

The said memorial, amendments and order of court were, on the 30th of March, 1871, recorded in said office in Miscellaneous Book J. A. H., No. 1, page 145, &c., and a copy thereof, marked Exhibit C, is hereto annexed as part of our answer.

Of these amendments so made, the complainant was duly informed by resolution of our board.

VI. Our said acceptance has never been revoked or withdrawn.

And it is our intention to carry out in good faith the provisions of the testator's will and of the said act of the Legislature, and to remove to the said new building the great bulk of our collection of books, especially including therein those most valuable to the student and most appropriate for the purposes designated by the testator as those of a public library; while at the same time we are advised that it is not necessary to the validity of our acceptance that we should remove thither all our books, of every description, but that that class thereof which may be called current and ephemeral literature, and which the testator intended should be excluded from the Branch Library, may be retained in our present building or some other topographically convenient to the largest number of those who use the same.

VII. Since our said acceptance of the testator's bequest, the following question has, however, arisen:—

By two acts of the Legislature, passed in 1826 and 1839, our library and its building were exempted from taxation.

By the Constitution which went into effect in 1874, it was declared that the General Assembly might, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places

