

## VISITS OF CONSULAR OFFICERS TO CITIZENS IN PENAL INSTITUTIONS

*Exchange of notes at Ottawa July 29 and September 19, 1935  
Entered into force September 19, 1935*

1935 For. Rel. (II) 58

*The American Chargé d'Affaires ad interim to the Secretary of State  
for External Affairs*

OTTAWA, CANADA  
*July 29, 1935*

No. 523

SIR:

I have the honor to refer to Dr. Skelton's informal note of April 27, 1935, in regard to the cases of Francis and Charles Aiken, in which Dr. Skelton stated that "the reciprocal understanding arrived at in 1934 between Canada and the United States of America to permit Consular representatives of either country, upon application to the wardens of penal institutions, to visit citizens of their own country serving sentences in such institutions still obtains".

In this connection I transmit herewith enclosed for your information copy of a letter dated June 7, 1934, from the Acting Attorney General of the United States to the Secretary of State of the United States regarding the rule in existence governing the visits of consular officers to Federal penal institutions in the United States.

In this connection I also wish to refer to circular letter No. 174, dated September 19, 1933, from the Office of the Superintendent of Penitentiaries, entitled "Convicts in Penitentiaries Who Are Citizens of Foreign Countries", and which deals with the question of visits to such convicts by the consular representative of the country of which the convict claims to be a citizen.

It would appear to my Government that "the reciprocal understanding arrived at in 1934" referred to by Dr. Skelton has reference to the correspondence above mentioned.

In compliance with instructions from my Government, therefore, I have the honor to inquire whether this understanding on the part of the Government of the United States is correct and whether the Canadian Government