

or with foreign nations is very reliable. So long as the strong hand of the man of iron will is upon the helm the ship will probably move along pretty much in the old course. But when that hand is removed, an event which cannot in the course of nature be long delayed, it is pretty clear that forces now held in check will begin to operate powerfully, with what results to the peace of the Empire and of Europe time alone can tell.

A CREMATION society has lately been established in Berne, Switzerland. M. Gobat, a member of the Government of the Berne Canton, is the President, and at the first meeting of the society more than three hundred members were enrolled, which, in so small a place, indicates the strength of the movement. This is the only note of progress of the cremationist idea we have observed for some time, though it would seem as if, in populous communities, and especially in the neighbourhood of large cities, sanitary considerations must sooner or later compel some reform in the mode of disposing of the dead. The advantages of cremation from a sanitary point of view are, no doubt, incontrovertible, and it would seem as if the sentimental considerations which are the main obstacle to its adoption, can hardly maintain their influence on fuller consideration. As the *Manchester Examiner* observes, "It is difficult to understand how a cultured mind can see anything more beautiful in the burial of the body than in consigning it to the purifying fire."

LATE English papers republish or comment upon a remarkable statement in the Japan weekly *Mail*. It is to the effect that the publicists of that wonderful country are discussing the propriety of adopting the Christian religion as the official religion of the nation. It is further stated that there is strong reason, apart from the account in the *Mail*, for believing that not only the publicists, but the real councillors and rulers of the Empire are earnestly considering the question, and that many of them are of opinion that such a step is essential to the further progress in that civilization which has become enshrined in the Japanese heart, the great object of ambition. Of course there is strong opposition, but it is, nevertheless, considered by no means impossible that Christianity may be declared by Imperial decree the official religion of the Empire. Such an event could not, we are reminded, be without precedent in the history of Christianity. It would be analagous to that which took place in the Roman Empire under Constantine, and in Russia under the first Vladimir. Such a change would be made, if made at all by the Japanese rulers, as a mere matter of policy, designed to facilitate the advancement of civilization and the arts. It may be, too, that moral effects would not be wholly lost sight of. The Japanese seem to have outgrown their old superstitions and to be now well nigh creedless, and their rulers are no doubt shrewd enough to know that a people without a religion is trebly exposed to anarchy. Of course no intelligent Christians will suppose that a people can be made religious by an Imperial proclamation, or that such a proclamation would necessarily redound to the honour of the New Testament system, opposed as it would be in its methods and aims to the whole teaching and spirit of that system. That it might, as the *Spectator* suggests, have the effect of making the Japanese civilization a little more humane and a little less impure, by putting a stop to inhuman and unchristian practices, we may readily believe.

THE "AYER CASE" AND ITS LESSONS.

THE need of a reform in our Customs' Act, or in the mode of its administration, or in both, is strongly emphasized by the judgment of the Supreme Court in the case of Ayer & Co. Here is a case in which a firm which Chief Justice Ritchie, after careful sifting of the evidence, declares to have carried on its business with perfect honesty, and without any attempt to evade in any way the payment of lawful duties, has been made to suffer enormous expense and loss, as well as all the annoyance and chagrin connected with the seizure and confiscation of its goods and trial in a court of justice, all through the excessive zeal of Customs' officials in the exercise of the great and arbitrary powers they have hitherto been accustomed to wield. There seems little doubt that the Government is liable, in this instance, to be mulcted in heavy damages, for the business of the firm must have suffered immense injury in consequence of the action which is now pronounced entirely unwarranted.

The incident will, surely, have the effect of bringing up for re-consideration the whole subject of our Customs' administration. The questionable practice of giving official informers a large pecuniary interest in the conviction of merchants accused of undervaluation or other attempts to defraud the revenue, should be subjected to the closest scrutiny. It is a practice

which nothing but absolute and proved necessity can justify. Of still greater importance is it, in the interests of justice, that all questions arising under the Customs' Act, involving the property and reputation of business men and firms, should be submitted to an independent tribunal, unless cause can be shown for deeming the present system, under which the functions of prosecutor and judge are largely exercised by the same authority, indispensable in the public interests. The special difficulties in the way of strict enforcement of the Customs' Act are, no doubt, many and serious. They may be found to justify a certain amount of absolutism, but the burden of proof must rest upon the Department which has recourse to exceptional methods. On the face of it, it certainly seems as if some of the powers and prerogatives now used in the name of the Minister of Customs were incompatible with the liberty of the subject.

THE PRIVATE DETECTIVE AGAIN.

SOME time ago we drew attention to the remarks of Mr. Justice Baby, in giving judgment on the Montreal detective case. We then pointed out that private detectives were not only, as the judge declared, unnecessary and a nuisance; but that, so far from forwarding the ends of justice, they rather obstructed them. The distinct tendency of their action was either to annoy the innocent or to protect the guilty. A very remarkable comment on part of this statement has recently come under the public eye in the arrest of Constable Smith and his wife as implicated in the murder of Joseph Priestman.

There is only one redeeming feature in this case, namely the laudable desire of the Priestman family to discover the murderer of their relative. It was quite natural that they should be unwilling to let the matter rest when the public verdict has been given that Priestman had died not by his own hand, but by the hand of an assassin, and that assassin was at large and unknown. It was quite proper, and indeed a duty, to take all legitimate means of discovering, if that were possible, the perpetrator of so horrible a crime. But here again it is shown that illegitimate means, instead of helping towards the discovery of the criminal, will rather tend to make that discovery less probable.

The general fact that these people applied to a private detective or to a private detective company is all that seems to be known at present. Who the person or persons forming the company may be we have not as yet been told. But their method of procedure is unique. It would seem that there is even a deeper depth than that of the private detective, that there are things to be done so base that he must employ a tool inferior to himself. It is not easy to imagine anything much baser than the conduct of the man who attempted to procure evidence against the Smiths.

It can never be a pleasant thing to employ any child as a witness against a parent. It is a provision of the law that a wife is protected from being summoned as a witness against her husband, and only in case of due necessity, or when we are satisfied that otherwise there would be a miscarriage of justice, would there be justification for using the witness of a child against a father or mother. But in such a case there should surely be great care taken that the child should do no more than tell what it ever knew.

The way in which the evidence of the child, Patience Smith, was worked up was nothing short of abominable. It is to be presumed that the man who professed to make love to this poor girl, really believed that there were grounds for the suspicion that her parents were implicated in the murder of Priestman, or that his employers were of that opinion. All kinds of devices seem to have been resorted to in order to get up a case, and the result is the most complete collapse that we can remember in any case of suspected or accused person.

One part of the case it is hardly possible to believe, and yet there seems to be no escape from it. It would actually appear that the girl Smith was induced to tell a story which, in its main points, was false, and yet which, had it been believed, would have led to the conviction of one or other of her parents. Happily the poor child broke down and contradicted herself, and so the castle of cards fell to pieces. But it is most shocking to believe—and we see no way of escape from the belief—that some of the persons connected with the getting up of this case had actually concocted this so-called evidence, had put it into the mouth of this poor girl, and had induced her to perjure herself before the magistrate. Most mercifully she was unable to go through with the horrid business; but no thanks for this to the conspirators who had brought her into that situation.

We do not pretend to a full knowledge of the points of law which are involved in this affair; but there can be no doubt that the getting up of false evidence is a criminal offence, and this should be dealt with at once. The regular police do not seem to have distinguished themselves, or to have