

(New Zealand, No. 2.)

MY LORD,—

Downing Street, 7th January, 1895.

I have had under my consideration your despatch, No. 44, of the 20th of September, and the previous correspondence in which your Government asks that the position of the Resident in the Cook Islands should be more clearly defined.

2. It will be within the recollection of your Ministers that the question of a British protectorate over this group was first raised by the Queen of Rarotonga in her interview with Mr. Ballance, as reported in Sir W. Jervois's despatch, No. 754, of the 5th December, 1885; that the subject remained in abeyance for some time, until Sir W. Jervois, in his despatch, No. 44, of the 21st May, 1888, forwarded a petition from the Queen formally praying the Government of New Zealand to aid in obtaining the extension of Her Majesty's protection to the group. The protectorate was proclaimed later in the year; and on the 16th of April, 1889, my predecessor, after correspondence respecting the appointment of a Consular Officer at the expense of New Zealand, which had no result, inquired, in a telegram dated the 17th of April, 1889, whether the colonial Government would pay the salary of the Resident if selected by them; and Lord Onslow telegraphed on the 4th November, 1889, that the colonial Government agreed, on these conditions, to submit a vote to the Legislature. This vote was subsequently passed, "on the understanding that the Government of the colony should nominate a suitable person for the appointment" (see the Premier's memorandum of the 25th October, 1890, embodied in Lord Onslow's despatch of the 31st of October).

3. This telegraphic communication was followed by a despatch, No. 8, of the 8th of February, 1890, in which Lord Knutsford expressly stated that the Resident would communicate direct with the Governor of New Zealand, who should in the ordinary course lay all communications from that officer before his Ministers for their advice; and in a later despatch, of the 13th of December of the same year, written after the selection of Mr. Moss as Resident, his Lordship observes: "In all cases where regulations or declarations are issued connected with the affairs of the Cook Group, it would seem fitting that such instruments should be issued by the local chief or chiefs and countersigned by the representative of the New Zealand Government"; adding that it would devolve on the Government of New Zealand to instruct Mr. Moss to explain the nature of the British protectorate.

4. The instructions issued to Mr. Moss by the Governor of New Zealand contain the following words: "You have not the powers of the High Commissioner of the Western Pacific, nor those of the Administrator in New Guinea. Your position more nearly resembles that of the latter officer, inasmuch as you hold your appointment under the Governor of the colony, who instructs you after consultation with his Advisers."

5. This brief recapitulation and the quotations given above show clearly that it was understood that the Resident should be directly under the control of the Colonial Government; and it has not been, and is not, the wish of Her Majesty's Government that the High Commissioner of the Western Pacific should interfere in the administrative work of the group, or exercise control over the Resident.

6. The group is indeed within the geographical limits of the Pacific Order in Council, 1893, and consequently the High Commissioner has the power of making regulations which would extend to it; but Her Majesty's Government would have no objection to instructing him not to exercise those powers so long as New Zealand undertakes the maintenance of the Resident.

7. There does not, therefore, appear to be any reason why the Governor of New Zealand, acting on the advice of his Ministers, should not settle all questions of administration in the Cook Islands regarding which the Resident may apply for instructions, without reference to the High Commissioner or to the Secretary of State, except in the special cases referred to in Lord Knutsford's despatch of the 8th of February, 1890, "upon which you consider that Her Majesty's Government should be consulted before action is taken, and any