

Vol II

42. 1948

The right explanation <sup>is that</sup> maybe that the  
power given to the legislative does  
not ~~is~~ only on condition that the  
exercise ~~is~~, and to be ~~is~~  
but franked on condition that the  
Parliament <sup>has exercised only</sup> for ~~is~~ ~~is~~  
on condition - i.e. the explanation

Craves' State Law 429, 4th Edn

Para No. 6. Territorial limits of Fed. Law

1st Sentence :- No power for Fed. Law makes

No power has been expressly or impliedly given  
by statute, charter. This power has been  
conferred to Canada etc. - see Meleard  
Case. Crane & Deming - The validity  
of the Canadian law was questioned -

see 36th Edition

Page 164 - The Point raised in the case

one is concerned there in McClellan's <sup>with the</sup>  
the Constitutional doctrine limiting the  
powers of the Legislature -

In Chief Justice 1933 AC <sup>at</sup> page 164  
"Legis - ..."

it - - - - - must be  
that the Bill - - - - - has not been passed  
Constitution to - - - - - is not necessary  
to render void this of the Constitution  
as the Legis "No question arises - case",  
The question is a Domestic one between  
the empire and the States; the  
Constitution is not the subject - - - - -  
- - - - - but of it; that the British North  
American Act.

The powers are necessarily involved  
in the powers delegated to it see  
1906 AC at p 542 & 545  
bottom =

Those were all law in which a Superior  
person had delegated power to a subordinate

We are dealing here with legislative power  
not delegated but law for the regular  
business of the country, which are part  
of the business of the crown

For the Parliament Act.  
Preamble. 1894

Page 9. (Halls 212)

(Page 8) see 7 (1) Power  
2) Power  
3) Power

Sec 8 deals with the President

12th Line from the bottom

" All foreign treaties which are necessary in the  
of more Prescriptions --  
" enough remain --

My friend " we are not dealing with a  
sub-delegated authority in the sense in which  
Cairns has decided in Adair. Here we are  
the legislative authority is inherent in the  
Parliament by 7. 2. the Parliament does  
not delegate or create but merely regulates

The exercise of it by the 7. November Act

Preamble

Para 1

Even assumes that the 7. November Act

That the delegated powers in the Act  
to International Law, can be interpreted  
as that the same condition should <sup>not</sup> be  
held to apply to the legislation the British  
Government by the Public Law 7.11.1937.

Even further that Canada is held  
you must  
it does not follow that where a  
act was passed there was no question  
of anything being done outside International  
Law.

Sec 11 shows that 1937 has the  
full effect of a statute

Sec 11 { The order in Council itself must be made  
by or under an Imperial statute }

Canada 607

Imperial ~~power~~ ~~power~~ - has caused  
customer ~~power~~ ~~power~~ which should not  
conflict with ~~the~~ ~~law~~

There are ~~no~~ ~~concerns~~ with ~~delegation~~  
which have not been delegated back  
to ~~parts~~ ~~of~~ ~~the~~ ~~system~~ - we ~~can~~  
assure that ~~that~~ ~~is~~ ~~the~~ ~~best~~ ~~way~~  
should not conflict with ~~the~~ ~~law~~

dar Nizam Order in Council was to be identified  
 with Imperial but does not delegate  
 Says -

Answer H.C. ~~that~~ when he ~~is~~ <sup>has</sup> ~~been~~ <sup>is</sup> ~~made~~ <sup>made</sup> ~~by~~ <sup>by</sup> ~~the~~ <sup>the</sup> ~~President~~ <sup>President</sup> ~~by~~ <sup>by</sup> ~~delegation~~ <sup>delegation</sup>.  
Pres Law by delegation.

1948

See Sec 12. This Regulation  
 based for empowering is what is said  
 against the but Sec 12 Says - The  
 Order in Council ~~is~~ <sup>is</sup> based only if they  
 are empowering to some other act of  
 Parliament - They will not be empowering  
 unless there can be empowering to  
 non-statute law - Say Statute

No limitation on the President  
 " If order in Council has power to make  
 regulation against International law  
 contrary against itself - is valid  
 These Regulations says that Regulation  
is valid

Assume ordinary level has power to  
create a regulation in compliance  
with the law. Then the regulation  
should be found to be valid. Why  
that Regulation is valid if the reference  
in ordinary level is to be valid as regular  
order in level for the same  
power as an Imperial statute -  
then which may authorize a law  
expressly by necessary implication to  
make laws in compliance with the law.  
The <sup>yet appears to be</sup> power should be conferred to  
delegated legislative power of legislation, we  
are not concerned with the delegated power  
of legislation in that sense here

Then the section relating the order  
in level has that power, a



Para 6 - makes it more like essential

Low Motor points out under 17  
at top  
Exhibit Index Case

Next with Book Case de domo  
(1882)

In M - Crown Book 170 - note 2

1393 British Statute

Is there conflict really - look at the  
actual limit of the rule in Council 1937

before rule in Council is made effective then  
the provisions of rule in Council of 1931, 36.

In para 6. Sub Para 1 -

non-follower's direction - as word  
as it could be

(6) Para 2 (d) amend -

sub. to (3) (4)

1922-23 para 6 of the Executive & Legislative  
& Finance & Administration Act 69 1937  
a, possible out by her Lord

23. Perhaps understand even if it is not a deliberate choice  
Is there any back Page of Introduction  
Lower in number by 80 to 100

? From p 93, at top of 96. Statement of fact  
led over to lines at bottom of p 96

bottom of 98. for the crown

100-101 - Bottom of 100 - I appear to have

--- at top of 101

|| Whakata - --- - - - -

It is said - - - - -

--- 5th Bq.

L. Eder - There is no history 3 to what is  
beyond the territorial water

Oppenheim's Book,

but see Hall's information law - 8th edition

Top of page 328. see 86

a country may - - - - - exercise a  
state - - - - - imperator

p 329, 12 lines from the bottom

1. Then once it is granted - - - - -

Lowry's point out to the persons concerned - - - - -

It says it may be argued that  
arrival outside is excluded

Answer  
The Regulation

Prohibition does not ~~interfere~~ with if it  
contemplates action outside, as here  
is held opposed to international law

Did they do anything illegal when  
they got hold of the steam

Westlake - In Law 1910, Edition - 2nd Edition  
page 171.

173. we have

speaking of self defence - Self defence

p 175 - Honouring Laws

(No impingement on territory outside boundaries  
See Virginia Case)

p 179 Truett in the opinion

"It is an important agency - - -"

inclusion

[It cannot be said that she did not depend  
entirely on you <sup>have</sup> ~~and~~ <sup>to</sup> ~~be~~ <sup>held</sup>  
she had discovered - - -

Optimization for 450. 6th Edition - Part I  
Last sentence in page. See 190. 1st Part -  
page 450 inside - would be  
examined.....

~~We are not known here~~

(Lord Symonds, 2d  
Any doctrine so stated - - -  
1905. 2. R. B. p 406

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Important but a matter it is adopted by the  
Municipal Law -

Condition of the vessel is important in relation  
to the Port. She had no flag, there were also  
Turkish flag & the Zomb flag - She had two  
usual ships papers in respect to

K-42  
K.P.

See Endorse Valentines Day in Entries  
Verify

No mention of ships papers  
among entries but the Judge makes  
chance of Endorse is only 166, of Endorse

# Les Quasi-Contrats

1) caught and contained water

2) of restriction of interest law.

Then the law does affect

∴ here we have prescription

3) & there a kind of intervention then

the - means to the authority

Prescription  
related to  
no branch

Openheim § 541 Section 261.

No Protection of foreign flag is given

See 261, <sup>261</sup> 262.

261 flag is not a national flag

She had no order to say the destroyer

Can't board us? She had no papers etc. Here there was no protection to be given to her



Is the regulation to be applied only to Palestine ships

1. If the right of embarkment is established then it cannot be denied - that would be to deprive of it
2. Voluntary or voluntarily leave the whole world
3. Persons on board - we are not concerned with the prosecution of any body.

Law of Palestine 1941 ~~442~~ 442 at 445

Appeal from the prefecture was brought at p 444

1942 vol p 29

We are not concerned with the prosecution

Melod Case 100 St. Louis State

1946 A.C. p. 527. Facts are

— p. 542 complicated but

the Court says

=  
= only to p. 542

541, 542 last para

1 whether its field it has legislative

Sovereignty . . . . .



Claims are made to refute

If my proposition is right, I have nothing to do with the the part of the argument

been has been  
What had been covered, the basis of  
found to uphold the fundamental

Method, more & more

Methods are done with

to the extent of having a search  
of the course of pre-organizational history  
which the system has authorized  
has to be cleared -

In Macdonald's abstract far beyond  
the present good part, here, the Regulation  
doesn't go beyond -

The ultimate question is  
the construction of order in law

As to Interim - law

There is no definite principle  
of International Law which has been  
violated in this case, that is, the

The conduct of the Council makes it  
impossible to ~~maintain~~ ~~difficult~~ for her  
to investigate

1) Even if she does a ~~Survey~~ ~~Survey~~ the  
rule of Int Law to prevent her from  
being ~~so~~ searched

### Reply

I accept

1937

~~order in Council~~ must be construed as an  
act of the Imperial Parliament. It doesn't

Give the U.C. power to make ~~executive~~ ~~executive~~ ~~act~~  
No such suggestion can be made. It's outside the  
power that the ordinary Council confers the  
High Commission's power

The power given is precisely the same  
as given to Col. Legislature

but these are executive Acts  
to say that are executive  
acts or are any less

