute, John Crichton-Stuart (1847-1900) in Cardiff and was a ‘a strongly Conservative organ’, by 1894 the owner was Henry Lascelles Carr who had run the news department since 1869 and taken ownership in 1877; it remained a Conservative voice under Carr. This conservatism may have influenced the reporting of matters which portrayed the employers in a negative light

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24 National Library of Wales (2023). Search results for “Albion” and “disaster” between 23rd June and 31st December 1894. Available at https://newspapers.library.wales/search?range%5Bmin%5D=1894-06-23T00%3A00%3A00Z&range%5Bmax%5D=1894-12-31T00%3A00%3A00Z&alt=(full_text%A2Albion%20%20AND%20full_text%3Adisaster)&page=1&refine=&alt=(full_text%A2Albion%20%20AND%20full_text%3A%22disaster%22)&sort=score&order=desc&rows=12. Accessed 20th April 2023.


whereas the *South Wales Daily News* was a Liberal newspaper, which ran from 1872 to 1900. With so many Liberal voters, MPs and a late nineteenth century Southern Welsh Liberal culture, it is perhaps understandable that such a paper may wish to report the Coroner’s Inquest differently to the more conservative *Western Mail*.

![Figure 2. Coroner’s Inquest, published in Western Mail, 18th July 1894.](image)

Chapter 2 – Responses by Members of Parliament

In the introduction brief reference was made to the contributions, campaigns, and actions of Westminster MPs but there are simply too many involved in Welsh colliery disasters, in too many arenas, to investigate all of them here, therefore 2 MPs have been selected for analysis; D. A. Thomas (MP for Merthyr Tydfil 1888-1910) and William Abraham, or ‘Mabon’ to use his Bardic name (MP for Rhondda in 1894). By looking through the Hansard parliamentary papers and local newspapers, a picture emerges of active involvement in some areas, for example Mabon was particularly active in Cilfynydd in the immediate aftermath of the disaster. On Monday 2nd July 1894 he was involved in discussions at a meeting between the colliery management and their workers, with Mabon representing the workers, seeking a shorter shift and during the wider post-disaster period the South Wales Daily News reported Mabon as being ‘busily engaged in investigating the circumstances of the disaster’. This is evidence of a concerned MP, with a background in mining and future in trade unionism being actively involved in preparations for the imminent coroner’s inquest. A search of the Hansard records regarding Mabon’s contributions and questions in parliament in 1894 found zero records; Mabon, it seems, was on the ground helping in what he perhaps considered was a more practical way than seeking greater legal powers to improve safety in mines. Given the two different versions of events that caused the explosion it is tempting to consider that greater levels of inspections, with greater powers for inspectors may have helped prevent coal mining disasters in the post-Albion period because they may have led to either ensuring owners and managers implemented the Coal Mines Regulations Act 1887 properly, or identified areas to improve safety, and David Alfred Thomas seemingly considered this to be the case too.

Thomas’ family background was involved in colliery ownership, and early in his career he observed coalmining in practice due to his families’ business interest in the colliery at Clydach Vale, following this Thomas moved into politics, and was 4 times elected as Liberal Member of Parliament for Merthyr Tydfil, eventually leaving Westminster politics in 1910 having been shunned when Campbell-Bannerman gave him no seat in government, in the landslide of 1906.

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frequent clashes with the militant leaders of the South Wales Miners' Federation', and therefore Mabon, but this difference to Mabon was also exemplified in his methods of practicing politics for Mabon appears very quiet in the post-Albion aftermath in Parliament, whereas Thomas was more overtly engaged.\footnote{33} Hansard shows that on 3\textsuperscript{rd} August 1894 Thomas questioned Herbert Asquith, the Home Secretary, on Coroner’s Inquest jury comments that ‘considered the present examinations by the workmen’s representatives are worthless’.\footnote{34} Thomas goes on to suggest to Asquith that under Section 38 of the 1887 Coal Mines Regulations Act, the jury wondered if miners could use inspectors from other mines or to appoint their own Check Weigher to do the job of checking the accuracy of the returns [that is the amount of coal being quoted as mined] ‘provided he does not interfere with the working of the mine?’\footnote{35} Asquith replies, ‘I do not see any necessity for legislation in this direction... I do not think the law needs altering’. The inspections being discussed here relate to the working practices which suggest that work was being done without inspection to independently verify the return and both the inquest jury and Thomas are asking why provisions within Section 38 of the 1887 Act, were not being utilised; the government were ostensibly disinterested. The checkweighers matter arose because the jury in the inquest had suggested that there should be more inspection, and that they may fear dismissal if they negatively reported their inspections, which may partly explain the question raised by Thomas.\footnote{36} There is another interpretation of Thomas’ motive for questioning Asquith about the external or internal assessment of the amount of coal produced or other inspection-related matters, he may simply have been interested from the business perspective; a family interest in the introduction of colliery related legislation which may impact profit cannot be discounted. It is worth noting here that Asquith was Home Secretary, appointed under William Gladstone, in a Liberal government, and that both Mabon and Thomas were Liberal MPs, somewhat unsurprising in Wales in last decade of the nineteenth century. In effect, Thomas was asking questions of his own side, in a macro-political sense.

Elsewhere, on 11\textsuperscript{th} February 1895, Thomas questioned Asquith on the progress of the Coal Mines Act, and whether he intended to refer the bill to a Standing Committee. Asquith assures him that there will be ‘no avoidable delay’.\footnote{37} These short exchanges alone tell of pressure from a local MP,
regardless of his motives, representing a South Welsh Coalfield constituency being rebuffed by the Home Secretary. Thomas’ questioning the language skills of Roskill, may well have been due to genuine concerns which Thomas had but it may also be that Thomas was using the disaster to highlight the displeasure felt by some Welsh people at the domination of the English language in Wales, in particular in the southern Welsh valleys, and that Thomas was making more of the language barrier than actually existed; it seems unlikely given the prevalence of English, remembering too that the companies’ own report was in English, that there was any language barrier to Roskill, it is possible that Thomas was playing to an more nationalist audience deliberately, because to practice politics is to be constantly campaigning. This could be viewed as an example of an MP using the Albion disaster for their own political purposes, and it would not be the first or last time that a politician used Parliament as an arena to frame outside events for purposes other than purely dispassionate reasons. It is worth noting that John Davies has identified that the industrial company Thomas created, the Cambrian Combine, had a value of ‘over £2million’ by 1913, which is around £186million today; Thomas clearly had a literally vested interest in industry. However, regardless of any potential nationalist background to Thomas or potential business motives, his case provides evidence of an active questioning of the government following the Albion disaster, and of a government which, if not purposefully callous, was possibly putting profit before people. One man for whom it seems unlikely such allegations would be levied is Mabon, although it should be said that he died a relatively rich man, leaving an estate worth £33,315.

Whilst Thomas’ records in parliament show he was questioning the government; Hansard shows very little of Mabon. However, that is not to say he was an inactive politician, as previously noted, he was reported favourably in some local press for his efforts in representing the miners in the after-effects of the disaster, and it is here, and his Trade Unionism leading the South Wales Miners’ Federation (SWMF) where his approaches to representing the people can be seen. On 28th March 1894, the South Wales Daily Post reported that Mabon was ‘communicated with’ over a ‘serious dispute’ which left 1500 men ‘idle’ [striking] at the Cilfynydd colliery, and it was hoped he would help resolve the problem. On 3rd August 1894 Mabon wrote to the South Wales Daily News to correct a ‘misstatement’ in which he was alleged to have said that he died a relatively rich man, leaving an estate worth £33,315.9

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39 John Williams. Abraham, William [pseud. Mabon] (1842–1922), trade unionist and politician’ Oxford Dictionary of National Biography. Notably, the Bank of England Inflation Calculator website (https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator) valued this at worth just over £1.5m at March 2023, which is a significant amount of money for a Trade Union leader on an MP salary, although this is not to be investigated here.

not support the inspection of mines.41 Then on 29th September 1894, the Western Mail reported Mabon as having visited with the Albion Collier manager, Philip Jones, to discuss the potential ‘reintroduction of the double-shift system’ to get them to guarantee to revert to the hours worked before what the Western Mail referred to as an ‘unfortunate explosion’ (the new shift pattern had been criticised in the Roskill report and the Coroner’s Inquest as having been a contributory factor death toll in the disaster).42 The same September 29th article makes brief reference to Thomas, stating that Mabon would be responding to questions Thomas had posed regarding the 8-hour-day working debate, but the main point here is that these three short articles show Mabon was actively involved in Cilfynydd before the explosion, in the immediate aftermath and then a couple of months later still acting to try to ensure that the safety of the men was paramount. They also show a sense of reverence across these three newspapers, a familiarity which is not afforded to Thomas, therefore the reporting suggests that Mabon was viewed by some as an almost heroic MP in the Cilfynydd area, despite not being the local MP, and his interventions could be interpreted as putting people before profit.

One of the aspects which is clear from reading through the many newspaper articles is the concern expressed by the press and public for the children, siblings, and widows of the victims of the disaster on June 23rd, 1894. Often, an article covering the inquest, or a question in parliament or even an entirely unrelated colliery matter would refer to the welfare appeals for those left behind after Albion.43 This is where Mabon seemed to play a role as well. Many descriptions of him now describe him as a trade unionist as well as MP, which is due to his leadership of the SWMF that formed in 1898. The very brief reference made in the press on 28th March 1894, quoted above, shows that Mabon was interested in preventing strikes, a point clarified by Mabon himself stating previously in 1875 that his aim was ‘the creation, maintenance and fostering of that good feeling which should exist between employer and workmen’.44 When taken with Mabon’s interest in the men’s wages, hours worked and shift patterns, what emerges is almost a picture of a working man’s crusader, but there is little attention in the way of health and safety practices at the forefront of Mabon’s work, other than ensuring hours worked are realistic where appropriate. Mabon, like Thomas, was focussing on many aspects of the coal mining business and it would be crude to say the former was a man

43 A glance through the various pages referred to directly in this paper will illustrate this, or a search for 'Albion' in the late Summer of 1894 will do the same.
of people and the latter a man of profit, but what it seems neither had in mind before, during or after Albion 1894 was any intrusive intervention of colliery practises, such as banning shot-firing, or giving increased power to inspectors or increasing the amount of inspections.

23rd June 1894 was also the date that the Queen gave birth to the future Edward VIII, and the future Labour Party Leader, Kier Hardie, who at the time represented a London constituency but was later elected MP for Merthyr Tydfil, used the occasion to criticise the House of Commons for what he perceived to be an inappropriate celebration of the birth whilst simultaneously ignoring what had occurred in Cilfynydd on the same day. This was received badly in the press and may have contributed to Hardie losing his seat in 1895, but the fact he raised the disaster as an opportunity to attack the monarchy, is perhaps another example of MPs not quite grasping the nettle of the power to change coal mining that lay in their hands in parliament; as a result, perhaps neither Thomas nor Mabon were exceptional in that respect.

45 It is tempting to wonder what Hardie may have made of Edward’s Abdication in the late 1930s.
Figure 3. David Alfred Thomas, 1st Viscount Rhondda by Walter Stoneman, for James Russell & Sons bromide print, circa 1916 NPG Ax46120. © National Portrait Gallery, London.
Figure 4. ‘Mabon’ William Abraham by Benjamin Stone, platinum print, 1901. NPG x8259. © National Portrait Gallery, London
Chapter 3 – Legal, legislative, and regulatory legacy

It cannot now be known if the Albion disaster was caused by the poor handling of explosives when blasting timbers, which was the Roskill viewpoint, or the random fall of a roof which released gases that ignited, which was the Albion Steam Coal Company perspective, and just under two decades later, on 14th October 1913, the explosion at the Senghenydd colliery also had different causes proposed by different parties. The government report into that disaster found that the cause was likely to be an electrical spark after a floor which contained electrical wiring fell, whilst the owners attributed the cause to poor handling of lamps near a lamp-station. The lack of definitive cause, and the contradictory reporting by the government report and colliery owners are similar across the two disasters, and suggestive of a lack of progress between the two in terms of accident investigation and prevention.

Between the two disasters there was a large amount of legislation passed to improve coalmining safety, but before looking at that, it is worth considering the court proceedings which followed the Albion explosion. Evans states that Herbert Asquith received the Roskill report in early September, in which Roskill had recommended prosecutions of various employees of the Albion Steam Coal Company, as well as the company itself. The specifics of the prosecutions recommended can be found on pages 22-24 of the Roskill report, but they were essentially alleging that Philip Jones (colliery manager), William Lewis (the agent), William Anstes (chargeman) and William Jones, (‘Under-manager’ who was acting in Philip Jones’ absence on the day), be charged under Section 12 of the 1887 Act for allowing shot-firing to be performed in a dry environment, not removing people safely away from the vicinity, not supervising properly and not storing explosives in accordance with the Act. Charges against the company and William Jones were dismissed, and against Lewis they were withdrawn, although Philip Jones and Anstes were fine £10 and £2 respectively, the modern equivalent to about £1000 and £200, or approximately £4 per person’s life; the colliery was reopened by then and with this level of penalty, the legal system could be said to have effectively dismissed the situation as trivial. For comparison, the government report into Senghenydd identified that the colliery manager was Edward Shaw, and he was subsequently charged under the Coal Mines Act 1911 with 17 breaches of the act, relating largely to the failure to maintain lamp equipment and poor

record keeping, he also failed to keep a ventilation fan in good working order, which would have helped dissipate any build-up of flammable gases.⁵¹ Found guilty, he was fined £24, about £2,200 today.⁵² The colliery owners were fined £10 for similar ventilation failures; ten pounds for 439 deaths.⁵³ It is hard to determine that the legislative controls introduced between the two disasters were a deterrent to poor management of the colliery in this example, and therefore, the profits were perhaps in the legislators’ minds, albeit whether at the foreground or background is impossible to ascertain.

However, there was throughout the nineteenth-century a steadily increasing statute book of legislation aimed at improving the safety of mines, protecting children from dangerous work, enabling inspections to be made, and more. In ‘Government and Mining: Legislation, Inspection, Enquiries’ the Mining Institute has produced a document which it considers represented ‘considerable government control from legislation supported by an inspection structure’.⁵⁴ The legislation listed at the bottom of the document cited in footnote 53 show enacted laws related to mining between 1831 and 1994, and what is noticeable first is the sheer volume of legislation; there were 33 Acts or amendments to Acts between 1842 and 1912, and ordinarily there were only a few years before another legislative measure was introduced, therefore, it cannot be reasonably said that the UK governments were ignoring coalmining or other industrial activity. Yet at the same time it has been shown above that contravention of certain rules within safety legislation, such as those surrounding the storage of explosives in the 1887 Act or aspects of the 1911 Act aimed at ensuring adequate ventilation, met with relatively small monetary fines. It cannot be known if Phillip Jones or Edward Shaw paid the fines themselves, but what can be ascertained is that the potential fines to the companies who owned these mines were not working as a deterrent to poor practise; if the directors of the Universal Steam Coal Company faced criminal charges which they seriously feared would have resulted in their company being closed down if they were found guilty, or lengthy prison sentences themselves, then they may have acted to ensure that Shaw and the other managers and staff responsible for the safety of their mine had that at the forefront of daily activities at all times. Section 101 of the 1911 Coal Mines Act dealt with Legal Proceedings for contraventions, and section 3 and 4 referred to fines and imprisonment respectively; guilty convictions under the Act could lead to a fine ‘not exceeding’ £20 for owner, agent, manager, or under-

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manager, and £5 for other people, with an additional £1 for each day the contravention continued. The Act goes on to say that ‘if the Court is of the opinion that a fine will not meet the circumstances of the case, ...[it should consider] imprisonment, with or without hard labour, for a period not exceeding three months’, it is therefore apparent that the court in the 1913 Senghenydd case were satisfied that there was no requirement for custodial sentence in the matter of the 439 lives lost, despite having found the company and management guilty of behaviours which contravened the very Act aimed at ensuring mines were safe, and profitable of course. If the legislation was relatively toothless, it warrants investigating the relationships between collier owners and government.

The 1911 Act almost certainly had little to do directly with the 1894 explosion and it did not prevent the 1913 disaster either but there was some legislative reaction in 1896 to Albion, albeit a belated acknowledgment of the dangers of coal dust. On 2nd July 1896 when debating proposed amendments to the 1887 Act, Herbert Asquith stated that the 1887 Act was ‘wholly inadequate to deal with that particular form of danger, for the simple reason that at the time the Bill was prepared the...danger of coal dust had not yet been accurately gauged’. Not so, Rule 12 of the 1887 Act stated that water should be used to damp down areas which were dry to reduce the potential for flammable dust to combust; this Asquith comment reads like a politician speaking as if they hoped their audience had no memory. There may have been more attention to coal dust in the 1896 Act, but it was not entirely absent from the 1887 Act, under which the Albion colliery was working in June 1894, as Asquith seems to allude. There were legal powers to prosecute, but the penalties did not seem prohibitive to contravention of the 1887 Act.

Links and relationships between coal owners and parliamentarians may help explain this somewhat soft legislature, as exemplified by Sir William Thomas Lewis. Lewis was the owner of the Universal Steam Coal Company (which owned Senghenydd mine), a leading figure in the Monmouthshire and South Wales Coal Owners’ Association and a man described by Sidney Webb as ‘the best hated man in south Wales’, so he is worth discussing. In his assessment of coal owners in the late nineteenth century, Steven Thompson points out that this negative stereotype by Webb of figures such as Lewis may be missing some of their paternalistic efforts, such as the fund he set up to help his employees

when they became injured and could not work. This can be interpreted as a way for Lewis to manage aspects of his worker’s lives, such as injury pay, on his own terms and without government legislation, with Lewis being a Conservative who simply wanted little government involvement in his business. This is a somewhat charitable interpretation as what was actually happening is that these workers were paying for their own sickness funds, as Thompson puts it ‘injured workers, in effect, paid for their own death and disability benefits’. Lewis was acting against the Employer’s Liability Act of 1880, and he may have been doing so to keep control not out of benevolence towards his workers because the employers asked that to access the fund employees give up their rights under the 1880 Act. What is happening here is a powerful coal owner circumventing the law in one aspect which at the very least suggests that this behaviour was tolerated if not necessarily actively encouraged by the government. Whilst Lewis schemed to navigate legislation for sick pay, it is also noticeable that people such as he were seemingly not targeted by mining legislation aimed at the safety of their workers. A look at Lewis background shows that his influence was linked inextricably to the Bute family, hugely powerful in south Wales and owners of the land on which many industrial infrastructure ventures lay, including ironworks and collieries, and in 1880-81 he took over control of ‘all aspects of the Bute estates’. Lewis was a big player in the field of industry and therefore politics, and perhaps these power relationships played a part in how colliery legislation was formed, and implemented. Or not implemented.

**Conclusions**

Due to the prevailing culture, political machinations, influential personalities, small ‘state’, implementation of the law and insufficient inspections, the deaths of the 290 men and boys in Cilfynydd in 1894 cannot be said to have had a major impact on the governments of the next two decades policy in coal mining.

In Chapter One the two reports into the Albion disaster made by government-instructed investigators and the company were examined. The government believed that the faults lay with the company, the company essentially denied it, and nothing happened to the company; there were no serious consequences, and it was back running more-or-less normally within weeks of the disaster. The very fact that the categorical cause or causes of the disaster remain unknown speaks volumes to suggest that record keeping, monitoring behaviours, and more actively controlling and intervening in Welsh mines was not happening in the period in question. The press reported the matters in the Coroner’s Court differently, albeit with interest, and this is possibly due to the political hue of the Western Mail and the South Wales Daily News.

Chapter Two then suggests that the value of the coal industry to the economy seems to have meant that for some MPs, whilst there was a sadness expressed on a human level at the loss of life, there was no urgent need to act to prevent repetitions by enacting either stringent inspection or threat of closure to the business. This is not to forget the personal interests of MPs such as David Alfred Thomas who, whilst appearing to ask questions pertinent to safety in parliament, may well have had monetary motivation behind these as well as any sense of public service. Mabon, reported by some newspapers as an apparently heroic “man-of-the-people” type of politician, was seen on the ground in Cilfynydd before, and in the immediate and medium-term aftermath of the events of 23rd June, but seemingly somewhat quieter in Parliament where he may have been able to influence the Liberal government with his first-hand experience of the effects of the disaster. It is therefore perhaps apparent that Mabon was better at telling colliery managers such as Phillip Jones what to do, seeking to micro-manage the Albion Steam Coal Company colliery for them, rather than use his MP seat to put pressure on all collieries to change working practices. Taken together, these two MPs are examples of men with potential power in Westminster, particularly if they collaborated, used insufficiently to bring about real legislative change, and prevent future colliery disasters such as the ones just a short distance away in Senghenydd in 1901 and 1913. The conflict of interest in Thomas’ case is glaring.
because this was an extremely rich man who by 1894 was on the way to a fortune later and held financial interests in collieries (by the 1911 ‘Tonypanpy Riots’, his holdings employed over 12,000 staff) so there may have been little motivation to campaign in parliament for greater punishments of colliery owners for failings which led to deaths.\textsuperscript{60}

Chapter Three investigated the legislative and legal aspect of colliery disasters and the culture of “laissez-faire” was prevalent throughout the mid-to-late nineteenth-century United Kingdom, for example in the free-trade ethos, and this process of leaving things to find their own course will have influenced the legislation surrounding mining.\textsuperscript{61} Take the Poor Law Amendment Act 1834 as an example; notwithstanding the debates about how humane or otherwise the act was, or of peoples’ agency to cope and negotiate within it, there was a clear aim from the government, stemming from a philosophy which lasted the rest of the century, and that was to only step in to provide relief when all non-state agents had been exhausted; the coalmining legislative journey both pre-and post-Cilfynydd was to enact change slowly, incrementally and often ineffectively and only get involved when the State considered it must. The 1842 Act allowed for inspectors to be appointed but as the century developed the ethos of laissez-faire meant that the UK government, of whatever party, was not going to spend money that it perceived unnecessary.\textsuperscript{62} This light touch influenced the lack of stringent, external inspections, and the relatively small punishments for contravening the law and regulations, for both individuals and companies. Laissez-faire in practice meant “leave them to it”, collieries could have been safer if owners, management, and staff felt that they were being watched, and if the government considered safety as important as production.

In 1894 the political situation in Parliament regarding Wales was such that the collieries were legislated for but perhaps not consciously cared for. Some MPs had business interests which conflicted directly with their representative roles, Trade Unions were in their infancy, and far less powerful than would be seen in the twentieth century. The punishments for those whose action or inaction made them guilty of infringing laws and endangered life, indeed which ended those 290 lives in Cilfynydd, were not severe, and the governments of the day were reactionary not proactive. The United Kingdom spent much of the nineteenth century as the richest nation on earth, and coal played a role in this, so when 290 people died in an explosion it was lamented in the press, some politicians were sorry and others helped in the aftermath in

\begin{footnotesize}
\begin{enumerate}
\item[\textsuperscript{60}] Davies, J. (2007), p.477.
\item[\textsuperscript{62}] The Mining Institute - The North of England Institute of Mining and Mechanical Engineers (2016). ‘Government and Mining: Legislation, Inspection, Enquiries a resource list.’
\end{enumerate}
\end{footnotesize}
the village, but there was no sea-change in legislation, no army of inspectors set up, no real strengthening of the penalties imposed for those who were found guilty of infringements which led to death. Did the 1894 Albion colliery disaster influence UK government policy in coal mining? The answer is no, not a lot.

Lastly, this dissertation has largely focussed on the people who were not directly, physically involved in the accident on 23rd June 1894, in the form of politicians, investigators, journalists, editors, businessmen, and necessarily so. However, it would be inappropriate to forget the scale of what took place on that day, in human terms. Included in Appendix 3 is a Welsh ballad, written in 1894, and now part of a collection in Cardiff University. The poem is in Welsh and English, and it is hoped that even though the cause of their deaths may be unknown, and there be little direct legislative legacy, that these words lamenting the events that day live on.63

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Appendices

1. “Old King Coal”, Illustrated London News, 1 January 1859, p. 12

2. Papers sent to William Jenkins, Managing Director of the Ocean Coal Company Ltd, concerning the Albion Colliery Disaster and copy of the findings of the official report sent to the chairman and directors of the Albion Steam Coal Company – (word count 94, included in overall count).

Appendix 1

*IMAGE REDACTED FOR COPYRIGHT REASONS*

1 “Old King Coal”, Illustrated London News, 1 January 1859, p. 12
Appendix 2

Papers sent to William Jenkins, Managing Director of the Ocean Coal Company Ltd, concerning the Albion Colliery Disaster. Includes the following:

1. A letter from David Hannah, Agent to Messrs D. Davis and Sons, Limited, Ferndale to William Lewis, enclosing a copy of notes compiled by Hannah and Jenkins of their inspection of Albion Colliery. [David Hannah is referred to as one of the investigators in the Albion Steam Coal Company’s Enquiry].

2. A copy of the findings of the official report sent to the chairman and directors of the Albion Steam Coal Company. (96 words)

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2.

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Appendix 3

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