

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 21 SEPTEMBER 1876

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LEGISLATIVE COUNCIL.

Thursday, 21 September, 1876.

Real Property Bill.—Interior Immigration Depots.—Leave to Member to attend Select Committee.—Resumption of Runs.—Appropriation Bill, No. 2.—The Civil Service.—Navigation Bill.

REAL PROPERTY BILL.

The Hon. F. T. GREGORY, as Chairman, presented the report of the Select Committee on the Real Property Act Amendment Bill, together with the minutes of evidence and the proceedings of the committee, and moved that the paper be printed.

Question put and passed, and the report was ordered to be taken into consideration in Committee of the Whole on Wednesday next.

INTERIOR IMMIGRATION DEPOTS.

The Hon. G. SANDEMAN asked—

1. Are the Government aware that a number of Immigrants lately introduced at the expense of the colony, by the Government of Queensland, are reported recently to have left Queensland for New South Wales, travelling south by way of New England?—And, if so, have the Government taken steps to ascertain the truth of the report?

2. Are the Government aware of the great demand for labor existing in many parts of the Western Interior, and other portions of the Unsettled Districts of the colony?

3. Do the Government intend to reorganise and continue the practice—which was at a former period considered a necessary adjunct to the successful working of the Immigration system—of forwarding Immigrants to the Depôts formerly established in the interior, and to establish additional Immigrant Depôts in the more recently formed Western District,—amongst others, at Roma and Charleville, where mechanical and other suitable labor has been for a considerable time past, and still is, largely required?

The POSTMASTER-GENERAL answered—

1. No.

2. No.

3. The Government are not aware that Immigration Depôts were at any time established or maintained in the interior of the colony; but the expediency of doing so will be taken into consideration by them during the recess.

The Hon. G. SANDEMAN moved the adjournment of the House, to state what he knew to be a fact, as an old member of another branch of the legislature—that depôts had been established in several parts of the interior. At the time he spoke of the settlement of the colony had not extended beyond certain points. For instance, Dalby was about the most extreme settlement in the western district; and there a depôt was established. Since the period alluded to, settlement and progress had extended considerably to the westward. He might express regret that as regarded the continuing of the practice which, as he suggested, was “a necessary adjunct to the successful working of the Immigration system,” there was not now, at Dalby, any Immigrant depôt; it had been abandoned, to the best of his information; and there was no other depôt in the town or to the westward. He hoped that the Government would, as promised by the Postmaster-General, take the matter into consideration, as soon as they possibly could; because he could state, from his own practical knowledge, that it was a matter which required immediate consideration. He had reason to believe that immigrants introduced into Queensland at the public expense, to some extent, had left this colony; and that they were leaving regularly. It had been a frequent taunt held forth by the Premier of New South Wales, that his Government had no occasion to organise an immigration system for that colony, because they could always depend upon Queensland for getting them a supply of immigrants from elsewhere. It was, he (Mr. Sandeman) thought, high time that the legislature should put an end to that taunt, and adopt means, not only for bringing immigrants to the country, but for keeping them here: to direct the attention of ignorant men to those points to which they could go for employment. That was a duty which the Government owed to the immigrants—to afford them the means of obtaining employment in the interior, after having brought them out. He should say no more on the question at present. He believed that unless steps were

taken, and that immediately, in the direction he urged, it would be found that the colony had incurred a great expense for immigration, which had been absolutely thrown away.

The Hon. T. L. MURRAY-PRIOR said he did not rise to discuss the merits of the question, but to ask the Postmaster-General, if, in answering a question put by an honorable member of the Council, it would not appear better, instead of saying the monosyllable, "No," to make it in some other way? He thought that monosyllable answer, "No," was very curt; and that it did not show the respect which he deemed that an honorable member representing the Government in the Council ought to show to any other honorable member who asked him a question.

The POSTMASTER-GENERAL: He could assure the honorable member that no disrespect was intended on his part in the simple negation he had used. The question required a negative or an affirmative; he answered with a simple "No." There was nothing in it that was not polite, if the tone was courteous. If the honorable gentleman wanted "Sir," added to it, that might be considered by him (the Postmaster-General) on a future occasion. He certainly did not profess to have a superior knowledge of the English language; but, as far as he knew, when a question was put requiring a positive answer, one way or other, it could not be construed to be unpolite to say "No," when he had to answer in the negative. It was invariably done elsewhere.

The Hon. A. H. BROWN said, he entirely exonerated the honorable gentleman from any disrespect. He should support the Honorable Mr. Sandeman. It was high time that the Government took some steps to assign immigrants to the far interior in the way to provide their labor where it was wanted, and to afford them employment within the colony. The Government would be able to compass the distribution of immigrants on a large scale, much better, and at less expense, than could private individuals. They might enter into a contract with some person possessing some light means of conveyance, and send ten or a dozen men at a time into parts of the interior where they would be most readily employed. Labor was much wanted now, and wages were very high. As much as forty shillings a week was paid for men, at this busy season. The rate appeared to be extreme, but employers were glad to pay it at the present time. It was very far from a selfish view that led him to advocate that provision for sending labor to the residents of outside districts should be made; because there must be a return from that assistance beneficial to the residents of the more civilized—if he might use the term—parts of the colony. He believed that one reason urged against the establishment of immigrant depôts was the expense for wardsmen or other servants

in charge. He thought that the departmental work could be easily carried out in towns, by an arrangement with some of the public officers of the place, who might embody the extra work with their ordinary duties: and, so far as he could see, there need be no serious expense incurred by the arrangement.

The Hon. T. B. STEPHENS said he could not agree with the Honorable Mr. Prior's strictures upon the answers given to the questions. They struck him as being as respectful as possible; they were short, direct, and to the point, and could not be misunderstood. He believed that was the most respectful way possible to put an answer. He differed from the honorable member who moved the adjournment; and he objected entirely to the legislature of this colony being influenced by any taunts from the Premier of another colony.

HONORABLE MEMBERS: Hear, hear.

The Hon. T. B. STEPHENS: It was perfectly understood what were the reasons for which the taunts had been made. The honorable gentleman who was at the head of the Government in New South Wales depended, for a considerable amount of support, on the artisans who were opposed to immigration. However, figures showed clearly, that at the time those taunts were made, the balance of emigration over immigration was in favor of Queensland, and against the neighboring colony. The Government could not ensure that everyone who came here, even at the expense of the colony, should remain in Queensland. But it was not true that Queensland paid for bringing out immigrants who went to New South Wales in the way stated; and he repeated that, so far from the taunts being founded on fact, the balance of the emigration over immigration was, for years past, in favor of this colony. The House should not be influenced in the slightest degree by such taunts. He would now point out the inconvenience of those very distant depôts which were desired. So sure as the Government established them they would be in endless difficulties. The people in the outside districts would tell them that they had not sent the right sort of men, the suitable class of labor, or that the men would not take work. He could not see any good in maintaining depôts in small country towns; but, at the same time, he entirely sympathized with the views that the Honorable Mr. Brown had expressed, as to the difficulty of obtaining labor in the far interior. It was known that one of the greatest difficulties in newly settled country was to get labor; and another was the cost of carriage. He should be pleased to see everything done that could be done to assist the distant settlers, but he could not believe that any good would be effected by the establishment of these depôts. He thought that when they required labor they should make inquiries at the Immigration offices, in Brisbane; and there was no question about it, the immigrants

would be sent up the country where required at the Government expense, and quite as far as they were likely to be sent if depôts were established. But, by the mode he suggested, immigrants would be sent on the responsibility of the person who required their labor—the responsibility of their selection would be on those persons who applied for the immigrants to be sent. There was a very small demand for labor, and it was limited to a small number of persons who required labor of a particular class. He thought that those who required the labor of immigrants, should be satisfied that the Government would send them up from Brisbane, on the applicants taking upon themselves the responsibility of selection. The system of establishing depôts in the interior would break down wholly in a very short time.

The Hon. G. SANDEMAN, in reply, maintained, with reference to what fell from the Honorable Mr. Stephens, who spoke of the balance of immigration being in favor of this colony, that that had nothing to do with the fact that a great number of our immigrants had left for New South Wales. They had left, not only recently, as he had good reason to believe, but on former occasions. Now, if immigrants were attracted to this colony by the richness of the gold fields, as he had no doubt they were, that had nothing to do with the question of the going away of those immigrants who had been introduced at the expense of the country. He said, further, that the taunt which had been thrown out in the neighboring colony was a fact.

HONORABLE MEMBERS: No, no.

The Hon. G. SANDEMAN: The honorable gentleman had belonged to a Government that in former years strongly advocated immigration; and he must remember that the question of forming depôts in the interior was frequently canvassed, and that all Governments came to the conclusion that it was desirable to form such depôts. As he (Mr. Sandeman) before remarked, settlement progressed westward, and those who were opening up the distant interior were as much entitled to the assistance of the Government, in bringing within their reach the benefits of immigration, as had been those to whom it was given in former days nearer to the metropolis. It would be found, on reference to the records, that what he had stated was correct. He hoped that not only the Council but the other House would take steps to carry out the views which he had shadowed forth in the questions which had been put.

Motion for adjournment, by leave, withdrawn.

LEAVE TO MEMBER TO ATTEND SELECT COMMITTEE.

A message was received from the Legislative Assembly, requesting that leave be given to the Honorable A. H. Brown to attend

before the Polynesian Committee for examination.

On the motion of the POSTMASTER-GENERAL, leave was given to the honorable member to attend, if he should deem it fit so to do.

RESUMPTION OF RUNS.

A message was received from the Legislative Assembly, transmitting the following resolution, passed by the Assembly, and requesting the concurrence of the Council therein:—

"That, in order to enable the Government to deal with the lands in the Western Railway Reserve, and in pursuance of section 10 of '*The Crown Lands Alienation Act of 1868*,' this House resolves to resume from the leases of the under-mentioned runs in the Settled Districts of Darling Downs, the areas hereinunder specified, as described in the schedule laid on the table of this House of the lands proposed to be resumed from the runs in the said Railway Reserve.

"SETTLED DISTRICT OF DARLING DOWNS.

"(*Within the Western Railway Reserve.*)

"About 20,000 acres to be resumed from St.

"Ruth's Run.

"About 92,000 acres to be resumed from Jim-

"bour Run, as per descriptions marked A

"and B.

"About 10,560 acres to be resumed from Warra

"Warra Run.

"About 29,400 acres to be resumed from Cecil

"Plains Run."

APPROPRIATION BILL, No. 2.

A message was received from the Legislative Assembly, transmitting Appropriation Bill, No. 2, for £100,000, for the service of the current year; and, the Standing Orders being suspended, the Bill was advanced through all its stages, and passed without delay. The Bill was then returned to the Assembly.

THE CIVIL SERVICE.

The Hon. A. H. BROWN asked—

Is it the intention of the Government to introduce a Bill during the present session, having for its object the more efficient control and routine of the Civil Service?

The POSTMASTER-GENERAL answered—

The Government do not intend to introduce, during the present session, a Bill dealing with this subject.

The Hon. A. H. BROWN moved the adjournment of the House, for the purpose of briefly referring to the point raised. He considered the institution of the Civil Service a very important one; and it was becoming one of great magnitude. If honorable members looked at the sums on the Estimates that were voted for the payment of the officers, they would be struck with the importance of the service. His plea, now, was for those gentlemen who were employed in the Civil Service. He had very frequently seen that persons who were entitled to pri-

ority of claim to promotion had been ignored, and persons entirely outside the Civil Service had been placed over their heads. Now he thought that those who entered the Civil Service did so usually for life, because in the discharge of their duties they became so accustomed to the routine of the departments that they could not afterwards accustom themselves easily to any other service. One great object to all who entered the Civil Service, and it would be to him, in entering any business, was the advantage of promotion; that, he thought, was the great incentive to an officer to make himself valuable to, and to be valued by, those who employed him. But when he saw "outsiders," preferred to himself, men of less ability and capacity, and steadiness of character, he (Mr. Brown) thought it was a pity there was not some law by which an officer should get the promotion that he was entitled to, and which would prevent it being accorded to another. The Act of 1863, he thought, conferred a claim to promotion on an officer who was qualified by priority; but it was only an experiment, as far as he could judge, as the Act appeared to have been ignored. He could speak of several cases where injustice was done to officers. The one that immediately occurred to his mind, was that of the Registrar-General, which office was given to a gentleman who, beyond at one time being the Emigration Agent in England, had no claims whatever on the Government; while there were in the department two gentlemen who had been carrying on the duties under the Real Property Act ever since its introduction in 1861; and that gentleman was placed above those officers, though there had been no fault found with them or their conduct of the department. Indeed, he (Mr. Brown) could say that he had heard from many who could speak with authority that those officers were entitled to very high praise. Again, there was another department, to which the honorable gentleman representing the Government in the Council had very recently succeeded—the Telegraph Department. The honorable gentleman's predecessor, Mr. Thorn, was a resident of Ipswich; and it was strange that so many appointments to the department were of residents of that town. There was a large crop of Ipswich people appointed to that department. He (Mr. Brown) could quite understand how it was that that department was so frequently accused of inefficiency. He now spoke from personal experience. He remembered receiving a telegram, a short time before he came down to the House, in which were three words spelled incorrectly: the transcription was disgraceful, and, most certainly, no person should have been entitled to enter the service who was not more efficient than the writer of the telegram in the office. The person who drew that document could not have been in the office very long; he must have been a stranger, and, perhaps, he had

been put in by political influence. That was a point he (Mr. Brown) was constrained to speak about. Those who enjoyed positions in the Civil Service were ignored when other persons had to be appointed under other influences, not legitimate; and they were not the only sufferers by their efficiency and seniority being overlooked and disregarded, but the public suffered for the inefficiency of the new men referred to. He did not, himself, think sufficient was left to the heads of the departments—to the Under Secretaries. In one instance, he believed, under the Collector of Customs, on the retirement of one of his chief officers, the supplying of the vacancy gave the whole of the staff a step of promotion. That was what he considered to be just. It was what the sub-officers in all the departments looked forward to; and he was glad to say that, on that occasion, it was realised. But justice was not done to those officers in departments where men were elevated without previous service. He could refer to the Council Chamber: two officers who had been recently appointed, had not had much experience before; personally, they were, doubtless, estimable men; but that was quite another question where elevation was to be considered, and he thought theirs was hardly due. Of course, there was always a discretion left, and it was necessary, to the Minister at the head of a department; that he did not hesitate to say; but still, his objections were to the general rule that now obtained in making appointments. The road to elevation and promotion should be open to merit; and he hoped to see it observed in future. The Postmaster-General should, when conferring with his colleagues, give due weight to that; and if he could see any way by which he could carry out the views expressed, which were entertained by many persons in the colony, he would confer a favor. He (Mr. Brown) was sorry that the Postmaster-General was not in strong health at present, or he should ask him to explain as briefly as possible, the routine now observed in the Telegraph department. He was told there were cadets under a course of instruction in the Department. If so, that was a very important arrangement, and he should like to have some information upon it. Indeed, it had occurred to him that the department was becoming so important that it was almost worth a Select Committee of inquiry.

The Hon. G. SANDEMAN: Hear, hear.

The Hon. A. H. BROWN: Whether it would be worth while to devote the time of honorable members to such an inquiry he did not know; but he was satisfied that the public out of doors was not pleased with the mode in which the business was conducted. He could believe and hope that under the new Ministerial head, the department might finally be improved.

The Hon. G. SANDEMAN said the honorable Mr. Brown had referred to one department of the service of the greatest possible importance, and he could not allow this opportunity to pass without endorsing the opinion expressed by him. With regard to that department, in the interior of the colony there was no supervision; and he had no hesitation in stating, from his own practical experience, that there was not only a want of supervision but a great want of efficiency. Not many months ago, he called at an office in the interior to send a telegram. A young man was in charge who told him that the place to which he (Mr. Sandeman) desired to send the telegram was not in existence. Having frequently sent telegrams to the place before, he informed the young man that he must be mistaken; but the retort was, that it was not so. He referred the officer to his list; there was no list at the office. Then he went down to the post office and brought a list back, which he showed to the telegraph clerk, telling him that there he would find the name of the place to which he intended to send a telegram; and then came an apology for the mistake made. He further told that young man—he was a very young man—that he had not learned the first rudiments of his education, the geography of the colony in which he lived. That was a case in point. He reported it privately, not officially, to the head of the department. The answer he got, was, “Well, sir, we are not our own masters in these matters.” The young man in question had a relative in another department of the service, and it was on that account he got his appointment. He was in charge of the office. That was one case. There were others, but he should not refer to the matter further.

The POSTMASTER-GENERAL said he was exceedingly glad that the question had been raised, and that he had an opportunity of expressing his opinion, in answer to the two honorable gentlemen who had spoken. He could assure the House that this was the first time any complaints had been made to him about the inefficiency of the Telegraph Department. He had been under the unhappy delusion that it was one of the best conducted departments in the service. He was of that opinion, because of the investigations he had himself made of the department. Indeed, no department should have more efficient officers than that; because it was the only department which he was aware of in which a preliminary examination must be satisfactorily passed before a candidate for employment was admitted into the service. Regulations were in force prescribing that all candidates for employment must undergo examination as to their educational capabilities, and that after they had passed they must serve as learners for a certain period. He could assure honorable members that no candidate had been received into that department except under those conditions,

although pressure had been brought to bear in two instances to forego the examination; no one had been received into that department without a satisfactory report from the examiner who was appointed to look over the papers of the candidates. Attention had been called to the want of supervision in the interior. No doubt that was a very important matter. He had taken steps to provide for the appointment of an inspector of the interior offices, and a proposal would be brought before the other House to vote the salary for such an officer. He trusted that, if the Assembly should see fit to vote the money, no cause for other complaint would be found. It was a matter of regret that when faults of the character referred to by the Honorable Mr. Brown and Mr. Sandeman arose, they were not brought before the head of the department. How could the Postmaster-General know what was going on, unless he was informed that causes of complaint existed? Considering the ordeal that was gone through by cadets in the department; that, after undergoing a training there, they were examined in the science of telegraphy; and that only on the report of the Superintendent as to their efficiency, were they employed on actual service; it was a matter of surprise to hear, first, that such mistakes as had been mentioned should have occurred in one telegram, and, second, that an officer had exhibited ignorance of geography, which was one of the subjects in which candidates must pass satisfactorily. Leaving that subject, he must say that he cordially sympathised with the honorable Mr. Brown in regard to the Civil Service. He thought that the service should be placed in the most satisfactory position by an Act of Parliament. The subject was a very important one, indeed; and required the most careful consideration, and ought not to be disposed of hastily. The Civil Service Act of 1863 was unsatisfactory, and it was repealed; thus leaving the question still open. If he should remain in office any time, and have the opportunity of bringing his views more particularly under the notice of his colleagues, he should certainly endeavour, as far as in his power lay, to bring about such a state of things as would give satisfaction not only to the Civil Service, but to the public at large. He quite agreed with the Honorable Mr. Brown that in nearly all instances promotion in the service should be according to merit.

HONORABLE MEMBERS: Hear, hear.

The POSTMASTER-GENERAL: Of course, circumstances would arise where it would be undesirable that an officer in a department should be promoted to a vacancy that might occur. Special reasons might exist which would show the desirability of appointing a person of certain professional training that a person in an office had not. That might well arise in the appointment of Registrar-General. It would be very difficult, under ordinary circumstances—he referred to it, be-

cause Mr. Brown had done so—to make a selection from the two branches in the Registrar-General's department, one being a quasi-professional branch, and the other statistical. Both the Deputy Registrars-General stood on the same footing; and it would be a very invidious task to make a selection from them for the office of Registrar-General. Although it was possible they might be very efficient, yet they would not possess the requisite knowledge, tact, or experience to manage satisfactorily the whole department. He might state that he had some experience in the working of the office, and he did not think that a more efficient person could have been selected than the gentleman who now held the appointment of Registrar-General, and who had a very trying time during the past four months, in connection with the census and other matters. No one in the public service could have performed his duties better; and, as far as that was concerned, although the present Government were not responsible for the appointment, yet they did not regret that it was made, and the public could not blame the Government who made it. If he (the Postmaster-General) was in possession of any information that honorable gentlemen required, he should be very happy to furnish it.

The Hon. G. SANDEMAN, in explanation, repeated that he had reported the case he spoke of to the head of the Telegraph Department; and he called attention to the answer received, as showing that pressure was brought to bear, by Ministers, in making appointments.

The POSTMASTER-GENERAL: If the statement made referred to his tenure of office, it was without foundation. He brought no pressure to bear on the head of the department. He knew of no more distasteful thing than the pressure brought to bear upon Ministerial heads of departments, in regard to the making of appointments. Very few vacancies had occurred since he entered office; and he thought that, in every instance of filling a vacancy, the subordinate heads of the departments had been consulted.

The Hon. G. SANDEMAN: It was not in the honorable gentleman's time that what he had spoken of occurred, but several months ago.

The Hon. A. H. BROWN mentioned, in regard to the telegram of which he had complained, that water was spelt "warter," and road, "rode." He felt offended, and brought the matter under the notice of Mr. Cracknell, who telegraphed to Maryborough. Some reply was received from the person who wrote in that peculiar way, but he did not know what. Such a person should never have been employed in the service. As for the Registrar-General, he (Mr. Brown) did not even know him by sight. He mentioned the case as a very flagrant one.

The motion, by leave, withdrawn.

NAVIGATION BILL.

The POSTMASTER-GENERAL moved the second reading of "a Bill to consolidate and amend the laws relating to the Marine Board, Navigation, Pilotage, Harbors, Lights, and the keeping and carriage of Gunpowder." He said, as the Bill dealt with an important subject, under ordinary circumstances, the House would require a full explanation of its contents; but as it was fully discussed and approved by the House and by the Assembly, two sessions ago—the Bill now before honorable members being almost identical with the measure passed by Parliament in 1874—he thought it was undesirable that he should waste their valuable time by going into its provisions. He might, however, mention that the reason it was brought before the legislature again, was this:—When the Bill was forwarded to the Imperial authorities, before being presented to the Queen for the Royal assent, it was referred to the Board of Trade; and that Board, whilst generally approving of the Bill as a whole, made certain suggestions, and one or two objections to certain matters of detail; and the Royal assent was withheld until the Bill should have been sent back to the colony for further consideration on those points. Those points had been considered by the Government, and had been embodied in the Bill as now before the Council, and he thought the House would not have any objection to them. At the proper time, in Committee of the Whole, he should direct attention to the small matters of detail on which the House had not already expressed an opinion.

The Hon. H. G. SIMPSON said that, being one of the members who took a considerable part in passing the Bill on the last occasion that it was before the Council, two years ago, he had great pleasure in supporting the motion. The Bill had been before the country, more or less, for the last six years; and he thought it was pretty nearly time that the legislature managed to get it passed; and he hoped that it would be passed finally during the present session. What the Postmaster-General had said with regard to the history of the Bill was perfectly correct. But there was another matter which he (Captain Simpson) should like to mention:—That was, that the despatch of the Home Government came to the colony quite in time to have allowed the legislature to get through the Bill last year. For some reason or other the Government of the day, through the Treasurer, distinctly refused to take the matter up; and, therefore, it had been left to the present time. The Bill had been passed in another place, where it had been dealt with in the manner which he thought best in a measure which had been already before the legislature, and the general principle approved, and the only alterations in which, as stated by the Postmaster-General, were those which had been suggested by the Home Authorities and which were embodied in the Bill. There

were one or two slight alterations to be made in matters which were overlooked in the rather hurried and rapid manner of its advance through another place;—not that he found fault with the rapidity of its passage, for he was very glad: but he mentioned them before the House should go into committee on the Bill. He thought that honorable gentlemen would find the Bill an exact transcript of the measure which was passed by them two years ago, plus the amendments made at the suggestion of the Imperial Government. Before sitting down, he might say further, that he had seen the despatch from Home in reference to the Bill, and it was most complimentary in regard to the manner in which the Bill had been drawn, and, indeed, in regard to everything connected with it, except the special points in which amendments had been made; the terms were, that “it was an admirably drawn Bill.” He did not know who had the credit of drawing the Bill; but in the despatch it was distinctly mentioned.

The Hon. W. D. Box said he had the privilege, two years ago, of being in the Council when the Bill was passed. He was anxious to get the consent of honorable members to two or three alterations, in committee; and he mentioned the matter on the second reading, so that they should consider it. Clauses 165 and 166, part VII. of the Bill, relating to the storage of gunpowder, he wished to have struck out. It appeared to him that those provisions impeded the trade in powder. He wished, also, to get the consent of the committee to a reduction of the charges specified in the Bill. For the information of the House, he wished to show that the powder trade was very important. In 1873, the imports were valued at something like £6,000; and in 1875, the value was £9,000. The alterations he should propose would, he thought, have the effect of enabling Queensland merchants who dealt in powder to compete with the merchants of other colonies on advantageous terms.

Question put and passed.