

the three, they considered the Museum to be the most popular, the most creditable, and the most educating institution, so that it, in particular, should not be starved.⁽³⁸⁾ Although this point was strongly disputed by the Council representatives who argued that the Library was equally popular, it must be conceded in the Board's favour that, although a library can easily be established in a small community, such is not the case with a museum. The meeting concluded without any satisfactory progress being made.

In the preceding pages a survey has been made of the attitudes of the contestants. The conclusion that stands out most clearly is that the actual documents were of a conflicting nature. How is it possible to reconcile the preamble of the 1870 Ordinance (a Public Library for the promotion of literature) with the deed of transfer of the property of the Literary Institute. The key to the problem appears to lie in the words of the deed of transfer,

"For the purpose of a Public Library, to be established and maintained under and in pursuance of the provisions of the Canterbury Museum and Library Ordinance, 1870, subject nevertheless to the conditions hereinafter expressed"...

These conditions refer to the maintenance of a reading room and a circulating library, as previously mentioned. In the light of these significant words, it is essential to interpret the 1870 Ordinance in terms of the deed of transfer, and not of the needs of education, thus destroying the main basis of the Board's argument.

As there appeared no possibility of a satisfactory solution, the

38. The Museum received half of the endowment and the Reference Library and School of Technical Science a quarter each.