

## THE SOMERSET COAL COMBINATION

### Robin Stiles

In May 1828 The Coalpit Owners of Timsbury and Radstock were publicly accused of operating a secret trade agreement by which the price of coal in Wiltshire and Berkshire was kept artificially high through restrictions on production being loaded to the Somerset Coal Canal.

This accusation was made before a Committee of the House of Commons, sitting to enquire into the Avon and Gloucestershire Rail Road Bill and was made by the Kennet and Avon Canal Company (promoters of the Bill) in challenging a joint opposition of the Coalpit Owners and the Somerset Coal Canal Company.

In the case of the latter, their Petition against the Bill becoming an Act of Parliament was on the basis that their canal had been built for the express purpose of conveying coals to the City of Bath, and through other canals (the Kennet & Avon, and the Wilts. & Berks.) to the interior parts of those Counties, - that it had cost them in excess of £300,000 to build it. In so doing they claimed that the Tonnage rates they charged for coal were in some cases half of what was authorised and that they also allowed considerable drawbacks (rebates) in order to render coal cheap.

The Coalpit owners claimed that assurances that the very great demand anticipated for coal "would fully justify them in making almost any expenditure for the improvement and extension of their Coal Works, in consequence of which assurances and expectations your Petitioners and other proprietors and Lessees of Collieries made the greatest possible exertions to meet such demand - in which they have most completely succeeded, although at an expence almost incalculable, having opened various new works and having extended and deepened the old ones and the demand for coal is not now equal to more than half the quantity your Petitioners can raise "

Both parties claimed that the Kennet and Avon Company, having bought the Shares of the River Avon Navigation, would be enabled " to pursue their own interest soley and without reference either to the quality or price of Coal and to give an unjust preference to those who they

think will best promote the interests of the said Canal with reference to Tolls and put it in the power of the said Company to deprive your Petitioners...of the Tolls which they now receive...and also to give such unjust and improper preference to other Coals as to make it impossible for your Petitioners... to carry on their Works which will be the means of depriving a very large population of Somerset Colliers and other persons of their employment whose very existence depends upon the Coal Works - and will produce such distress and suffering amongst the lower classes in such Districts that the land will be altogether inadequate to pay the poor rates".

Such woe, and hints of riot in an era only just recovering from Post-Napoleonic war depression were of course unfounded special pleadings to protect a nice little, tight little, monopoly of supply; where the only rebates given were on coal going to Newbury and Reading, in order to undercut the price of that coming, via the River Thames and the Oxford Canal, from Staffordshire.

Faced with such Petitions, Thomas Merriman - Company Chief Clerk and Solicitor to the Kennet and Avon Company - ensconced himself at 12 Cecil Street, just off The Strand in London, to master-mind. the Avon and Gloucestershire Bill through Parliament, and busied himself trying to do deals with the Petitioners on the question of Tolls, whilst at the same time endeavouring by extensive correspondence to find out some 'Mud' to throw at them if necessary.

One of his correspondents, Henry Cotterell the Quaker Land Surveyor who had made the Survey of the Line, replied from Bath on 4th April 1828 :-

"Respected Friend,

I have not been able to find any person who can positively affirm to the Combination among the Somersetshire Coal Owners - John Matthew Tucker a Surveyor in Bristol and Steward to Lord Waldegrave has told me that he knew such an arrangement existed, James Grant Smith also says that he is aware from having been told so by one of the Committee that such exists but that he thinks no positive proof can be obtained but by examining one of the parties

themselves - he named Geo. Treweeke Scobell of High Littleton - Wm. Coxeter James of Timsbury - and Captn. Savage, Brother to Robt. Savage and Captn. Parrish as members of the regulating committee.

I shall continue my search until I leave tomorrow evening & will bring with me the other information required

Yours ,  
thee respectfully  
H. F . Cotterell

-none of the Persons above named will give a jot of evidence without a summons. "  
Another correspondent - W.H. Millard at Dundas Wharf, was able to supply details of Boats held up waiting for coal on the Somerset Coal Canal the previous December -

When you say land carriage do you mean by rail road or common road?

By common road.

Is that carriage to such an extent as to be, or not to be, incommodious to other traffic on the road?

It certainly is.

I understand you are a Surveyor appointed by the Commissioners of the Road?

No I am not.

You have been?

No .

Are you a Surveyor?

*Account of the Times lost by Boats at the Somerset Coal Pits.*

To Pit	From Pit	Time taken	Where laden	Owner of Boat	Captain
1827. Nov. 24	1827 Dec. 6	12 Days	Lowers Ham	Blandy & Palmer	John Mucen
26	6	10 Days	"	"	Jos. Eyles
30	10	10 Days	"	"	J. Lawrence
Dec. 5	12	7 Days	Carnerton	J. Williams	David Kase
5	13	8 Days	Paulton Engine	Jacob Spencer	J. Barnes
5	13	8 Days	Carnerton	Frat. Evans	J. Danvers
5	14	9 Days	"	Blandy & Palmer	Sn. Farrow
6	11	5 Days	Paulton Engine	Chas. Cross	J. Bryant
6	12	5 Days	"	J. Mannister	J. Paish
7	12	5 Days	Clan Down & Hadstoke	John Murrell	John Murrell

When it came to the House of Commons Committee hearing on 1st - 2nd May 1828, the examination of Witnesses brought forth some very interesting details of how the Collieries and the Coal Canal were operating, unsullied by the self-censorship of other types of contemporary record.

First, **Henry Fowler Cotterell**, examined by Mr Joy, - Counsel employed by the K&A Company:-

"Are you acquainted with the manner in which Bath is principally supplied at present - by what conveyance?

Principally by land carriage - almost entirely.

Yes.

Are you well acquainted with the road of which you are speaking. and the traffic upon it?

Yes I am.

And is it to such extent to be incommodious to the Public?

Yes.

.....

Are you acquainted with the prices of those different coals?

Yes

Would you be so good as to state to the Committee what they are - what is the price of Somersetshire coal? [at Bath]

The price of coal brought from Somersetshire varies from 9½d to 11½d per Hudred [cwt.]

Can you tell us what according to your calculations would be the price of Coalpit Heath and Pucklechurch [ coal] brought by the Rail Way and the River?

I should think not exceeding 9d - certainly not exceeding 9d.

When you speak of 9½d to 11½d are you speaking of the best?

That which might be bought for 11½d might be bought for 9d.

Now is Bath not supplied from those very Somersetshire Pits by land carriage?

It is.

I think you said chiefly so?

Almost entirely.

You mean that, from Pits that are in the neighbourhood of the Coal Canal?

I do.

How do you account for that - do you know the reason why the Pits directly in the line of the Somersetshire Coal Canal actually send their coal to Bath by land carriage?

Because the distance by land is much shorter.

You said the greater part of it?

Yes.

Then what is the principal line in which the coal which finds its way on the Somersetshire Coal Canal travels afterwards, if it does not go to Bath?

Towards Reading and Newbury.

Eastwards?

Yes.

Therefore, if I understand you, the Somersetshire Coal Canal furnishes a very little part of the Bath supply?

Not any that I know of.

.....

**Cross examined by Mr Sergeant Ludlow, Cousnel employed by the Petitioners :-**

And this inconveniece that arises now from the Coal Carriage on the Turnpike Road, what is that

inconvenience of which you have been speaking - you answered in general terms it was a great annoyance. I want to know what the annoyance consists of?

In riding among a string of waggons, one half of them without drivers.

So that one claim upon the Legislature for this Rail Road in your judgement is that the Somersetshire Drivers neglect their horses?

They do not neglect their horses.

That is the inconvenience of which you have been speaking?

Yes, that is.

The coal waggons which bring the coal to Bath contribute very much to the Tolls taken on the Turnpike Roads?

They do.

.....

Have you ever known the Kennet and Avon Canal Company to bring Welsh coal to Bath?

No I have not.

The City of Bath has not been much indebted for any supply of coal from the West?

I cannot answer that question.

.....

What do they [the K&A Canal Co.] charge upon coal from Hanham to Bath?

There is no coal passes the whole distance.

Where do they carry coal upon the Avon River?

From Swineford to Bath. [ Haul Lane and Golden Valley Pits coal]

Where is &Swineford?

Seven miles below Bath.

Near the point where the Rail Road is to intersect?

No, I think two miles nearer Bath.

.....

With reference to the poor consumers of coal at Bath, do you not know a place called Newton within two miles from Bath where indifferent coal may be had almost for nothing?

No.

.....

The following day **Samuel Robbins** was called and examined.

Are you a Trader in Coals?  
Yes.

How long have you been on the Kennet and Avon Canal?  
17 years.

Have you been in the habit of going to the Somersetshire Pits?  
In the habit of sending boats down.

Have you been occasionally inconvenienced by delays there?  
There is some delay sometimes.

What time of the year?  
Chiefly in the Winter.

What has the reason latterly of that delay?  
Mostly for want of coals on some particular occasions.

Do you mean by that a defect of coals in the Pits?  
There were not coals at all times to supply the boats as fast as they arrived.

Have you occasionally sent boats, or frequently?  
Frequently,

How often in a year?  
I can't say about how often - perhaps we may take two or three thousand tons in a year

You say they have frequently been delayed for want of supply at the Pit's mouth?  
They have.

Is there any regulation within your knowledge that has interfered with the loading of the boats?  
I have heard so.

Your own boats have gone for it, and what has been the difficulty?  
The men have stated.. (the question was objected to) .... I was merely going to state what the men stated on their return

Have your boats been detained longer than their natural time?  
They have.

They were longer than the voyage required?  
Yes.

Was that owing to any accident on the voyage or any thing that occurred at the Pits at the end of it as far as you know?

The uniform complaint was that the 'Tales' were up at such a Pit - they could not be loaded there.

Will you explain to the Committee what you mean by the word 'Tale'?

I don't know that I can - I have heard here is a regulation that every person has a certain portion of coal to land - I have always understood so.

Your barges have been detained?  
Yes.

.....

In the summer are the boats detained in the Somersetshire Coal Canal?  
Sometimes we are detained for want of water in the Upper Level.

(By the Committee - What do you mean by the Upper Level?)  
After we pass the locks at Midford.

The Summit level of the Somersetshire Canal?  
Yes.

Do you carry coals from the Golden Valley?  
We do.

Is that near the Haul Lane?  
close to the Haul Lane works, near Swinford

Do you know anything of the projected line of the Rail Way to which this plan relates?  
I have seen it on the Map.

Is Haul Lane close to it?  
Very near to it.

What description of coals are they at Haul Lane and Golden Valley Colliery?  
It is a description of Coals used by Smiths.

Or any other class of persons?  
It is made use of by the Lime Burners.

.....

How is it as to price compared with the Somersetshire?  
The price, as to that, there is not much difference.

Do they prefer it to the other?

They wount use the Somersetshire, the Smiths wount.

.....

The end of your voyage then is Reading is it not?

We have taken coal to Marlow and Henley, we never take any short of Devizes, that is our market.

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ACT

FOR

Making and maintaining a Railway or Tram Road from *Rodway Hill* in the Parish of *Mangotsfield* in the County of Gloucester, to the River *Avon* in the Parish of *Bitton* in the same County.

[ROYAL ASSENT, 19th June 1828.]

WHEREAS the making and maintaining of a Railway of Tram Road for the Passage of Waggons and other Carriages from, at, or near *Rodway Hill* in the Parish of *Mangotsfield* in the County of *Gloucester*, to the River *Avon* in the Parish of *Bitton* in the said County of *Gloucester* would open a convenient Communication from several extensive Collieries and Stone Quarries on the Line and in the Neighbourhood of the same to and with the City of *Bath* and various Places in the Counties of *Somerset*, *Wilts*, and *Berks*, and would otherwise be of great Public Utility:

Preamble

And whereas by Levels and Surveys lately made and taken of the Line of the said proposed Railway or Tram Road, the Practicability of making the said Railway or Tram Road has been ascer-  
[22] A tained;

The next Witness to be called was **Francis Evans** and was examined by Mr Merriman himself.

Are you well acquainted with the Kennet and Avon Canal?

Yes, I have been on the canal 6 or 7 years.

And with the Somerset Coal Canal?

Yes.

What has been your employment?

My business has been taking coals from the Somersetshire Coal works to Newbury.

Are you the Keeper of a boat?

I am owner of a boat.

You work your own boat?

Sometimes two and sometimes three - principally I do unless called upon a particular occasion.

Have you met with any delay at the Somersetshire Pits from want of lading?

Many times.

Does it often happen that it is so?

It is especially the case at the Autumn of the year.

What is the occasion of those delays?

Want of lading.

Want of Coals?

Yes .

What is that owing to - are the Pits at work?

It is principally the case on account of the 'Tales' being so low - they do not land Coals enough to load the boats when they come.

Do you know what the 'Tale' is - what do you mean by it?

I do not know - I understand it is a Bond between the gentlemen not to land more than such a quantity for every fortnight.

When your boat goes to the Pits and does not find coals to be had, have you applied to the Pitmen?'

Yes.

What reaction have they given you, why you could not be supplied with coals?'

They have said, you cannot load before such a time - the Tale is up, we are going to play tomorrow, and the next day.

Have they ever any particular of time to the 'Tale' - a week or a fortnight?

A fortnight tale.

They have told you the Tale is up, and they were going to play?

Yes.

The hearing dragged on for the rest of the day, with the petitioners desperately trying to make out that the 'Tale' referred to was merely the weeks stint, normal to all collieries, with Saturdays and Sundays off work, but the damage was done. The Petitioners came to terms on a Tolls agreement and the Bill passed through.

You can almost feel the glow of satisfaction of Mr Merriman from the dusty pages even after this long time.

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## References

The extracts from the Committee Hearing are taken from verbatim notes taken at the time by the Kennet and Avon Canal Company. The script is fast, scribbled, but highly legible - and is bundled-up, together with other related Misc. correspondence of the Avon and Gloucestershire Tramroad held by British Waterways Board, Area Estate Office, Gloucester. It is being transferred to form part of the Archive of the new National Waterways Museum now being opened at Gloucester Docks.

The Tolls agreement is comprised in GWR Deed 3197 - 'Articles of Agreement dated 16th May 1828 between the Kennet and Avon Canal Company, The Somersetshire Coal Canal Company, and the Lessees of Somersetshire Coaleries - William Coxeter James of Timsbury; John Parish of Timsbury; Thomas Savage of Midsomer Norton and Joseph Hill of Paulton (being four of the proprietors and lessees of certain collieries in the County of Somerset acting on behalf of themselves and all other persons who have signed a certain petition lately presented to the Honourable the house of Commons against a certain Bill now pending).'

The Act 'For making and maintaining a Railway or Tram Road from Rodway Hill in the Parish of Mangotsfield in the County of Gloucester, to the River Avon in the Parish of Bitton in the same County' received Royal Assent on the 19th June 1828.