

MINUTES OF EVIDENCE

TAKEN BEFORE

THE TELEGRAPH ENQUIRY COMMITTEE.

MONDAY, 25TH SEPTEMBER, 1871.

Present :—

The Hon. Mr. Stafford, in the Chair.

Mr. Farnall,
Hon. Mr. Hall,
Captain M'Pherson,Mr. Pearce,
Hon. Mr. Vogel,
Mr. Webster.

Mr. Lemon in attendance and examined.

Mr. Lemon.

25th Sept., 1871

1. *The Chairman.*] You are the General Manager of the Telegraph Department?—I am.
2. Will you produce the regulations published under the Telegraph Act which are at present in force?—I produce them. [*Regulations handed in*].
3. Are you aware of any further instructions superseding any portion of those regulations, and of which the public are not aware?—So far as press messages are concerned, a circular was sent to the various newspaper offices. [*Circular read*]. That was at the time when the Government was about to abandon sending English summaries, and before that was done it was thought advisable to send the circular to correspondents, agents, and proprietors of newspapers, and they were sent to all the papers throughout the Colony.
4. What the Committee wishes to know is whether the published telegraphic regulations have been departed from by any officers of the department in consequence of instructions of which the public are not aware?—Not that I am aware of. [*Reads Circular, 23rd March, 1870*]. A good many never answered that circular, and it was found not to be prudent to carry out the plan, as the remuneration to be received would not have justified the department in doing so. This further circular was sent on 31st July, 1870. [*Reads circular*].
5. By what authority did you write that circular. You stated you did it by the authority of the Telegraph Commissioner. Are you of opinion that there is any legal authority under which that letter could be written?—The regulations about the 200 words were never meant to apply to a private company or an individual. It was specially framed to apply when the Government was in possession of the wires on the arrival of the English mail telegrams, and intended only for that purpose.
6. The regulations are made under an Order in Council, and, as I read the Act, it requires that everything in the way of regulations must be by Order in Council, and not otherwise.
7. *Mr. Vogel.*] Was that regulation framed after the plan brought into operation by Mr. Hall, of furnishing press telegrams by the Government?—No, Sir, before.
8. Was it framed before the time the Government was in the habit of furnishing press messages?—That I cannot tell.
9. When this regulation came in force did the Government supply newspapers with English press telegrams?—Yes, so far as I am aware. Here are all the papers connected with the whole subject. This was in operation before I took charge.
10. *Mr. Hall.*] At the time these regulations were issued, was the arrangement in force by which the Government supplied the press with a summary of the English news?—Yes.
11. *The Chairman.*] In March, 1870?—No, Sir, in 1869.
12. *Mr. Vogel.*] What do you understand by English mail press telegrams?—Telegrams supplied by the Government exclusively at that time. If we had not put that provision in the regulations, it would have been illegal for us to have taken possession of the wires.
13. You gave precedence to those English mail press telegrams?—I always did.
14. Suppose a private individual had brought a telegram of English news?—Unless it was an urgent one, for instance about sickness or death, it would not have taken precedence.
15. If it had taken precedence, would you have applied the 200 words provisions?—No, if it had been about a death or something of that sort, the wires might have been stopped to let the message go by. Such a circumstance never occurred.
16. *The Chairman.*] You recognise that my question was rather wider in scope than your answer refers to. I ask you whether you are aware of any breach in effect of the published regulations in that direction? Not that I am aware of.
17. You are aware of none?—No, Sir.
18. *Mr. Vogel.*] You don't consider giving precedence to the extent of 100 words of a Government message a breach of regulations?—Well, no I don't think so.
19. *Mr. Webster.*] That is with English mail news?—Yes, Sir.
20. *The Chairman.*] Excepting in the case of English mail news am I to understand that the Government on no occasion refused the use of wires?—Except as provided for by the regulations. Of course there are certain circumstances that might arise that the regulations would not cover, and any message would be sent at the risk of the officer, who would use his own judgment. There might be a case of life and death.