

3. The Act itself, so far as it affects myself and my office, may be said to be contained in the passage of the preamble, which declares the policy of Parliament in passing it, and in the second clause, which defines my executive duty in its regard. None of the functions of the Agent-General can be said to be directly or indirectly connected with any of the remaining fourteen clauses of the Act, unless, indeed, in the event of regulations by the Governor in Council being made under the 15th clause for the introduction of immigrants by persons or associations of persons at their own cost, the Agent-General shall be required to issue his certificate to them. No such regulations, however, have, so far as I am informed, been yet made; and therefore, in order to master the spirit, intention, and letter of the Act, so far as it is connected with the duties of my office, it is only necessary that I should truly conceive the meaning of that passage of the Act which expresses its principal purpose, and that clause in which alone the name and position of the Agent-General are specifically mentioned.

4. The purpose of the Act is declared in the preamble to be, that "persons immigrating to New Zealand at their own cost from the United Kingdom and elsewhere, other than the Australasian Colonies, should be permitted to acquire land free of cost in proportion to their expenditure in immigration." Judged by this broad and simple expression of its policy, the principal intention of the Legislature in passing the Act would seem to have been to assist immigration by compensating with an equivalent value in land immigrants who had paid for their own passages in money.

5. This somewhat liberal view of the scope of the Act is, I may add, strictly sustained by the terms of the notice concerning it, which in your despatch of 21st October, 1873, you directed me to insert in the public papers, and the very terms of which you appended to that despatch. They are as follows:—

"FREE LAND GRANTS IN NEW ZEALAND.

*"Notice to Intending Emigrants, especially to those who desire to settle upon Land.*

"The Agent-General for New Zealand is ready to receive applications from persons who are willing to pay their own passages to New Zealand, and who, upon registering their names and the names of the members of their families for whose passages they purpose to pay, will be entitled to free grants of land in the colony.

"All information upon the subject can be obtained from the Agent-General for New Zealand, 7, Westminster Chambers," &c.

Nothing can be plainer than the sense of this notice. You say that persons paying their own passages will, upon registering their names and the names of the members of their families, become entitled to free grants of land, and that all further information on the subject can be obtained from me. The clause in which the notice addresses itself to all intending emigrants, "especially those who desire to settle on land," read in this context, would indicate that, though specially intended for the benefit of the agricultural classes, the boon was not by any means meant to be limited to them.

6. This, indeed, is specifically stated in your despatch above cited, where you say that "I am well aware of the class of persons the Government desire that the Act may be the means of inducing to emigrate—the class, namely, of which some members of each family would be willing to settle upon land." You then proceed to warn me against a too cramped interpretation of the scope of the Act, in the sense of regarding it as merely addressed to the farming classes of this country. You say, "I would not by any means suggest that it is necessary such persons should have a skilled knowledge of agricultural pursuits. Very large numbers of those who are now farming with more or less success in Canterbury, Otago, and elsewhere, were not brought up to the occupation." Reading this passage of your despatch in connection with the notice which you instructed me to insert in the papers, and with the expression of the policy of the Act contained in its preamble, I submit it would be difficult for me to find legal or administrative grounds for refusing my certificate to any immigrant of respectable appearance who satisfied me that he had paid his passage to New Zealand, and informed me that he or some member or members of his family were willing to settle upon land. Such a person might, I maintain, fairly claim to be considered a "suitable emigrant" in the sense of the second clause of the Act.

7. The second clause of the Act is the only one in which my office is mentioned, and I may therefore be excused for quoting it in full:—

"2. Every person of the age of eighteen years and not exceeding sixty years, arriving in New Zealand after the passing of this Act from the United Kingdom or elsewhere than any of the Australasian Colonies, including Tasmania, who shall have paid the cost of his passage to New Zealand, and who desires to settle upon and cultivate land therein, shall, subject to the provisions hereafter contained, be entitled to a free grant of a piece of land to the value of twenty pounds.

"And if any such person be the head of a family, the value of the piece of land to which such person shall be entitled shall be proportionate to the number of the members of such family, the cost of whose passage shall have been paid by him, that is to say,—

"In respect of his or her own passage, land to the value of twenty pounds; and in respect of the passage of each member of such family of the age of fourteen years or upwards, land to the value of twenty pounds; and for each member of such family of less age than fourteen years, land to the value of ten pounds.

"Members of a family, for the purposes of this Act, shall include, wife, child, grandchild, nephew, and niece of the head of the family: Provided that no person shall be entitled to such free grant of land unless he shall, before leaving the place of departure for New Zealand, have obtained from the Agent-General of New Zealand, or any person appointed by him for the purpose, a certificate in writing that he and those members of his family in respect of whom he claims to be entitled as aforesaid are suitable emigrants."

It seems to me that the terms of this clause rather extend than contract the scope of the Act. I mean as regards the inference to be deduced from the limit of age. If a person, male or female (there is no distinction of sex indicated), just over eighteen years of age or just under sixty, is, according to the terms of the Act, entitled to a free grant of land on paying his or her passage, and expressing a