

General Rules & Special Rules at Shropshire Mines **Ivor Brown, SCMC Journal No.5**

Legislative control over activities at Shropshire mines increased in a dramatic way between the mid-19th century and the early 20th century. Not only was there the normal Acts and Regulations controlling the mines but also two separate sets of Rules with which to comply. The first set of Rules were called General Rules and laid down by Parliament, they were cumbersome and difficult to modify. The second set were called Special Rules and these worked like local bylaws (see Figure 5). They were made by the mine owners themselves and modifications to accord with local practice were easy, quick and inexpensive to obtain. Shropshire miners generally were willing to accept, even prefer, the Special Rules but were always concerned that they themselves had no part in the process of making them. Indeed, through their agent Mr W Latham, they strongly petitioned the Royal Commission on Mines in 1908 that they should at least "have a voice" on what was included in them.

The development of these Rules is outlined in the following and examples are given of their enforcement in Shropshire. Copies of the Special Rules for Shropshire's Collieries (including ironstone mines) and for Clay Mines have been located but, as yet, no Special Rules have been found for the orefield. Special Rules have, however, been found for the Derbyshire Lead Mines and the Ore Mines of North Wales, as well as separate Rules for some individual mines in small fields similar to Shropshire elsewhere in Britain. Part of one of these, that at Foxdale Lead Mine in the Isle of Man, is therefore used as an example.

A notable feature of mining law is its differences from general law, eg the number of cases of infringement taken to court bears little resemblance to the actual number since in most cases the offender (and in mining you are guilty until proven innocent) is given the choice of being tried by the management or by a Court of Law. This system was still in operation in Shropshire in the 1950s-60s as I know to my cost - fined 10s 0d for carrying a piece of equipment (a new pick blade) in a cage carrying passengers. The fine went to a charity chosen by the colliery staff (I believe). The offender signed an apology notice (see Figure 7) if he opted to be tried by the management.

Development

The Coal Mines Inspection Act 1855 laid down that two separate sets of Rules would apply to collieries, the General Rules to be carried out in every mine under the Act and the Special Rules to be made "for each colliery by the owners or agents thereof". General Rules included such matters as provision of sufficient ventilation, properly constructed shafts, proper signalling and indication arrangements for winding and that steam boilers should have safety valves, water gauges and steam gauges.

The Special Rules were to be so framed as to suit the method of working, the nature of the seams and character of the winding and other appliances used at a particular colliery. In each coalfield the characteristics of the collieries were so often much alike that Rules for a particular coalfield were agreed by the major operators, although individual operators could still go it alone. In any case, the Special Rules as made by the owners or agents had to receive the approval of one of the principal Secretaries of State.

The Mines Inspection Act 1860 repealed the above although many of the provisions were similar. The new provisions for the General Rules now included aspects of fencing, safety lamp usage, overhead covers to protect persons in shafts, disuse of single link winding chain and use of large flanges or horns on winding drums (to prevent rope or 3-linked chain slipping off). The Special Rules now had to be specific on signalling and details of method and places for distribution of wages. The 1860 Act was also intended to apply to stratified ironstone mines as well as collieries.

Example of General Rules & Special Rules

*GENERAL RULES
AND
SPECIAL RULES
TO BE OBSERVED BY
THE OWNER, AGENT, UNDER-VIEWER,
DEPUTIES AND WORK-PEOPLE
OF
MR JOSEPH MARSLAND'S
PROVIDENCE COLLIERY
CLIFFE HILL,
WAKEFIELD, YORKSHIRE*

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PREFACE

THE Act of Parliament 18 and 19 Victoria, cap. 108, 14th August, 1855, recites that Coal owners shall establish special rules for the conduct and guidance of persons acting in the management of Collieries, and of all persons employed in or about the same; and that such special rules shall be approved of by the Secretary of State, subject to the arbitration of one or more competent persons in the district, nominated by the Coal-owner, and chosen by such Secretary of State.

The Act of Parliament, clause 11, enacts that every person employed in or about a coal mine or colliery who neglects or wilfully violates any of the special rules established for such coal mine or colliery, shall for every such offence be liable to a penalty not exceeding two pounds, or to be imprisoned; with or without hard labour, in the common gaol or house of correction for any period not exceeding three calendar months or to be proceeded against and punished according to the provision of the act Fourth George the Fourth, chapter thirty-four, intituled 'An Act to enlarge the Power of Justices in determining Complaints between Masters and Servants'.

The Act of Parliament also recites that the General and Special Rules shall be painted on a board, or printed on paper, to be pasted thereon, and shall be hung up or affixed on some conspicuous part of the principal office of the colliery, and that they shall be renewed and restored as often as they or any part of them become obliterated and destroyed; and that a copy of such General and Special Rules shall be supplied to all persons in or about the colliery; and the 13th clause of the said act recites that every person who pulls down, injures or defaces any Notice hung up or affixed, as required by this Act, shall for every such offence be liable to a penalty not exceeding forty shillings.

The Metalliferous Mines Regulation Act 1872 proved to be misleading, partly as it did not include most ironstone mines (which were covered by the Coal Mines Regulation Act 1872), but was intended to cover also such non-metals as limestone and slate. The provision of both these Acts with regard to the Rules were similar but Special Rules were only compulsory for mines under the Coal Mines Act. The Secretary of State, however, could decide that they were necessary at a prescribed metalliferous mine.

Later Regulation Acts modified the earlier Acts. The Coal Mines Regulation Act 1887 tightened up on the firing of shots, use of safety lamps and the conditions of employment and included in total some 39 General Rules. In addition, the Special Rules had to be brought up to date. The 1896 Act amended the principal Act and added General Rules relating to the use of tamping materials during shotfiring, the use of lamps and inspection of working places and provides for the representation of the men in cases of arbitration arising under the provisions of the Act.

By the first decade of the 20th century, the Code of Special Rules had been agreed for each of the 24 Mining Districts in Great Britain, the number of rules varying from 93 to 247. The Shropshire Code for Mines contained 208 rules but avoided the excesses of some of the rules in other districts, eg making attendance at church on Sunday compulsory and attendance at work in an unshaven state a breach of the Act (based on Coal Mining Law by J Sinclair 1958, published by Sir Isaac Pitman & Sons).

Application

The annual reports of the Inspectors of Mines at this time usually give the date when the individual mines adopted Special Rules. Occasionally single copies are still found and these provide considerable information on the operations of a particular mine or mines at the time they were produced. In 1908 the Royal Commission on Mines made a collection of the Codes of Rules in force at that date. This collection was then published with the following "prefatory note".

"This collection of the Codes of Rules in force in mines and quarries in the United Kingdom has been compiled for the use of the Royal Commission on Mines. The volume is divided into three parts. Part I, relating to mines under the Coal Mines Regulation Acts, comprises the General Rules in Section 49 of the Coal Mines Regulation Act 1887 (as amended by Section 5 of the Coal Mines Regulation Act 1896), the regulations as to the use of explosives contained in the Order made by the Secretary of State under Section 6 of the Coal Mines Regulation Act 1896 and the principal codes of Special Rules established under the Coal Mines Regulation Acts which are in force in the various Inspection Districts. Part II, relating to mines under the Metalliferous Mines Regulation Acts, comprises the General Rules contained in the Act of 1872 and the principal codes of Special Rules established thereunder. Part III contains the model code of Special Rules for quarries and indicates the variations from the model codes which are in force in some of the Districts."

Extracts from Examples of Special Rules

Shropshire Clay Mines

3. The Owner, Agent or Manager shall appoint competent persons to perform the several duties prescribed by the Act and Special Rules and shall appoint an Overman at each pit or mine under his charge, to perform the duties hereafter prescribed; such person shall not be a contractor, not employed by a contractor. He may from time to time revoke all or any such appointments, and shall immediately fill up the vacancy occasioned by such revocation, or by the decease of any appointee.

6. Where pillars of clay are being removed, the Owner, Agent or Manager shall keep posted up at the mine a notice specifying the maximum distance apart at which props or other roof supports at the working faces are to be set, and the persons setting props or other roof supports shall see that the maximum distance is not exceeded.

15. He shall employ no boy under 12 years of age below ground, nor any boy or girl under 13 years of age above ground; and before employing any girl or woman on the surface, or any person under 16 years of age either above or

below ground, he shall report to the Owner, Agent or Manager that he is about to employ such a person.

Shropshire Coal Mines

3. All persons who are casually employed underground (Masons, Enginewrights and others) shall be amenable to the Act, and the Special Rules, and shall make themselves acquainted with the same.

7. No person shall go to sleep whilst on duty or in the mine, and where there is more than one shift, no person having charge of men, machinery, signals or ventilating apparatus, shall leave work until relieved, unless authorised by his superior officer.

12. No person shall ill-treat any animal which may be employed underground or in connection with any mine.

13. No person shall come to or be at the mine in a state of intoxication. Nor shall any person take any intoxicating drink into the pit, nor drink it upon the works, except by permission of the Manager.

21. A Certificated Manager shall, where safety lamps are used, from time to time, fix lamp stations at such points in the mine as he shall think fit, not being in any return air-course, at which station lamps may be lighted and re-lighted, and shall also fix a point in the mine or in the ventilating district beyond which no light other than in a locked safety lamp shall ever be taken. All such lamp stations shall be indicated by a board with the words "Lamp Station" legibly inscribed thereon.

Foxdale Lead Mine

6. Every working place or travelling road in every part of the mine in which persons are at work or along which they have to pass shall be visited at least once every working day by the Owner or Agent or some competent person appointed for the purpose, who shall satisfy himself that the place or road is in a safe condition.

12. When rock-drills are used, the holes shall be kept wet to prevent the atmosphere being charged with dust.

14. Shafts, winzes and underhand stopes, which have been abandoned or disused for some time, shall not be entered until a burning light has been lowered into them and the absence of foul air ascertained.

16. No unskilled or inexperienced person shall be allowed to work alone upon any work attended with any special risk or danger, or to charge or fire shots.

24. Unless specially permitted by the Owner or Agent, no person shall be allowed about the mine after working hours or on Sunday.

Included amongst the 24 District-based Special Rules for mines under the Coal Mines Act (which included stratified ironstone and clay) are Shropshire, Shropshire Clay Mines, North Wales, Cannock Chase, North and South Staffordshire, Cleveland Ironstone Mines and Ganister Mines. Special Rules for metalliferous mines include the Derbyshire Lead Mines, Ore Mines in North Wales and Slate Mines in North Wales (there is no mention of Shropshire Ore Mines).

The Codes for individual mines include Foxdale Lead Mine (Isle of Man), Cocklakes Gypsum, Honister Slate and several for Cumberland Iron Ore Mines (no Shropshire mines are included). As examples, shown in Figure 6 are the top portions of the sheets of Rules for Shropshire Clay Mines, Shropshire Coal Mines (which includes ironstone) and the Foxdale Lead Mine.

Enforcements

Either the Inspector (through the Secretary of State), the owners or the managers could prosecute under the Special Rules. For example, in 1901 the Madeley Wood Company's management prosecuted a dan-filler under Rule 71 for "neglecting of a fireman's orders" with a fine of 2s 6d with 5s 6d costs. The same dan-filler was also prosecuted under Rule 77 for not examining his work place to ensure that it continued to be safe from gas, etc. He was acquitted but ordered to pay 3s 6d costs. At this time, very few Shropshire mines had adopted Special Rules but in 1902 the Rules were established on a District basis.

After the district-wide adoption of Special Rules on 27th September 1902, the number of prosecutions increased. For example, in 1904 the Inspector prosecuted the management of the Dunge Mine (Broseley) on three counts relating to steam boilers and the Lilleshall Company prosecuted a holer under Rule 109 for having an unlocked safety lamp in the mine. In 1905, the Madeley Wood Company prosecuted a horse driver for abusive language under Rule 2 and he was fined 5s 0d with 10s 0d costs. It then took 17 horse drivers to Court under Rule 68 for "absenting themselves from work". This was probably a strike but most were fined 1s 9d with 6s 3d costs.

In 1907, the Inspector's Annual Report shows that some 58 mines of coal, fireclay and ironstone in Shropshire were operating under the 1902 Special Rules. A few small mines were not but the criteria for their exemption was not given. No mention is made of the Special Rules at other clay mines, eg Red Clay, and there is a blank space in the column for showing the date of adoption of rules at each of the 12 ore mines of South West Shropshire.

An interesting situation seems to have occurred in 1912, the Inspector prosecuted the manager of Billingsley Colliery under Rule 17 (failing to appoint competent persons - fined £10) and the mine's owners in turn prosecuted the night deputy under Rule 50 for "failing to examine all places under his charge and failing to see all doors were closed and ventilation was taking its proper course (fine and costs £1). Presumably something happened and there is a story here! With the prosecutions that followed the adoption of Rules, there must have been some effect on the behaviour of both Shropshire mine operators and miners and certainly the accident statistics started to improve. It would be interesting to examine this in more detail. The system has not been researched beyond the dates mentioned above but the Coal Mines Act 1911, when implemented, replaced many of the provisions in General Rules using enlarged General Regulations. It seems too that Special Rules were also overtaken by other legislation from this time but even now managers are required to produce Rules for their mine on special topics such as support rules, transport rules, etc.

Example of Apology Note

NOTICE

Apology

I or We, the undersigned Colliers, hereby express our regret that on 1895, I or we committed a breach of the (Special Rules established under the) Coal Mines Regulation Act, 1887, by at Pit, belonging to the..... and I or we tender our sincere apologies to the Owners or Company, to their Officials, and to our fellow workmen for the same.

We further agree to pay the sum of shillings to the as a proof of our penitence.

We also undertake in future to observe and to support to the best of our abilities the requirements of the Coal Mines Regulation Act, 1887, and the Special Rules established thereunder.

Copies of this apology shall be printed and posted up at the Company's Collieries as a warning to others that the Act and Special Rules will be strictly enforced by the Authorities, with a view to the maintenance of proper discipline and safety of the persons employed.

Witness our signature this day of 1895.