

5. A sum not exceeding three hundred and fifty pounds per annum, shall be allowed for the payment of two assistant clerks and a salesman of the Public Library, map and school apparatus depositories, in connexion with the department of Public Instruction in Upper Canada;

7. The whole of the remainder of the said grants shall be expended as further aid to common schools in Upper Canada, according to the provisions of the Common School Acts of Upper Canada, and of this Act.

After the passing of this Act, the Chief Superintendent issued the following notices in the *Journal of Education*, for June, 1855:—

#### PUBLIC LIBRARY NOTICE.

*To Municipal and School Corporations in Upper Canada.*

Until further notice, the undersigned will apportion one hundred per cent. upon all sums which shall be raised from local sources by Municipal Councils and School Corporations, for the establishment or increase of Public Libraries in Upper Canada, under the regulations provided according to law.

In selecting from the General and Supplementary Catalogues, parties will be particular to give merely the catalogue number of the book required, and the department from which it is selected. To give the names of books without their number and department, (as is frequently done,) causes great delay in the selection and despatch of a library. The list should be on a distinct sheet of paper from the letter.

E. RYERSON.

EDUCATION OFFICE,  
Toronto, 1st February, 1855.

#### MAPS AND APPARATUS.—NOTICE.

The Legislature having acceded to my recommendation to grant annually, from the commencement of the current year, a sufficient sum of money to enable this Department to supply Maps and Apparatus (not text-books) to Grammar and Common Schools, upon the same terms as Library Books are now supplied to Trustees and Municipalities, the undersigned will be happy to add one hundred per cent. to any sum or sums, not less than five dollars, forwarded to the Department, and to forward Maps, Apparatus, Charts and Diagrams to the value of the amount thus augmented, upon receiving a list of the articles required by the Trustees.

E. RYERSON.

EDUCATION OFFICE,  
Toronto, 18th June, 1855.

During 1856, 1857, 1858 and 1859, these "terms" and "manner" of supply remained unchanged; and, in 1859, the various Common School Acts were consolidated into 22nd Vic., ch. 64. The Sections of the Act of 1855, just quoted, will be found in Section 120, as follows:—

120. Out of the share of the Legislative School Grant coming to Upper Canada, and the additional sums of money from time to time granted in aid of Common Schools, or in aid of Common and Grammar Schools in Upper Canada, and not otherwise expressly appropriated by law, the Governor in Council may authorize the expenditure of the following sums annually.

1. Under the Regulations of the Council of Public Instruction.

2. Through the Chief Superintendent of Education.

C. For the establishment and support of Public School Libraries, in connection with the Common and Grammar Schools, a sum not exceeding \$26,000.

D. In providing the Grammar and Common Schools with maps and apparatus upon the same terms, and in the same manner as books are provided for Public School Libraries, a sum not exceeding \$10,000.

E. For the payment of two assistant clerks, and a salesman of the public library, map and school apparatus, depositories in connection with the Department of Public Instruction, a sum not exceeding \$1,400.

These "terms" and the manner of supply continued unchanged during the years 1859 to 1874, inclusive. In 1874, the provisions of this 120th section of the Act, 22 Vic., ch. 64, were again consolidated, and will be found in section 33 of the Act, 37 Vic., ch. 27, as follows:

#### 10. CERTAIN GRANTS AUTHORIZED.

33. Out of any grants made from time to time in aid of Public and High Schools, the Lieutenant-Governor may authorize the expenditure annually of such sums as may from time to time be voted by the Legislative Assembly for the purposes following:—

1. Under the authority of the Council of Public Instruction.

2. Through the Chief Superintendent of Education.

8. For the establishment and support of libraries in connection with the Schools;

9. For providing the Schools with maps and apparatus, and prizes upon the same terms, and in the same manner as books are provided for School Libraries;

10. For the payment of a salesman and assistant clerks of the public library, prize, map and school apparatus depositories, in connection with the Department of Public Instruction.

It will be thus seen that the phrase "*on the same terms*," which occurs in the Act of 1874, refers to the "terms" (as to the "prices" or "cost" of the library books supplied to the Schools) which were explained and defined by the Chief Superintendent in 1855, the date at which the original Act containing these words was passed.

These "terms" the Chief Superintendent shows were the furnishing of Public School library books, from the Depository "*at cost*"—that is, the price which he paid for these books, including exchange, transportation, insurance and all "contingencies, not exceeding thirteen per cent."

Another question here arises as to whether in fixing the "*prices*" or "*cost*" of the books supplied to the schools by (1) the Council of Public Instruction, (2) the booksellers, or (3) the Chief Superintendent of Education, the charge for salaries of clerks and salesman in the Educational Depository, at all events to the extent of \$1,400 per annum, as fixed by the Act, should be reckoned in the "*cost*" or "*prices*" of books furnished to the schools. The Act, as will be seen, provides for the Depository salaries out of a "*Grant*" or "*Gift*" by the Legislature, as much so as the "*Grant*" or "*Gift*" for superannuated teachers, *Journal of Education*, or other object, as mentioned in the 120th section of the Consolidated Act of 1859, or in the 23rd section of the Act of 1874.

A further question has been raised, and that is, whether in fixing the "*prices*" or cost of prize and library books, an estimated sum for *rent*, for *taxes*, and for *interest* on the Legislative Grant (none of which have ever formed part of the expenditure of the Depository) should be included in those "*prices*" and cost of the books—in other words, whether the Education Department should provide for an absolute profit out of the books supplied to the schools, over and above expenses, which would, of course, be payable into the Provincial Treasury, and form part of the casual revenue.

Having now stated the case, and given copious extracts from the various Statutes, official explanations, and regulations bearing upon the subject, it is proper to recapitulate the several questions which are raised in this document and submitted for decision, as authorized by law, viz.:—

*Question 1st.* Whether the "*prices*" or "*cost*" to the schools of the prize and library books sanctioned by the Council of Public Instruction should be fixed—

- (1.) By the Council of Public Instruction.
- (2.) By the Chief Superintendent of Education,
- (3.) Or by the Booksellers, or other parties sending in books for the approval of the Council.

*Question 2nd.*—On what principle should the "*prices*" or "*cost*" of these books to the Schools be fixed, viz.:—

- (1.) Whether the "*price*" or "*cost*" of a book should include (a) its net prime cost from the original publisher, with the additional charge (b) for exchange, (c) freight and shipping dues, (d) duty, (e) insurance, (f) salaries of clerks, and (g) contingent expenses of management, which are all actual expenditures, and (h) the usual estimated percentage for depreciation of stock on hand.
- (2.) Or, whether, in addition to these actual expenditures incurred in procuring books and managing the Educational Depository, and for percentage for stock depreciation, the "*prices*" or "*cost*" of books to the Schools should also include (i) an estimated sum for rent, (j) for taxes, (k) for interest on Legislative Grant employed, and (l) salaries of