

**To the members of the Senatus Academicus of the University of Edinburgh
/ [James Hamilton].**

Contributors

Hamilton, James, 1767-1839.
University of Edinburgh. Faculty of Medicine.

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This Petition you also know was presented to the Honourable the Patrons, after a similar Petition had for eight years been before the Senatus Academicus, and had never been decided upon.

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To the MEMBERS of the SENATUS ACADEMICUS of the UNIVERSITY of EDINBURGH.

GENTLEMEN,
and control he might have been pleased to appoint, he in all these

Having been quite unprepared for the discussions which took place at our Meeting on Monday, November 8th, I feel that I may not have explained, so clearly as I should have done, the reasons which induce me to believe that the Midwifery Class should be *forthwith* added to the Curriculum. I therefore take this method of stating the grounds of my claim, in the hopes, that on a deliberate and dispassionate consideration of the whole case, you will entertain different sentiments from those expressed by the majority of that Meeting.

You well know, that on or about the 17th January 1824, as Professor of Midwifery, I presented a Petition and Memorial to the Right Honourable the Lord Provost, Magistrates, and Town Council, as Patrons of the University of Edinburgh, praying to have my Professorship put upon the same footing with the Professorships of Anatomy, Botany, Chemistry, Materia Medica, Practice of Physic, and Theory of Medicine, that is, that the Students who take degrees of Doctors of Physic should be obliged to attend Lectures on Midwifery in the University of Edinburgh, or some other University, as they are obliged to attend the Lectures of the above six Professorships, and that they should be subjected to the examination of the Professor of Midwifery, previous to taking their Degrees.

This

This Petition you also know was presented to the Honourable the Patrons, after a similar Petition had for EIGHT years been before the Senatus Academicus, and had never been decided upon.

It was represented to you, above fourteen years ago, that the University of Edinburgh is upon a very different footing from that of the other British Universities. His Majesty King James VI. founded the University in 1582, but instead of granting such a frame and constitution of government as should render it a free and independent Corporation, or a limited and subordinate one, subject to the exercise by him, and his successors for ever, of whatever powers of regulation and controul he might have been pleased to appoint, he in all these respects interposed the Magistrates and Town Council of Edinburgh between himself and the future Corporation, and delegated the character of Patron and Founder in their favour.

As coming thus by delegation into the place of his Majesty, and sustaining the character of Patrons and Founders, the Magistrates and Town Council have never granted it (the University) any Charter nor Seal of Cause, nor have ever given it any free or independent constitution, nor have ever bestowed upon the Members of it any powers of internal government; and thus, as Founders and Patrons, and Delegates entrusted by the Royal Grant, they themselves remain in the full right of management, regulation, and tutelage of their own Institution.

Perhaps I need scarcely remark, that such is the substance verbatim of an opinion given by Baron Hume, when Professor of Scotch Law in the University of Edinburgh, upon a question originally respecting the Fees of Graduation, but which eventually embraced the whole constitution of the University; and in this opinion Mr Robert Hamilton, Professor of the Law of Nature and Nations, cordially concurred in

in a report upon the same question. After narrating the usage, as well as original constitution of the University, he expressly says, "Any attempt to call in question or oppose the controul of the Patrons, would, I conceive, be extremely ill judged. Their authority over the University appears to be more ample and unquestionable than the Senatus Academicus has perhaps hitherto been aware of."

My Petition and Memorial, I need scarcely remind you, were sent by the Patrons for information, to you, the Members of the Senatus Academicus, and after much deliberation, through the medium of Committees, &c., you transmitted a communication, which by the Honourable the Patrons was referred to their College Committee. The unanimous Report of that Committee is in the following terms, and was approved of by the Lord Provost, Magistrates, and Town Council.

1st, "That in their opinion it would be of advantage to the Public, to the Medical Profession, and to the University, that attendance on a Course of Lectures on Midwifery, and on the Diseases of Women and Children, of equal extent and duration with the Courses given by the Members of the Medical Faculty, should form a part of the course of education of every well educated medical man, whatever branch of the Profession he may be afterwards called upon to practise; and that it should therefore form a part of the education of every one who aspires to the honour of being made Doctor of Medicine of the University of Edinburgh."

2dly, "That this opinion is formed, not from the information alone contained in the various papers remitted to them for their consideration, but also from information obtained from men who have been long and extensively employed in the practice of the Medical Profession."

3dly,

3dly, " That it is their opinion, that intimation should be given to
 " the Senatus Academicus, for their information, of the favourable opi-
 " nion that they entertain with regard to Dr Hamilton's Petition, and
 " that the Council do inform the Senatus Academicus that they will
 " take no further steps in the business till the 22d day of June, in
 " hopes that the proposed alterations in the Course of Study for Can-
 " didates for Degrees, stated in the representation for the Senatus
 " Academicus to be at present under the consideration of the Medi-
 " cal Faculty, shall be submitted to the Council before that time.
 " This suggestion being made by the Committee, in hopes that atten-
 " dance upon a Course of Lectures on Midwifery and the Diseases of
 " Women and Children will form part of any new arrangement pro-
 " posed to be made."

This Report having been forwarded to you, the Members of the
 Senatus Academicus, you transmitted a communication, dated June
 18th 1824, to the Honourable the Patrons, containing, *inter alia*, the
 following words :

4. " That in the mean time the Senatus Academicus are enabled to
 " inform the Honourable Patrons, that the Medical Faculty, as a part
 " of a very extensive and important system of alterations which they
 " have been long contemplating with regard to the Statuta Solennia,
 " have come to the resolution of proposing to the Senatus Academi-
 " cus, that attendance on the Class of Midwifery shall, on certain
 " conditions, be required of such Medical Students as may hereafter
 " become Candidates for the degree of Doctor of Medicine."

5. " That the Senatus Academicus entreat their Honourable Patrons
 " to believe, what is most true, that they will at all times receive
 " thankfully, and will weigh with the greatest deference, any sugges-
 " tion which the Honourable Patrons may be pleased to make to them,

" as

“ as in their judgment proper, or promising to be useful in reference
 “ to University arrangements and concerns.”

In consequence of the steps thus taken, a new Commission was granted to me, as Professor of Midwifery, nominating and appointing me to be Professor of Medicine and Midwifery, and the Diseases of Women and Children, with all the ordinary privileges, and “ with the powers, privileges, and immunities which the other Professors of Medicine do enjoy, and particularly, with full power to examine Candidates, and to do every other thing requisite and necessary to the Graduation of Doctors of Medicine, as amply and fully, and with all the solemnities that the same is practised in this or any other College whatever.”

Accordingly, this Commission was presented by the College Bailie, William Allan, Esq. at a Meeting of the Senatus on the 2d August 1824, and I had the honour of being received in the ordinary way, (with the exception of a verbal protest from Dr Duncan senior,) as Professor of Medicine, Midwifery, and the Diseases of Women and Children.

You will now please to recollect, that some time after this Commission was presented, the Medical Faculty laid before the Senatus Academicus a printed Statement of their proposed alterations in the Course of Study of those who should in future aspire to the honour of the degree of Doctor of Medicine, declaring that the same were to be taken into consideration by you, the Members of the Senatus Academicus, in the ensuing month of October. In this they seemed to yield implicit obedience to the regulations of the Honourable the Patrons in respect to Midwifery, for they included attendance on a *Six Months* Course of Lectures on Midwifery among the Classes necessary for a Degree.

But

But, instead of "the very important and extensive system of alteration" which they declare they had been long contemplating, there were only three particulars specified, viz. that the Course of Study should be four, instead of three years,—that Midwifery should be a necessary Class,—and that attendance on the Summer Class of Clinical Lectures should also be necessary.

In the month of October last, you are aware that various Meetings of the Senatus Academicus were held, for the purpose of deliberating upon those proposals, three of which I attended. At the first Meeting at which I was present, nearly four hours were spent in discussions which ended in no decision. A short time after I entered the Senate Hall on that occasion, I took an opportunity of stating, that the Medical Faculty had reported that they were to add the Midwifery Class to the Curriculum *under certain conditions*, and that, as the Classes were soon to meet, I felt anxious that those conditions might be understood, *that due notice might be given to the Students*. I certainly supposed at the time, that no reply whatever had been made to these observations, and as there seemed urgent business before the Meeting, and it was the first time I had attended after the presentation of my Commission, I did not wish to be obtrusive. On the 8th November, we were assured by Dr Duncan junior that I had been answered, and that the answer was, that affairs were not carried on "with such rapidity at our Meetings." At the second Meeting, I found the deliberations equally unsatisfactory; and, at the third Meeting, viz. upon the 25th October, they seemed to be so irrelevant, that I did not deem it necessary to remain above a quarter of an hour.

It is proper to request your particular attention to the fact, that at none of those Meetings, nor of the others, as far as the records show, were any doubts thrown out in respect to the propriety of adding the Midwifery Class to the Curriculum. Indeed, I had been
impressed

impressed with the belief, that on that point the Senatus had been unanimous.

On Saturday the 6th November, *three days* previous to the proposed opening of the Midwifery Class, a printed advertisement to the following effect was sent by the Secretary of the University, Dr Duncan Junior, to the Janitor of the College, to be by him transmitted to the several Professors, to be distributed amongst the Students, and to be posted upon the College gates.

Extract from the MINUTES of the SENATUS ACADEMICUS of the UNIVERSITY of EDINBURGH, 25th October 1824.

“ The Senatus Academicus unanimously resolved, That in regard to
 “ Gentlemen who have already matriculated as Medical Students, or
 “ shall matriculate as such, in this or any other University, before the
 “ 1st of January 1825, the Statuta Solennia published in 1823 shall
 “ remain unchanged, as to the number of years of Academical Study,
 “ and the Classes required.”

(Signed) “ AND^w DUNCAN JUN^r. Secretary.”

As it appeared to me, that, by this Regulation, what I had always considered to be the former pledges and resolutions of the Senatus Academicus, and what I knew to be the expressed wishes, and, in fact, regulations of the Honourable the Patrons and Founders of the University, are directly and positively rescinded, and that thus a most serious injury might be done to the Medical Students, and to the Public at large, I deemed it incumbent upon me to take immediate steps to prevent such a document from being circulated; and, for that purpose, although actually engaged in a fatiguing and anxious attendance, I sent a Letter to the Principal, in consequence of which he had the goodness to summon a Meeting for Monday the 8th November.

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Many of you were witnesses of the strong expressions, in respect to that Letter, which were made by Dr Duncan junior and Dr Graham, and you know that upon its being represented that the word *juggle* was disrespectful, I had no difficulty in offering to erase it, and to substitute *misunderstanding*. I subjoin a Copy of that Letter, in order that you may see how little reason there was for some other objections which those Gentlemen urged against it.

When this preliminary, and to me very unexpected discussion was settled, (for I certainly meant nothing disrespectful to our worthy Principal,) I was permitted by the Meeting to state the views which I entertain of the footing on which the Midwifery Class ought to be now placed.

After reading the unanimous resolutions of the Patrons of the University, and the communication and reply of the Senatus Academicus, dated June 18th, (both already quoted,) I stated, that in obedience to the regulations of the Honourable Patrons, I had been busily employed, for many months past, in extending my Lectures, so as to give that full *Six Months* Course which the Patrons have directed—And that in thus agreeing to give *one Course* instead of *three* during the year, I make a very considerable pecuniary sacrifice, but that I do so with pleasure, from a conviction that it will be beneficial to the Profession and to the Public.

The terms of my Commission were then brought under your notice, in order to prove, that from the 2d August last I hold myself to be entitled to all the privileges and immunities enjoyed by the other Professors of Medicine,—that, *inter alia*, I am entitled to examine in future every Graduate for Medical Degrees,—and that it would be an extraordinary anomaly, if an Examinator could not enforce attendance upon his particular department of Study in this or some other University, as all the other Professors of Medicine, from the year 1726 up to this day, have invariably done.

I took the liberty to press upon the consideration of the Meeting the hardship of the case upon myself individually, if, as seemed to be the wish of the majority, attendance upon the Midwifery Class should not be held to be necessary for *four years* to come.

And now permit me to bring under your review, in the most respectful manner in my power, the reasonings which were adduced to shew, not only that *I have no claim* to have the Midwifery Class added to the Curriculum, but also that it would be *inexpedient* to do so for at least *three or four years* to come.

In as far as my memory serves me, the chief arguments were, that it belongs exclusively to the Senatus Academicus, independent altogether of the controul of the Patrons, to regulate the Course of Study, or what is called the Curriculum,—that the communication made to the Patrons on June 18th 1824, was by no means a pledge that the Midwifery Class should be added to the Curriculum,—that it would be unfair to the Students, and totally at variance with the consistency and honour of the Senatus, to force attendance on any additional Classes upon those Students who have already entered their names in our Album, and that the invariable usage and practice of the Senatus has been regulated by this principle of good faith.

If I have omitted any other arguments, I beg that it may be understood to be quite unintentional on my part; for I am anxious, in this review of our proceedings, to act with the utmost candour and impartiality. Let me now solicit your attention to the reasonings by which those arguments were supported.

The *first* argument, That it belongs exclusively to the Senatus Academicus to regulate the Course of Study, although it has occupied so much of our discussions, does not, in my humble opinion, bear at all

upon my individual case, and therefore it is scarcely worth bringing it again under notice. But there is a point of view in which this subject may be regarded, that has hitherto escaped the observation of all our Members, and which I must now endeavour to exhibit.

It was unreservedly admitted on the 8th November, that, in consequence of my new Commission, I am entitled to the privilege (if it can be so called) of examining Candidates for Medical Degrees, and this privilege has been bestowed upon me by the Honourable the Patrons. It must appear at once to be rather a singular deviation from the ordinary course of affairs, if the Patrons be entitled to nominate an Examiner for Degrees, while they have no power of suggesting or of specifying the Lectures which the Candidates for Degrees ought to attend.

As Degrees are granted by Universities, upon the report of competent witnesses that the Candidates are duly qualified, it might be supposed that it should belong to the Senatus of the University to nominate the Examiners who are to make this report. Accordingly, this is the usage in the English Universities. While in the several English Colleges, not only the Course of Study, but the diet, the dress, the deportment, &c. of the Students are minutely specified and dictated by the individual Founders, and are superintended and controuled by the respective representatives of those Founders, (who are called Visitors), the Examiners for Degrees are annually chosen by the University.

In the Appendix to my printed Memorial, I have shewn, that, upon the 9th February 1726, the Honourable the Patrons nominated as Examiners the first Professors of Medicine who appear to have examined for Degrees in our University; and therefore I presume, that as this power cannot be disputed, having been exercised for nearly an hundred years, and being, in fact, still exercised, as the terms of my Commission prove, those Gentlemen who maintain the opinion that
the

the powers of the Senatus are now beyond the controul of our Patrons, were not very anxious to advert to this fact.

When an equally authentic document can be brought forward, to prove, that our Honourable Patrons, while they assumed the power of nominating Professors to examine Candidates for Degrees, relinquished, by a formal act and deed, that controul over the course of education, which, as Founders, Patrons, and Guardians, they hold through the Royal Favour, I shall then believe what was asserted by some of our Colleagues on the 8th November, that the Patrons, in establishing their College as an University, became defunct. But till some such regular deed is pointed out, I shall continue, with much submission, to hold, that the hypothesis in question is totally groundless.

Nay, it appears to me, that when I some time ago looked over our Minutes, I saw more instances than one of the controul exercised by the Patrons over the concerns of Graduation. Baron Hume has expressly stated, that, “on the 4th October 1734, the Council transmitted
“ to the College regulations as to attendance on the Greek Class, and
“ conferring degrees in Arts. These were considered by the College,
“ and a Committee named to draw a Memorial to the Council upon
“ them; which Committee reported, and certain regulations as to de-
“ grees in Arts were adopted, and a Committee ordered to lay them
“ before the Patrons.”

Permit me to take this opportunity of suggesting, that the very luminous opinions of Baron Hume and of Professor Robert Hamilton, on the powers and privileges of the Patrons, ought to be printed for the use of the Members of the Senatus. From the sentiments which many of our Members have expressed in our late discussions, it appears to me that they have paid little attention to those important law opinions; and I am convinced, that if they were printed, and put into the hands
of

of all our Members, such a measure would be likely to prevent in future the hazard of any collision with our Honourable Patrons.

Secondly, The next argument, repeatedly stated in strong terms, was, that the communication of the 18th June 1824 was by no means a pledge of the Senatus to the Patrons, but was merely a promise to take into consideration the propriety of adding the Midwifery Class to the Curriculum. This explanation was sanctioned by the high authority of our present eminent Professor of Scotch Law. Of course, I am bound in duty to admit, that the view which I had taken of the communications between our Patrons and us (narrated pages 3. & 4.) is perfectly erroneous. I had considered that those communications implied a *bona fide* understanding between the parties; and I speak with great deference, when I say, that it is difficult for me to believe that any other interpretation was contemplated at the time.

Thirdly, The third argument, and which was much insisted on, was, that it would be unfair to the Students, and totally at variance with the consistency and honour of the Senatus, to force attendance on any additional Classes on those Students who have already entered their names on our Album.

If the Study of Medicine were merely a literary pursuit, calculated to improve the knowledge and accomplishments of individuals, without any direct reference to the good of mankind, then this argument might be considered as a conclusive one.

But supposing this were admitted, I cannot understand upon what principle our Reverend Joint Librarian prevailed upon the Meeting to exempt even the Students who have entered upon the Curriculum this year, from attendance on the Midwifery Class during one Session in the course of the succeeding three years. He shewed us that 169

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Medical Students had already matriculated up to that day, and he expatiated on the hardship of subjecting them to new regulations, evidently forgetting that my Commission had been presented on the 2d August, and that it was not my fault that the new Curriculum was not arranged previous to the meeting of the Classes. He must have proceeded, too, on the suppositions, that all the 169 were not only now first entering on study, but that they also had come here for the purpose of Graduating; suppositions which I know he will, on enquiry, find to be quite erroneous. Indeed, I had at that time the names of some Students in my books, who have no intention of ever Graduating.

Fourthly, The last argument was, That it had been the invariable usage and practice of the Senatus, when any alteration of the Curriculum was adopted, to give it a prospective operation, and not an *ex post facto* one, and the cases of the Rhetoric and Mathematical Classes, which had been added to the Curriculum for the degrees in Arts, were cited as clear precedents, by which the Senatus ought, in the present instance, to be guided.

To this argument, which was enforced by a variety of observations, I took the liberty to reply, by reminding the Meeting of a proceeding which occurred in 1809, and which, in my humble opinion, completely does away the authority of all the precedents quoted; and I must, however disagreeable to my own feelings, bring it again under your consideration, because it did not seem to make that impression on the Meeting which I expected.

In 1809, the Senatus Academicus resolved to encrease the Fees of Medical Graduation from Fifteen Pounds to Twenty-five Pounds, (without having made any addition to the course of instruction,) and decreed that the new Fees should be exacted at the *ensuing* Graduation. A petition from the Students who had already entered upon their Curriculum,

riculum, praying to be exempted from the new Fees, was presented to the Senatus, and its prayer was refused. Our records do not inform us upon what grounds this refusal was made. They narrate the simple fact. The Students then appealed to the Patrons, and they, in sending that petition for our information, took the opportunity of transmitting those documents, shewing their power of controul over the concerns of the University, on which Baron Hume and Professor Robert Hamilton were requested to give their opinion. I need scarcely add, that you know that as soon as Baron Hume had read those documents, he moved, that the Regulations respecting the new Fees of Medical Graduation should be suspended, and the Medical Faculty have never since that time urged their being carried into effect.

Having thus recalled to your recollection a summary of the discussions on Monday, November 8th, which terminated in the Meeting unanimously resolving to issue the Advertisement against which I had objected, as being, in my opinion, disrespectful to the Patrons, and inconsistent with my rights and privileges as Professor of Medicine, I venture, with great deference, to state, that the true nature of my claim was scarcely, if at all, adverted to at the Meeting, and I therefore request your particular attention to it. I hinted, indeed, that there was a difference between Studies, the object of which was practical information, and Studies which might be called rather ornamental, and I alluded to Botany in illustration. But I feel that I did not dwell on this argument as I might have done.

On all hands it will be, I presume, readily conceded, that in arranging the Course of Study for Medical Graduates, the great object is the public good,—the emoluments of the different Professors, and the expenses of Study, being secondary considerations.

Now we have the recorded opinion of our Honourable Patrons,
 “founded,

“ founded, as they declare, not on the information alone, contained in
 “ the various papers remitted for their consideration, but also on in-
 “ formation obtained from men who have been long and extensively
 “ employed in the practice of the Medical Profession, that it would
 “ be of advantage to the Public, to the Medical Profession, and to
 “ the University, that attendance on a Course of Lectures on Mid-
 “ wifery, and on the Diseases of Women and Children, should form a
 “ part of the education of every one who aspires to the honour of
 “ being made Doctor of Medicine of the University of Edinburgh.”

We have also the example of the Royal College of Surgeons of this place, whose Members are, generally speaking, more employed in Medical than in strictly Surgical Practice, that College having several years ago dictated, that every Candidate for their Licence should produce a certificate of having attended, *inter alia*, Lectures on Midwifery. We have besides the example of the University of Glasgow, who many years ago added Midwifery to the Classes necessary for a Degree, and more lately that of Dublin also.

While there are such strong precedents for this measure, I am well aware that it may be objected, that, as by the Charter of the Royal College of Physicians of Edinburgh, every person possessed of a Medical Degree, conferred by a British University, is entitled, on paying his Fees, to practise in this City, without any Examination, and without the production of any other qualification than his Degree, the Members of that Learned Body are not required to have studied Midwifery.

Instead however of this being a real objection, I take the liberty to consider it to be an almost unanswerable argument, that the Midwifery Class should be rendered from this date necessary for a Degree. My impression is, that this fact was totally unknown to the Senatus Academicus, although it must be perfectly familiar to the Medical Faculty,
 and

and particularly, to our Secretary, who is now actually the President of the Royal College of Physicians.

For many years, that Royal College prohibited the Fellows from the practice of Pharmacy and Surgery, and it is only since the death of Dr Gregory, that the prohibitions in regard to those departments of practice were removed, chiefly through the liberality of Dr Hope, and certainly without the sanction of all the Fellows, among whom I must be classed. Although I could not approve of the measure, I did not choose to oppose it, because I felt that there might be arguments for its expediency, which did not occur to myself, and which were not brought forward at the Meeting which I attended.

But, as by the Charter of the Royal College of Physicians, Graduates must be admitted who have not attended Lectures on Midwifery, no man can doubt that much injury may arise from this regulation. Thus, such individuals, if called to assist a person unexpectedly and partially delivered, could afford no assistance, and hence the Mother or the Child, or both, might be lost. Again, if such a Member of the Royal College of Physicians were requested to visit a woman labouring under any of the diseases peculiar to the sex, (necessarily unexplained by the Professor of the Practice of Physic), the probability is, that he might, by some error of omission or commission, do injury which no subsequent skill could repair.

These considerations are so obvious, that, now they are brought under your notice, I hold it to be quite superfluous to illustrate them as I could do by facts that are incontrovertible.

Assuming, therefore, that it is of importance to the Public, that Medical Graduates should have a knowledge of Midwifery, it would be, in my humble opinion, more consistent with the honour and dignity of the

the Senatus to make the enactment at once, rather than to attempt postponing it to an indefinite time; and I trust that you will agree with me in this opinion. As was well observed by one of our Reverend Members, the Senatus need not chain themselves down to the regulations in regard to the Curriculum—And if a measure in which the public interest is deeply concerned is required, it might be wise to accede to it voluntarily.

Should the Midwifery Class be added instanter to the Curriculum, I will venture to predict, that no such petition will be presented by the Students against the measure, as happened in the case of the increase of Graduation Fees. At any rate, there would be an obvious answer to such a petition, viz. It is for the public good, that attendance on a Course of Lectures on Midwifery is required.

At our Meeting on Monday, November 8th, as I have already stated, I did not anticipate the turn which the discussions were to take, and had no notion that it still remained at the discretion of the Senatus to add the Midwifery Class to the Curriculum. But I certainly explained to my Colleagues on that occasion, that in the claim on which they have taken nearly *nine* years to decide, I have invariably shewn my total disregard for pecuniary considerations. You will permit me therefore again to repeat, that if the mere emoluments of the Class were the subject at issue, though I might think, that under the circumstances of the case I have been harshly treated, I should have submitted to the decision of the majority of the Meeting, rather than hazard exciting, or continuing unpleasant discussions. But feeling, on the one hand, that I am the Trustee for rights conferred upon my Chair by the Honourable the Patrons, and, on the other hand, that the claim which I make in virtue of those rights is essentially necessary for the public good, I consider myself imperiously called upon to use every endeavour to enforce that claim.

In concluding this Letter, I take the liberty to say, that if the Regulation respecting the Midwifery Class which seemed to be approved of by the Majority of the Meeting, November 8th, be passed by the Meeting to be held on the 20th November, viz. that none of the Candidates for Degrees shall be compelled to attend it for three or four years to come, I shall bring the matter again under the consideration of our Honourable Patrons, and I trust that I may do so without giving offence. An appeal to a superior Tribunal from the resolutions of a majority of any Corporation, or from the decision of any Court in Scotland, (the Court of Justiciary excepted), is perfectly competent to every member of an Incorporation, and to every suitor of a Court. Irreparable injury to society would accrue, if such appeals were considered disrespectful to the parties appealed against; and it is a doctrine, that, as far as I know, was never heard of out of the walls of our University, that giving notice of such an appeal should be construed into a *threat*.

I have the honour to be,

GENTLEMEN,

With due respect,

Your very obedient humble Servant,

JAS^S HAMILTON, Jun.

Edinburgh, 23. St Andrew's Square,

November 18. 1824.

APPENDIX.

APPENDIX.

COPY of a LETTER from Dr JAMES HAMILTON Junior, to
The Reverend Dr BAIRD, Principal of the University.

DEAR SIR,

Edinburgh, November 6th 1824.

This day at one o'Clock I received a printed paper, purporting to be "Extract from the Minutes of the Senatus Academicus, dated "October 25th 1824," which not a little surprises me, as it is in direct opposition to the expressed will of the Honourable the Patrons, to the pledge given by the Senatus in their communication to the Patrons, dated June 18th 1824, and to the rights and privileges granted by my Commission.

As I am in attendance on a patient who will probably detain me all afternoon, it will not be possible for me to see any of my friends this evening, and therefore, I cannot yet determine on all the steps which I should take in consequence of this printed document. But I deem it my duty to give you, as *Principal of the University*, without losing a moment of time, fair warning, that if attendance on the Midwifery Class be not added to a new edition of that printed paper by Monday next at five o'Clock, I shall on that evening transmit a Petition and Complaint to the Honourable the Patrons.

In compliance with the directions of our Honourable Patrons, I have for many months employed all the time which could be spared from the active duties of my profession, in extending my Lectures, so as to give a Six Months Course, and I am ready to enter on that
Course.

Course. Now I am willing to believe, that if those Members of the Senatus Academicus who *unanimously* passed the vote of October 25th 1824 had been aware of this, they would not have agreed to such an act of *injustice*. I must however express my surprise, that the tenor of their communication to the Patrons, dated June 18th 1824, had escaped the recollection of those Members. It is numbered 4. and in substance is, "that the Medical Faculty *have come to the resolution of recommending to the Senatus Academicus, that attendance on the Class of Midwifery shall, on certain conditions, be required of such Medical Students as may HEREAFTER become Candidates for the degree of Doctor of Medicine.*" No Meeting could unanimously agree to any misunderstanding* which should do away this pledge.

The alteration in the printed notice which I expect, is, that after the words "Classes required" there shall be added, "with the exception of Midwifery, which is now added to the Curriculum."

I have the honour to be

DEAR SIR,

Yours respectfully,

(Signed) JAS HAMILTON, Jun.

* Juggle was the original word.