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NOTICE.

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NOTICE.

We beg to remind our Subscribers that the continued success of the NEW ZEALAND TABLET depends on the punctuality with which their subscriptions are forwarded to this office. Money Orders may be made payable to Mr. John F. Perrin, Manager, New Zealand Tablet Office, Dunedin.

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FIAT JUSTITIA

FRIDAY, DECEMBER 29, 1876.

THE OTAGO UNIVERSITY AND PROFESSOR COUGHTREY.

WE seldom take any notice of that close borough and highly conservative institution yeleped "The Otago University." But there are exceptions to every human regulation; and our practice in reference to our chief educational establishment is not so inexorable as never to permit any departure from it. On the present occasion, however, it is rather as a matter of contemporary history than otherwise that we draw attention to some proceedings of this institution.

The Council of the University and Doctor Coughtrey, after a period of misunderstanding and cross purposes, have arrived at an open rupture. The Doctor, some few days ago, sent in his resignation, and the Council at once accepted it, and in a way neither dignified, nor complimentary to its late

Professor.

The immediate cause of the rupture was a misunderstanding as to the meaning of the words "private practice." ing to the terms of his agreement, the Professor was bound to abstain from private practice. In medical phraseology, these words have a specific meaning, and do not comprehend what is understood as the practice of consultation. It does not appear that Doctor Coughtrey, even in one instance, violated the terms of agreement; on the contrary, it is plain he honorably complied with them. As much, however, cannot be said for the Council of the University. After having engaged Doctor Coughtney on the understanding that he was to be excluded from private practice only, this Council, without consulting the Doctor, although he had courteously requested a conference on the vexed question, in what appears to us a most arbitrary manner, forbid its Professor to practice medi-cine either privately or in consultation. This was clearly ultra vires; it is an undoubted principle of both law and equity that an onerous contract connot be set aside by one of the parties in opposition to the will of the other.

No doubt the University Council could, for a sufficient cause and under certain conditions, dispense with Doctor COUGHTREY'S services; but so long as he remained Professor, and fulfilled the conditions of his agreement, the Council was and fulfilled the conditions of his agreement, the Council was a Again, we lately clipped from the 'Boston Pilot' an not authorised to modify these conditions in any way without article in which exception was taken to the 'New York

Doctor Coughtrey's consent. This, however, is precisely what the Council of the Otago University has done.

To the outside world it is plain that the Council really wished to get rid of its Professor; and that the means employed, be the intention as it may, border on the shabby, and involve an injustice. There is no complaint that the Professor neglected his professional duties, or postponed them for the sake of attending to consultations. And indeed this could hardly be, inasmuch as the University, after four or five years, has been able to muster a medical class of only one student. This will no doubt sound odd to the ears of the general public; but it is a fact made known at the meeting of the Council at which Doctor Coughtrey's resignation was accepted. No successor to the Professor has been appointed, and his offer to continue to discharge the duties of his chair, has been declined on the ground of there being no necessity for the discharge of these duties. On the whole, it must be said, the entire proceedings of the Council in this affair are not creditable, either to its intelligence or its sense of the fitness of things. The credit of the University will not be served by these proceedings, which cannot but have the effect of causing capable and honorable men to fight shy of a body which can treat its Professors in such a high handed and unjustifiable a manner.

The Council seems to have been made very sore by Doctor Coughtrey's saying that he had been thwarted in his efforts to found a Medical School in Dunedin, and it appears that it was this charge more than anything else that determined the Council to accept his resignation. In fact one of the members of the Council spoke in reference to this charge, as if he considered himself personally insulted by it; so hot did he become, and so intemperate was the language he used on the With all due deference to this gentleman, "imper tinent" is not the word to use when speaking of a deliberate statement officially made by Doctor Cougarney in a grave

document addressed to the Council of his University.

It turns out, however, that so far from there being impertinence in the statement that Doctor Coughtrey had been thwarted in his efforts to found a Medical School, that it is The Doctor has made this abundantly literally the fact. clear in his letter addressed to the Editor of the 'Otago Guardian,' and published in the issue of Wednesday last. The action or no action of the Council in reference to the opening of the Dunedin Hospital to Medical Classes, and raising the standard of the Matriculation Examination, both which were proposed by Doctor Coughtrey, and both of which were necessary in order to secure recognition at home for studies made here, proves the truth of the Professor's state-All things considered, Professor Coughtrey had no alternative but resignation. He is, however, fairly entitled to compensation; for it was the University Council, not he, who violated the terms of their agreement, by forbidding him to engage in consultation practice, a practice to which, according to the terms of his engagement, he was fully entitled.

FRIENDLY DIFFERENCES.

THERE are many subjects on which it is allowable for Catholic newspapers to differ amongst themselves. We can quite understand that they should take opposite sides in various questions that involve no clashing of religious doctrines. There might, for example, be three journals, one of which would support the cause of the Bonapartists in France, while another of them would advocate the interests of the Republic, and a third those of HENRI V.; and still each newspaper might deserve the name of Catholic.

Every editor is free to propagate his opinions on all things purely secular, and would be held accountable by no ecclesiastic for the arguments that he might advance in favour of them. Nay more, on matters such as these there would probably be a body of clerics who would side with each of the journals so disagreeing, and unless doctrines of religion were touched upon in a reprehensible manner, the censure of their spiritual superiors would in no wise be in-

curred by any of the parties concerned.

During the late attempts of Don Carlos to secure for himself the throne of Spain, a very striking example of this was to be observed; for many of the Catholic newspapers warmly supported the pretensions of the struggling Prince, and magnified him into almost a hero of romance, whilst to others his claims were unjust, and he himself little short of contemptible.