

Or the uninterested persons who heard the case brought last week by Mr. Matthias Dunn, Inspector of Mines, against the Whitehaven Hematite Iron Co., through their colliery manager, Mr. Bates, for alleged defective ventilation of Hope Pit, very few we apprehend, would be disposed to question the discretion of the magistrates in dismissing the complaint before the proof for the defence was closed. There were no nice professional difficulties involved requiring practical or scientific skill for due disposal of conflicting evidence respecting them. The whole question was one of plain fact—was the pit ventilated so as to be safe or not? Mr. Dunn's averments as to the practice, the stoppings, the lamps, the lamp cabin, the lamp-locker, &c., were either rebutted by contrary testimony, or damaged by himself in the trenchant and stirring cross-examination to which he was subjected by Mr. Lamb. Then as to the gravamen of the complaint—the gaseous density of the pit, and the sufficiency of its ventilation: Mr. Dunn swore that it was "very dangerous—very fiery." Mr. Atkinson, his colleague, did not use language so strong. He contented himself with simply saying that the accumulation of gas found in two places in the mine was not great, though it would be dangerous in case of explosion. On the other hand evidence, practical and scientific, and the best of its kind, was given that the pit was a perfectly safe one. Mr. Forster, indeed, made light of the whole charge—pooh-poohed Messrs. Dunn and Atkinson's allegations as to this point—and protested that, as the best way of getting rid of the capital or two of gas that had so frightened them, he would have set fire to it—day, he jauntily added, the pit could be worked with gaudies! The question of defective ventilation was answered for the defence in the same unhesitating, unqualified style. So wide, indeed, was the difference between the witnesses for the defence and the prosecution, and that, on almost every particular, that the whole question of necessity resolved itself into this: On which side lies the preponderance of testimony? The issue thus simplified, there could be no hesitation as to the answer. The testimony of Mr. Forster, Mr. Geo. Dixon, and Mr. Muncaster, given upon oath, was certainly as reliable as that of Mr. Dunn and Mr. Atkinson, and scarce needed to be fortified by that of the foreman deputy and the overman of the pit. In face of it, the magistrates could not say that Mr. Dunn had established his case. It left, indeed, no room open for doubt. It may be said that much of the evidence for the defence was of an interested kind, but that, supposing it were admitted, would not help Mr. Dunn's case a bit—the admission would fail to bring to it that strength which it ought to have possessed before ever it was brought into court. Then, when effect is given to the impression left on one's mind by Mr. Dunn's cross-examination, viz., that his own investigation into the grounds of the criminal charge had been of the most superficial kind, and that the rest of his complaints against the Company's management rested on mere hearsay, one cannot help concluding that the Bench was perfectly justified in declining to hear further evidence for the defence, and thereupon dismissing the complaint.

A correspondent, whose letter appears in another column, states "that the Inspector had not more evidence to support him the fate of Barratt's subject only explains: they who are most vitally interested in the question have the fear of discharge haunting them." Now, this is not fair. Every one who has had experience of bodies of workmen must know that now and then, under the best and kindest management, cases occur where some one, because the every whom is not consulted, or because the position assigned him is not so good as he fancies it ought to be, is continually subjecting his immediate superiors to the pressure of threats that he will inform about something or other which he knows or asserts to be wrong. Such fellows are capable of inflicting very great annoyance, and we say they are rewarded right if, when it comes to a climax, and they will not cease their grumbling, they are packed about their business. But because such justice may be meted out to one such man would it be right or fair—would it be logical—to infer that any other workman in the place having good cause of complaint would be similarly dealt with if he ventured to give it expression? Most assuredly not. And, be it remembered, in this particular case the accusation is broadly denied. It rests only on the man's unsupported statement; and what transpired, in course of the case, respecting his character, was certainly not of a nature to incline us to think he is better entitled to belief than those who have contradicted him. His alleged "late" therefore, does not explain to us in the least degree how Mr. Dunn had not more evidence. We are always slow to credit such wild allegations as that any coal owner, or co-partner, of coal owners, repress information of what ought to be made known by holding the terrorism of certain charges from employment over the heads of men who have wives and children to feed. We are so, not merely because, where such a tremendous responsibility for human life exists, the probability is that the proprietary or managers must only be too glad of good information of the presence of danger offered in a right spirit by any workman, but also because, if there were reason to apprehend the contrary, the workmen have a remedy in their own hands. They have only to determine to make known the danger. An ill-conditioned manager, conscious of his own inefficiency, might, to forestall exposure, diminish a workman or two with impunity; but no manager—no coal-owner—could disorganize a whole body of miners for venturing to point out good cause of danger to their own lives, as well as the property of their employers, without having to face the severest censure of England and the world. Now, have the miners of Hope Pit, or No. 2 Pit, resorted to this remedy? When Mr. Dunn and Mr. Atkinson descended these pits the other day, and the men were asked if they had any complaints to make, what was their answer? Did they, individually, or in a united body, complain that either pit was fiery and unsafe? If not, and until they do so, and the allegation be proved—it is not fair to ask the public to give credit to vague, unsupported, untrustworthy rumors that such is their condition. And in face of the break-down of Mr. Dunn's case—in face of the proof adduced by the Hematite Iron Co. that Hope Pit is adequately ventilated, and of their acceptance of the responsibility that falls upon them—we must, perforce, disbelieve, and credit the case that was established for the defence. What satisfied the magistrates the public as yet have been shown no reason to disbelieve or reject.

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