

removed this one and its covering without McGough's consent. Thereupon the offended Briton sued them in the County Court, and got a judgment for nominal damages and costs; but the board appealed, and the Queen's Bench Division held in their favour (L.R., 21 Q.B.D., p. 323). Mrs. Harris was more fortunate in her contest with the St. Pancras Burial Board: Mrs. Robotham had obtained from the board the right of constructing a private grave in the cemetery, and the exclusive right of burial and interment therein, to hold in perpetuity, for the purpose of burial, and of erecting and placing therein a monument or stone: with a proviso that if the monument or stone and the appurtenances should not be kept in order according to such regulations as should be made by the board, the grant should be void. In accordance with this grant, Mrs. R. placed her husband in her lot, and placed a head-stone and a kerb around the sides of the grave, leaving an open space at the top over the body without any stone or other covering; for ten years she kept this open space planted with flowers, employing her own gardener, and thus writing her sorrow "on the bosom of the earth." Then the board resolved to undertake the planting of flowers exclusively themselves, and they so notified Mrs. R. After this, Mrs. Harris—not the life-long friend of Sairey Gamp, whose existence Mrs. Betsey Prig doubted, but the wife and assistant of Mrs. R.'s gardener—went to the grave to plant some flowers (by Mrs. Robotham's request); she was told to stop, but went on digging in the space and sowing seeds, when Ashby, the officer of the board, forcibly prevented her. For this assault Mrs. H. summoned the man before the justices, who convicted him and fined him 1s., and 17s. costs. The case was appealed. The court sided with the ladies and upheld the conviction. Bovill, C.J., said, speaking of the exclusive right to a grave, "the grantee would be entitled to plant it, provided she did nothing that was offensive or unsightly. If I could have felt any doubt or difficulty in the matter, it would be very much removed by what Mrs. R. has from time to time been allowed without objection to do." Willis, J., said the board had no right to make special rules which would derogate from prior grants. That whenever memorials are allowed to be put up, they are always allowed to be repaired and decorated, even in places of worship. Byles, J. quite agreed, and thought that surviving relatives would value the exclusive right of interment, because they then might plant the grave with their own hands, and from year to year renew the flowers. The Chief Justice thought that if the sorrowful widow could be prevented from planting her husband's grave, she might equally be prevented from visiting it (*Ashby v. Harris*, L.R., 3 C.P., 523). Poor Mrs. Robotham did not share in Lord Byron's sentiment when he wrote of the grave of his wife:

"I will not ask where thou liest now,
Nor gaze upon the spot:
There flowers or weeds at will may grow,
So I behold them not."

Some people have found it difficult to arrange satisfactorily for the maintenance of their tombs by their wills. Mrs. Bates, a Massachusetts lady (perhaps belonging to cultured Boston), inserted in her will a clause as follows, *verb. et lit.*: