

of the Literary Institute could not give a title.⁽⁴⁵⁾ However, a bill approved by the Literary Institute had been forwarded to the Superintendent to counteract this difficulty and on September 22 an act known as "The Canterbury Public Library Act, 1873" was passed by the General Assembly of New Zealand empowering,

"any two of the Trustees of the said Institute ... to convey and assign ... the real and personal property so vested in the said Trustees ... to the Superintendent of the Province of Canterbury for the purposes of a Public Library." ⁽⁴⁶⁾

As soon as this bill became law, a deed of transfer was drafted by the provincial solicitor, and after amendments had been made by the Literary Institute, the library committee recommended, at the Board meeting of November 7,⁽⁴⁷⁾ that the property of the Institute be taken over on the terms of the deed as altered.

When all these formalities had been satisfactorily concluded it only remained to transfer the property to the College and the old Institute would be at an end. This deed of transfer ⁽⁴⁸⁾ was dated December 15, 1873 and by its terms the complete property of the Literary Institute was vested in the Superintendent of Canterbury on the fulfilment of certain conditions, the most important of which were the maintenance of a reading room and of a circulating library. Concurrently with this transfer, the Superintendent gave control of the library to the Board of Governors of Canterbury College. However

45. i.e. they had no power to transfer the property to another body.

46. Appendix B. p.139.

47. Minutes of Board of Governors of Canterbury College, Book 1, p.39.

48. Appendix C.