

A Provoking Prayer. Those who recall the irritation caused throughout Spain, before the war, by silly senatorial speeches, and the feelings of anger engendered by that paragraph in President McKinley's message dealing with the destruction of the "Maine," will not be surprised at the display of resentment in high circles in Madrid at being recently prayed for by the United States Senate. It is quite customary in some churches for the minister to announce from the pulpit that the prayers of the congregation are specially desired for some one *in extremis*; but the Spaniards resent the provoking petition with which the Chaplain of the Senate is stated to have opened the session as being another insult. The *Evening Post* says the Chaplain no doubt thought his prayer a model of "the most exquisite tact and court-esy," and adds:—

He besought the blessing of Heaven upon the rulers of Spain in the painful circumstances in which they found themselves. In the Chaplain's mind, this was to pour balm upon Spanish wounds; but the Spanish themselves say it was really rubbing salt in. They can stand our curses; they can put up with being beaten by us; but they draw the line at our prayers. Such a thing is it to be ignorant of the etiquette of American official prayers. The Spanish are too sensitive. Senate prayers are always to be taken in a Pickwickian sense. The Spanish should have learned something from *Punch's* story of the little girl who went to her mother in great alarm about the French governess whom she had overheard saying prayers in French. How ever was God to understand her?

Interpreting a Legal Puzzle.

From the tone adopted by the Secretary of State for the Colonies in his continuous animadversions of British insurance companies for combatting his opinions on the cost of compensation to workmen for accidents, he is evidently somewhat annoyed to find the insurance experts and actuaries stand stoutly to their guns. It is related of Lord Randolph Churchill that he once astonished the House by a display of surprisingly comprehensive knowledge of the potato. He talked of the esculent, farinaceous tuber with all the wisdom of a practical farmer or a market gardener. He knew every variety of the *solanum tuberosum* by name, from the Early Rose to the Skerry; he appeared to have an incidental acquaintanceship with the *ipomea pondurata*, and an invaluable remedy for potato-rot and worms. It turned out to be superficial knowledge gained from talking with those engaged in growing a plant so largely used for food.

It would seem that Mr. Joseph Chamberlain's somewhat remarkable belief in the infallibility of his estimate of the liability imposed upon employers by the Workmen's Compensation Act must be based upon knowledge of the same character as that possessed by Lord Randolph Churchill in the parliamentary potato episode. Mr. Chamberlain has fully informed himself, by talking with some actuary about all technical matters, before disputing the ideas of premium

rates held by insurance companies; and is consequently able to astound workmen and others with the profundity of his insight into a business seldom thoroughly understood by the majority of those engaged therein.

But the enormous boon Mr. Chamberlain claims to have conferred upon the working classes is embodied in an Act of Parliament which is proving a perfect puzzle to those compelled to study its provisions. Recourse to the courts of law for an interpretation of confusing clauses, and for the purpose of ascertaining the intent or meaning of those who framed the Workmen's Compensation Act, has become so frequent as to make one think the legislator of the period must have lost the art of putting what he means to convey in plain and simple language.

One of the most notable applications for a final legal decision upon contested points was made last month, when the first appeal to the High Court *in re* the Act was heard by the Lords Justices.

The point of appeal in the first case heard was whether a ship in dock is a "factory." Mr. Chamberlain in the course of his speech at Manchester said: "When a man is injured in the ordinary course of his employment, without willful misconduct on his own part, he is entitled to charge the compensation for that injury as a liability upon the business in which it took place."

But the proving of liability under the act in question is not free from difficulty, as the following incident shows:

Lord Justice A. L. Smith: Does the Act define the word "dock?"

Mr. Walton said the sub-section enacted that masters should be liable when the employment was in a dock, wharf, quay, or warehouse. To decide what was a "factory," it was necessary to refer to another Act—the Factory Act of 1891—which by the Factory Act of 1895 is made the definition to be used to decide if a place is a factory or not in questions such as these.

Lord Justice A. L. Smith: Then you want us to read together bits out of various other Acts?

Mr. Walton said that was his contention, although he admitted that his proposition was not unlike a Chinese puzzle. (Laughter.)

Lord Justice A. L. Smith: The Act is limited to certain kinds of employment. I was much relieved when I found that my ploughman would not come within its scope. (Laughter.) Suppose the crane had been on the ship, would you have denied liability then?

Mr. Walton said in that case he could not have argued that the appellants were not liable.

At the conclusion of his argument, Lord Justice A. L. Smith said the appellants' proposition was absolutely untenable. The only point which it was necessary for them to decide was whether or not this case came within the provisions of the Act of 1897. He had no hesitation in saying that it did.

The other Lords Justices concurred.

Mr. Chamberlain, when deprecating despair on the