

ence, all the facts and opinions elicited from the witnesses just named, and in particular that fever is never communicated to the inhabitants of houses close to the hospitals, and that the pursuer's tenants run no risk and have no real cause of alarm, but they explain the theory of infection which, in the words of Dr Christison is that "arises from exhalations from the skin, or lungs, or both, and that in order to catch it, a person must come very near to a patient." Dr. Allison adds—"We have perfectly conclusive evidence that in rooms or wards that are well ventilated, with effluvia capable of producing fever as arising from the body of the patient, are contained within very narrow limits, so that it requires actual contact, or very close proximity to communicate fever in well-ventilated apartments." So perfectly, indeed, is this ascertained, that the same witnesses mention that it is not unusual to treat in the same ward of an hospital, fever and other patients promiscuously, and that such a practice has never led to any bad result.

Such being the state of the evidence, it is impossible to hold that the pursuer has proved his case, and if not, he cannot get the interdiction craved. Although referred to in the closed record, he does not seem to found anything in his minute of debate on the clause of restriction in the defender's titles, by which certain erections, that would not be at common law a nuisance, are nevertheless prohibited. But this clause, which is to the effect, that the feuars "shall not erect on the ground any candle or soap works, foundry, brewery, or distillery, or carry on any business which may be noxious to the neighbourhood," does not affect the defenders, as the proposed hospital is plainly not within the prohibition.

It may be stated, in conclusion, that although there is no Scotch decision, directly in point, the English case decided by Lord Hardwick, 18th December, 1762-3, *Ashyn*, p. 750, seems an important precedent. The report bears, that a motion was made for an injunction to stay the building of a house to inoculate for the small pox, in Cold Bath Field. The Lord Chancellor refused the injunction, remarking *inter alia*, "It is in the nature of terror to diffuse itself in a very extensive manner. But bills to restrain nuisances must extend to such only as are at nuisances at law. And the fears of mankind, though they may be reasonable ones, will not create a nuisance." It has not been necessary in the present case to go so far as to hold that reasonable fears would not create a nuisance with us; for it has been seen that no ground for reasonable fear has been shown; and the Sheriff Substitute cannot regret the result, seeing that fever is a calamity which often falls so heavily on crowded populations, and it is well that hospitals which are benevolently erected for the purpose of alleviating disease and preventing its diffusion, should not be amenable to any legal objection, on the score of their being offensive to the senses, or attended with danger to the neighbourhood.

European News.

From English papers by the Caledonia Steamer, to the 12th March.

LOUIS PHILIPPE AND FAMILY.

After much wonder had been expressed in England as to his whereabouts, Louis Philippe and his Queen landed in England, at Newhaven on the 3d instant. At Dreux, it appears a former procured disguise for the royal fugitives and suite, the king habiting himself in an old cloak, and an old cap, having first shaved his whiskers, discarded his wig, and altogether so disguised himself as to defy the recognition even of his most intimate friends.

The king passed for an Englishman on his travels. They proceeded in a boat from Harfleur, to Havre. In the meantime information was secretly conveyed to the Express, Southampton steamship, that he would be required to take a party from Havre to England. The fugitives embarked in the express and at twelve o'clock on Friday landed. The moment the king set his foot on the shore he emphatically exclaimed, "Thank God, I am on a British ground." Mr. Sims, the landing waiter, who handed him on shore, conducted him to the Bridge Inn.

One who was present says, "a crowd of villagers had assembled near the landing place, and when the ex-king stepped on shore many of them pressed forward and shook hands with the exiled monarch. The ex-king appeared very much moved at this exhibition of feeling, and acknowledged the same in a very courteous manner.

The ex-king was very scantily attired. He wore a rough pea jacket, which, it is said, he borrowed of the captain of the Express, and grey trousers. He had on his head a close blue cloth cap, and round his neck he wore a common red and white comforter. His appearance was not at all improved by his beard, which was of apparently about a week's growth. In other respects, though apparently suffering from fatigue, the ex-monarch looked pretty much like himself. The Queen wore a large plaid cloak over her dress, and carefully concealed her features with a thick veil.

On the way to the inn the King was met by several of the inhabitants, who offered their congratulations on his arrival, and with whom he shook hands most cordially. His Majesty looked fatigued and careworn. The King sent for Mr Packham, who had been a tenant of some mills belonging to him in France, and who knew him intimately. Mr Packham

waited on him, and it appears that every attention was paid to his wishes by all parties. The London Times says, "Learning that Mr. Packham was at the inn, our reporter immediately sought him out, when Mr Packham at once introduced him to his Majesty. The King, who was engaged reading an English newspaper, immediately rose and said, 'I thank you, gentlemen, and all whom I have met in England, for these kind congratulations, and the hospitality which has been shown me.' His Majesty had changed his attire, and was dressed in a plain suit of black. He looked well, and the marks of anxiety which had shown themselves at his landing had disappeared. He was quite cheerful. The Queen was in the room writing a letter, and apparently buried in thought. She scarcely noticed the presence of strangers. Several persons were introduced to the King during the day. He seemed gratified at their calling, and spoke freely and pleasantly to all his visitors.

Before Mr Packham left him, the King gave him the whole of his money, for the purpose of getting it exchanged, for English coin, and purchasing wearing apparel. "of which," said the King, smiling, "I am very short."

Another writer says, the ex-king granted an audience to several inhabitants from Brighton. They were received most cordially.

Louis Philippe, clasping his hands, as if overpowered by his emotions, began immediately to speak on the subject of the Revolution. "Charles X.," exclaimed the ex-king, "was destroyed for breaking the Charter, and I have been overthrown for defending it, and for keeping my oath, I wish this to be distinctly understood, and I hope it will be made known."

The ex-king and Queen of the French left Newhaven in a royal carriage shortly after nine o'clock on Saturday morning, accompanied by several French officers from Brighton, and attended by the Hon. Captain Hotham, one of the directors of the Brighton Railway, and they arrived at the Croydon station at precisely twenty minutes past twelve o'clock.

The Duke de Nemours, the Duke and Duchess of Coburg, the Count de Jarnac, and two general officers, whose names we could not learn, left London by an early train to await the arrival of the royal strangers. A large party of the directors were in waiting to receive them.

Upon the arrival of the royal carriage Captain Hotham put his head out and gave a signal to the directors. When the door of the carriage was opened his Majesty stepped out, and upon seeing him, his daughter, the Duchess of Coburg, gave a stifled scream. He was immediately locked in the arms of his son the Duke de Nemours, whom he embraced with great warmth, and instantly after he pressed his daughter to his bosom in the most affectionate manner. His Majesty was overpowered, and shed tears, as did his daughter also. The scene was a moving one, and one not easily forgotten. The Queen upon stepping from the carriage, also affectionately embraced her children and was greatly agitated.

The royal party were then ushered by the directors to the waiting room, where they were left to give way in private to these mingled emotions by which they were agitated. After remaining a few minutes together, the royal party intimated their readiness to depart.

Three private carriages were in waiting at the back of the station, in readiness to convey the exiled family to Claremont. About a hundred well-dressed persons were assembled round the first carriage, eager to catch a glimpse of the King and Queen as they stepped into the carriage. The King made his appearance first, and all presently uncovered.

There was no cheering. The reception was cordial, but impressive, and was highly creditable to the persons assembled, and might be taken as expressing the feelings of the nation towards the exiled monarch; it was an assurance of hospitality, mingled with sympathy for his misfortunes.

The King was dressed in black trousers, and the rough fawn-coloured great coat, or seaman's jacket, which was given to him by the captain of the vessel which brought him over. He no sooner stepped from the door than he turned round to the persons who lined the passage to the carriage, and shook hands with all who were near him, repeatedly bowing and saying, "Thank you—thank you sir;—Much obliged to you sir;—Much obliged to you;" to which several responded, by exclaiming, "Long live King Louis Philippe." Upon entering the carriage the crowd assembled round the window, and almost every person present had the honor of shaking hands with him. His Majesty looked dejected, and appeared deeply impressed with the reception which he met with.

The Duchess de Montpensier, the innocent cause of all the uproar, after having been scared from the palace by the inroads of the mob, wandered about the streets of Paris until 5 o'clock that day, accompanied by an old Spanish servant, who knows not a word of French. She was met in the Rue du Havre, close to the railway station, by a gentleman, who, knowing her by sight, took upon himself to protect her and conduct her to his house. How she managed to stray un molested and unrecognised from home is a mystery to this hour. She says, that seeking to avoid the crowd, she turned down the streets which seemed most free, without caring whether they might lead.

The Duke de Nemours left Paris directly, and on the road to Boulogne fell in with the royal relatives, the Duke and Duchess Augusta of Saxe-Coburg, with whom his royal highness travelled to England.

The Duchess de Montpensier parted from the King and Queen shortly after they left Pa-

ris, and, under the escort of a confidential friend of the Duke de Montpensier, made the best of her way to Boulogne. At Abbeville the duchess had a very narrow escape, having been recognized by a mob. Her royal highness only escaping by taking refuge in the house of a gentleman, from the rear of which she afterwards escaped, and ultimately reached Boulogne.

M. Guizot arrived at Dover on the 27th by the Ville de Bruges, from Ostend. The ex-minister travelled to town by the four p.m. express train. On his arrival at the London Bridge terminus, was recognised by the bystanders, and there was some cheering as the carriage in which he rode drove out of the station. A Frenchman present however cried out, 'A bas Guizot.' The ex-minister was enveloped in a cloak and looked ill. The carriage drove him to the Bryanston-square, where his daughters are residing.

THE EX-ROYAL FAMILY OF FRANCE.—The following, we believe, is a correct statement of the present abode of the different members of the family.—Louis Philippe and Marie Amelia, who have assumed the title of Count and Countess de Neuilly, are at Claremont, with whom are also the Duke and Duchess de Nemours and two children, the Count D'Eu, the Duke de Alencon, and the Duchess de Montpensier. The Duchess Augusta of Saxe Coburg (the Princess Clementine) is staying with her husband, the Duke, on a visit to her Majesty at Buckingham Palace. The Duchess d'Orleans, with the Count de Paris, and the Duke de Chartres, are stated to have arrived at Ems on the 2nd inst. The Duke and Duchess d'Aumale, and the Prince and Princess de Joinville, were at Algiers, on the date of the latest intelligence from that city, and the Queen of the Belgians (Princess Louise) is at Brussels.

YESTERDAY'S MAIL.

Important European News.

This morning we obtained our files of British papers to the 25th March. The Steamer Hibernia arrived at Halifax on the morning of Friday last, after a fine passage of 12½ days. The news thus obtained is important, more particularly that relating to matters on the Continent, where anarchy and confusion prevailed to a frightful extent. We give below a copious digest of the news, copied from Willmer & Smith's European Times; and to enable us so to do, we have been compelled to omit a quantity of interesting Legislative matter, and delay the publication of our Journal for some hours beyond the usual period.

Our gracious Queen gave birth to another Princess on the 18th March. Mother and child are doing well.

Various rumours are afloat respecting changes which are meditated in the British Cabinet. Sir James Graham, Lord Lincoln, and Mr Cardwell, are mentioned as persons likely to be added to Lord Russell's ministry.

In all departments of trade and commerce there is much depression. The political convulsions which are still raging on the greater part of the European continent, together with the outbreaks in Britain, tend to create a want of confidence in the public mind; added to this is the dreadful position of the credit and commerce of France, as well as that of other states and kingdoms throughout Europe. Money is more than abundant, still the most gloomy feelings prevail among the merchants and manufacturers, and the public funds and stocks of the great public companies have fallen nearly ten per cent. In the manufacturing districts trade is generally stagnant.

The accounts which have reached England daily since our last publication contain the most distressing statements of the great and extensive embarrassment which is spreading throughout all parts of Europe. Banks and commercial establishments, manufactories and tradesmen of the highest respectability, are crumbling into ruin; and at present there seems no prospect of a speedy termination to the direful visitation.

The tide of the revolution in France still keeps on 'its compulsive course,' and never before at any period of history have the people attained so great a height both in power and authority. Their ascendancy is complete. Instead of an imperial or a monarchical despotism, the French have now one purely and essentially republican. The populace are absolute at the Hotel de Ville. The only bulwark standing between mob power and the intelligence and property of the middle or upper classes—the National Guards—has now been overthrown. The occurrences of the last fortnight will prove voluminous themes for the future historian, so pregnant have they been with surprising but not unanticipated results. For the advantage of our distant readers we shall here rapidly glance at the chief political and commercial events now going on in France.

The critical state of financial affairs described in our last, portended greater political difficulties, which are now increasing in an accelerated ratio. The first break down was the suspension of cash payments by the Bank

of France. M. D'Argout, the government agent, an exposition of the alarming state of the situation on the 15th inst, by which it was that, in fifteen business days, the Bank discounted in Paris £110,000,000, £75,000,000 out of £125,000,000, which was to the Government, besides rendering assistance to the branches in the provinces. In short, in the 15 days, their cash is diminished from £140 to £70 millions. A panic ensued. The Bank doors were closed and upon a statement made by the government M. D'Argout, the Government issued a decree suspending cash payments, and the issue of the establishment to £350,000,000. For the moment this measure checked the alarm, which, however, in a few days afterwards assumed other forms; and it is to be hoped that any decree, however ample, can prevent the wholesale export of real capital from France to other countries where it will be more secure.

Political events have become no less interesting. M. Carnot, the Minister of Justice, issued a circular to the bishops and bishops, directing them to the clergy in their dioceses to take part in the elections, and promote republicanism. This was deemed an interference with public liberty; but a day or two afterwards a circular was issued from M. Ledru Rollin, Minister of the Interior, addressed to the government commissaries throughout France, which, being couched in language similar to that used in the worst days of the Revolution, caused universal consternation. A sentence will suffice to show its scope and tendency. M. Ledru Rollin, in pointing out the powers vested in the Government agents, "What are your powers? They are unlimited. You are the Agent of a revolutionary authority, and you are revolutionary also. The victory of the people has imposed on you the duty of getting the work proclaimed and consolidated. It is an accomplishment of that task you are to do with its sovereignty; you take orders from your conscience; you are to act in circumstances may demand for the public good. M. Ledru Rollin then dictates the course to be pursued with respect to the National Guards, the municipal bodies, the troops of the law authorities, and, above all, the National Guards, respecting which, like Mr. Carnot's instructions are to get returned young men from the ranks of the working class without education. This document excited the most lively alarm throughout all France, and the most serious disputes arose among the members of the Hotel de Ville, who were compelled to issue a vague declamatory address, countering as much as possible the mischief created by the circular of M. Ledru Rollin, whose ejection from the Provisional Government seemed inevitable. A fresh impetus was given to the transfer of capital to other countries by the alarm and insecurity created, when an event occurred which completely changed the aspect of affairs. M. Ledru Rollin, from being one of the insignificant members in the Provisional Government, when backed by the mob, one of the most powerful and formidable of its members.

The National Guard had been considered the middle and upper classes as the basis of the peace of the country, and of its property. A natural and predominant fear sprung from this position of things, the influence of the National Guards, at the approaching elections, would have counteracted, in some degree, the tendency to unlimited democracy. Accordingly, M. Ledru Rollin issued a decree dissolving the 'campagnes d'armes' of certain class of gentry amongst the National Guards, whose position in wealth and power gave them local influence. The National Guards resisted; and on the 16th inst. they went to go in a body, unarmed, to overthrow the Government. They assembled in numbers to the amount of 30,000, but General Ledru Rollin's commander, rebuked them in terms, and declared their conduct to be treasonous. The following day the people were to display a counter exhibition of mob power, and no fewer than 100,000 habourers assembled before the Hotel de Ville; and they made such a demonstration of physical force as to show they were masters of the National Guards of the city, and in fact of the Government. They at length retired, after the rhetorical speeches from M. Lamartine, who, during them the decree respecting the National Guard should be carried out.

This event throws down the last prop of life and property. The elections are postponed. The people are now supreme. The political hurricane which has swept away monarchy in France, has extended to Germany; and in Austria, after a delay of forty years. Prince Metternich has been compelled to take flight, the Viennese have taken up arms and overthrown his Government. The states Assembly of Lower Austria were to meet on the 13th inst., but an address to the Emperor Ferdinand, demanding the abolition of the censorship of the press and other Reforms. On the 11th and 12th meetings of the students took place, some excitement prevailed. On the 13th students and the people assembled in numbers, and proceeded to the states to prefer their demands. A tumult broke out and the palace was forced by the people. Prince Metternich immediately took flight, and a collision in which many lives were lost, ensued between the people and the army. A proclamation was issued in the afternoon, announcing the resignation of Prince Metternich, and the whole city was illuminated the evening. On the 14th the students and the burghesses began to assemble, and the vacillation of the court, which was not how to concede the reforms demanded.