

was no jurisdiction to try the alleged offender for this offence, and that this conviction should be set aside. Their lordships are of opinion that, if the wider construction had been applied to the statute, and it was supposed that it was intended thereby to comprehend cases so wide as those insisted on at the Bar, it would have been beyond the jurisdiction of the colony to enact such a law."

It would, therefore, appear that the weight of authority is against the decision of the Chancery Divisional Court in *Regina v. Brierty*, and that the question as to whether or not a colonial legislature can affix a criminal character to acts committed beyond its territorial limits must be answered in the negative.

CURRENT ENGLISH CASES.

The Law Reports for November comprise (1894) 2 Q.B., pp. 773-804; (1894) P., pp. 265-295; and (1894) 3 Ch., pp. 97-275.

CREMATION—INTERMENT OF ASHES OF A DECEASED PERSON

None of the cases in the Queen's Bench Division appear to call for any notice here, and only one in the Probate Division, viz., *In re Kerr*, (1894) P. 284, which we think it useful to notice for the observations of Dr. Tristram, the judge of the Consistory Court of London, on the practice of cremation, which appears of late years to be coming into favour in England as a means of disposing of the bodies of the dead. The application before him was for a faculty authorizing the applicant to have a niche made in the church wall to receive the urn containing the ashes of her deceased husband, whose body had been cremated, pursuant to his wishes. Dr. Tristram declares that: "The cremation of a dead body, though not contemplated, is not prohibited either by ecclesiastical or by statute law, nor yet by Common Law, unless it is done so as to amount to a public nuisance, or with a view to prevent a coroner's inquest being held upon it: *Regina v. Price*, 12 Q.B.D. 247." But he subsequently observes that, "as by Common Law, as well as by ecclesiastical law, any person (subject to certain exceptions) dying in England is entitled to Christian burial in the accustomed form in a consecrated burial ground belonging to his own parish, or to the parish in which he may have died, it is not competent to an executor or administrator, or to any other person on whom the law imposes