

30,000 souls, where 700 burials took place annually in the churchyard, the court would not issue a mandamus ordering the interment of a man in an iron coffin. Best, J., said: "The consequence of enforcing such a mode of burial would produce great public inconvenience; for in a few years the churchyard would be filled and a great additional expense cast upon parishioners in providing other places of burial for parishioners." Because a churchyard is not the exclusive property of one generation, but is the common property of the dead, the living, and the generations yet unborn, one cannot build therein a brick grave without the consent of the proper authorities (*Gilbert v. Buzzard*, 3 Phil., 335). In England, by statute, burial boards may sell the exclusive right of burial either in perpetuity or for a limited period, in any part of any burial ground provided by such board (15 & 16 Vict., c. 85, s. 33). Our statute authorizes deeds granting the lot of land itself to the purchaser, his heirs and assigns (s. 15).

In Illinois, a court of equity will enjoin the owner of land from defacing and meddling with graves on land dedicated to the public for burial purposes, at the suit of any parties having deceased relatives or friends buried therein. (The reporter does not say what the court would do were the relatives and friends buried not deceased) (*Davidson v. Reed*, 35 A.L.J., 157).

When we had pursued our meditations thus far, we naturally switched off to think of the monument that would be erected over our grave, and of the epitaph that lying living friends will put over us lying dead below. "For man is a noble animal, splendid in ashes, and pompous in the grave." It is satisfactory to know that tombstones can now be had on the "instalment plan," like pianos and sewing machines; but it is unsatisfactory to learn that the vendor of the tablet may enter upon your lot and remove it, should your sorrowing widow or impecunious representative neglect to pay the instalments. A point might arise if the widow acted without the consent of the representative (*Fletcher v. Evans*, 140 Mass., 241). Under our Act the directors of the cemetery company have power to make by-laws for managing the grounds, and for regulating the erection of tombs, monuments, or grave-stones (R.S.O., c. 175, s. 27). At common law the parishioner had no power to decide what should be placed on his grave, the ultimate control over that was reserved for the ordinary; so one naturally expects to find that the legislature, in passing the Act under which cemeteries were to be created to take the place of churchyards, would reserve to the managers of the cemetery a control analogous to that exercised by the ecclesiastical authorities at common law over churchyards (*McGough v. Lancaster Burial Board*, L.R., 21 Q.B.D. at p. 328.)

McGough paid to the Lancaster Burial Board a guinea, and received a conveyance granting to him, his heirs and assigns, the exclusive right of burial in a certain plot, subject to the regulations then in force or which might be thereafter issued with regard to interments in the cemetery by the burial board or other competent authority. He obtained leave to put up a grave-stone, which he accordingly did. He afterwards placed upon the grave a wreath, and to protect the wreath a glass shade, and to protect the glass shade, a galvanized wire covering. The board never allowed the placing of glass shades on graves in their cemetery, so they