

there is nothing in the Trade Union Acts to indicate that parliament intended to confer power on such associations to collect and administer funds for political purposes, (2) because a rule of any such association purporting to give it power to raise money for the purpose of securing parliamentary representation is ultra vires. Lord James was of the opinion that a rule compelling the member of parliament to answer the whip of the labour party was ultra vires, as not being within the powers of a trade union. Lord Shaw considers it not only to be ultra vires, but also unconstitutional as interfering, or endeavouring to interfere, with the freedom of judgment of a member of parliament. As his Lordship puts it, although such a bargain would be void at law, and the member entering into it would be free to act as he saw fit, yet where a court of law is appealed to, to lend its authority to the recognition and enforcement of a bargain of that kind, it would be contrary to sound public policy so to do. The rest of their Lordships, however, refrain from discussing the constitutional aspect of the case.

RAILWAY—EXPROPRIATION—EXCEPTION OF MINES OF COAL, IRON-
STONE, SLATE OR OTHER MINERALS.

North British Railway Co. v. Budhill Coal & S. Co. (1910) A.C. 116. The question discussed in this case is very similar to that in *Great Western Railway Co. v. Carpall C.C. Co.*, supra. In this case the question arises on the Scotch Railway Act which excepts from land which can be expropriated, "mines of coal, ironstone, slate or other minerals" unless the same be specially paid for; here the particular substance claimed to be excepted as a "mineral" was a bed of sandstone of a peculiar commercial value. It appeared that this formation was the ordinary rock of the district, and the House of Lords (Lord Loreburn, L.C., and Lords Atkinson, Gorrell and Shaw), on appeal from a Scotch Court, held, reversing the court below, that the sandstone was not a "mineral" and, therefore, not excepted. The various conflicting decisions of the courts on the question what substances are and what are not included in the term "mineral," referred to in the judgment of Lord Loreburn, L.C., seem to show that the courts have been unable to arrive at any satisfactory decision as to what does constitute a "mineral," and their Lordships by the two decisions above referred to, seem to have contributed to make the confusion a little worse confounded. If they mean to lay down the rule that where a substance is part of the ordinary soil of a district it is not a "mineral," but where