

cases in the reports which bear directly on the subject of cremation. The one is that of *Regina v. Price*, 53 Law J. Rep. M. C. 51; L. R. 12 Q. B. Div. 247, in which Mr. Justice Stephen held that it was not a misdemeanor to burn a dead body unless it were done so as to amount to a public nuisance or with a view to prevent a coroner's inquest being held upon it. The other is that of *Williams v. Williams*, 51 Law J. Rep. Chanc. 385; L. R. 20 Chanc. Div. 659. Having referred to the circumstances of that case the chancellor said: The law as laid down by Mr. Justice Fry and in other cases, is that, as there can be no property by the law of this country in a dead body, a person cannot dispose of his body by will, and that after death the custody and possession of the body belongs to the executors until it is buried, and when it is buried in consecrated ground it remains under the protection of the Ecclesiastical Court of the diocese, and cannot be removed from the grave or vault or mausoleum in which it has been placed except under a faculty granted by an Ecclesiastical Court, and then only to another grave or vault in consecrated ground. Mr. Dibdin, in moving for the faculty, submitted that, although there was no precedent for the application, it might be granted to gratify the wishes of the widow in like manner as the Court would grant a faculty for the removal of remains from one part to another part of the churchyard, or from one churchyard to another churchyard, in deference to the wishes of members of the family, unless the deceased has left contrary directions in his will. Where the deceased has left no testamentary or clear directions as to the place of his burial, the practice of the Court is to grant a faculty to proper parties on reasonable grounds shown, and subject to proper precautions, to remove the remains to another grave or vault in the same or in another churchyard; but where the deceased has himself expressed a wish to be buried in that or in any other churchyard, the invariable practice of the Court is by a faculty to give effect to such wish. Thus, in referring to the register of the Court, I observe that in June, 1775, Sir William Wynne, on the application of the executors of Elizabeth Raiss, whose remains had been interred by them in August, 1774, in a brick grave in the churchyard of Staines, decreed a faculty for their removal to a brick grave in the churchyard of St. Mary, Lambeth, on the ground that since the burial the executors had learnt that whilst living she had declared that she wished to be interred in the church or churchyard of the last named parish. Again, in *Smith v. Roberts*