

No. 43.

New Zealand, No. 202.

MY LORD,—

Downing Street, 16th June, 1911.

I have the honour to transmit to you, for the information of your Ministers, the papers noted below on the subject of the case of Michael Feod.

I have, &c.,

L. HARCOURT.

The Officer administering the Government of New Zealand.

Date.	Description.
12th June, 1911	From the Foreign Office.

Enclosures.

THE Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies, and, by direction of the Secretary of State, transmits herewith copy of the undermentioned paper.

Foreign Office, 12th June, 1911.

Name and Date.	Subject.
Sir G. Lowther (No. 372); 30th May ..	Michael Feod.

SIR,—

British Embassy, Constantinople, 30th May, 1911.

With reference to your telegram, No. 2, of 4th January last, I have the honour to forward herewith, as marked in the margin, copy of a despatch which I have addressed to His Majesty's Consul-General at Beirut informing him that Michael Feod cannot be claimed as a British subject in this country, at the same time notifying him that the sentence has been quashed, and that the case must be retried.

As you will observe, I have authorized Mr. Cumberbatch to use unofficial influence to secure a fair trial.

I have, &c.,

His Majesty's Principal Secretary of State for Foreign Affairs.

GERARD LOWTHER.

SIR,—

Constantinople, 30th May, 1911.

Referring to your despatch, No. 28, of 30th March last, concerning the case of Michael Stephen Feod, I have to state that the boy's father appears to have been born in Syria and not in New Zealand, for I am informed by the Foreign Office that he was naturalized in the colony only in 1894. Under these circumstances, the boy cannot be claimed as a British subject in this country, and no exception can be taken to the unaided exercise of the Turkish jurisdiction. I have, however, used my good offices to obtain very careful consideration of his case by the Court of Cassation, and that tribunal has now quashed the sentence on grounds which will make it necessary for the Tripoli Court to enter again into all the facts of the case. The papers were returned to the Public Prosecutor of Beirut on the 23rd instant. I enclose a poussola.

You will be justified in using any unofficial influence at your disposal in order to secure a fair trial for the accused when the case is reheard. As, however, he is not entitled to official protection, it is important that his own friends should take steps to have him properly defended. In this connection I may mention that one of the chief proofs on which his condemnation was based was an alleged identification by the victim of the assault, and that the Court of Cassation attached special importance to the fact that the latter was not in Court at the time of the trial, and that consequently the identification ought not to have been regarded as conclusive without further investigation.

I am, &c.,

H. A. Cumberbatch, Esq., C.M.G., &c., Beirut.

GERARD LOWTHER.

No. 44.

New Zealand, No. 204.

MY LORD,—

Downing Street, 20th June, 1911.

I have the honour to transmit to you, to be laid before your Ministers, the accompanying copies of a treaty of extradition between the United Kingdom