

the will and activities of the State, and they are of the same character as court decisions or administrative measures." (Cour Permanente de Justice Internationale, Arret No. 7 du 23 mai 1906. Publications, série A, No. 7, p. 19.)

(b) This question of responsibility arising from the acts of the legislative body comprises all of the more or less important issues which have come up at this time in connection with lands and mineral resources. The laws relating to title to property and oil reserves have originated, both in Europe and in America, very important international controversies. At this time it might be well to mention the discussion between the United States and Mexico, arising out of the Mexican Constitution of 1917,¹ the litigation between Hungary and Roumania pertaining to agrarian interests,² and the discussion between the United States and Japan in connection with the real property laws of the State of California.³ Soviet legislation is another great problem which involves, not only the conflict of municipal legislative acts, but the inconsistencies of two systems of government which could not exist within the same civilization.

¹ Article 27 of this Constitution reserves to Mexican citizens, either by birth or naturalization, and to Mexican corporations, the right to acquire land, waters and their affluents, and concessions for the exploitation of mines, water power or mineral fuel reserves. Several of the laws enacted for the regulation of this Constitutional provision gave rise to claims from the Government of the United States, based on the contention that rights acquired prior to the Constitution of 1917 and prior to the enactment of said laws, would be greatly impaired if not totally destroyed thereby. In this connection, the foreign offices of both governments exchanged lengthy and very interesting correspondence. The Mexican Government maintained that the exercise of sovereignty over its territory fully justified its legislation, and denied that it impaired in any way the rights already acquired by aliens; while the United States contended, on its part, that this legislation violated international laws because it disregarded, by actual confiscation of property, the rights already acquired by foreign subjects. (Official correspondence exchanged between the governments of the United States and Mexico in connection with the laws regulating Section 1 of Article 27 of the Mexican Constitution.—Mexico—Foreign Relations Press—1926.)

² This question covered the expropriations by the Roumanian Government, in pursuance of its agrarian law, to the detriment of Hungarian nationals, both with and without options, who were land owners of Transylvania and other sections of the former Kingdom of Austria-Hungary annexed under the Treaty of Trianon. (L'Arret du Janvier 1927 du T. A. M. Roumano-Hongrois dans les Affaires, Dites Agraires et le Droit International, par Georges Scelle.)

³ The legislature of the State of California passed a law in connection with the rights, privileges and restrictions applying to alien nationals and to certain companies, firms and corporations in respect of property within the State, and stipulated the lapse of title thereto under certain circumstances. The law provided that all foreigners eligible for citizenship under the laws of the United States could acquire, hold, use, transfer and inherit real estate in like manner and form as American citizens. Other aliens would be entitled to these rights in the manner and form established by treaties made with their respective governments. Japan objected to this law, claiming that it impaired the rights and privileges afforded to its citizens by the commercial and maritime treaties in force. Also, Japan rejected the suggestion to have the matter referred to the courts in charge of determining whether treaty provisions are to supersede laws enacted contrary to them. The correspondence relating to this incident is very interesting from the point of view of the relationship between the international and the municipal law.