was before unlimited. It remains, therefore, still to be considered whether the legislature, in extending the exemption to institutions of learning such as the complainant, has transgressed the limits laid down by the words "institutions of purely public charity."

That the complainant is a charity in the legal sense of the word does not admit of question. It is equally clear that it is also a charity in the somewhat narrower and more popular sense in which we must interpret the words of a popular instrument like the Constitution. The commonest and most familiar meaning of charity is almsgiving, but that narrow definition is not the primary or most important one given in the dictionaries or sanctioned by the usage of English-speaking people. The moment the word is used in connection with the present subject-matter of charitable gifts or charitable institutions, the popular as well as legal mind takes in at once its wider scope of goodwill, benevolence, desire to add to the happiness or improvement of our fellow-beings. It is in this sense that, not to mention the numerous other illustrations, our own local gifts of Elliot Cresson for the planting of shade trees in the streets of Philadelphia (Cresson's Appeal, 6 Casey, 437), and a gift to a volunteer fire company for the protection of the property of the citizens (Thomas *vs.* Ellmaker, 1 Parsons, 98), have been recognized as charities, both in the legal and in the popular estimation.

But is the complainant a *public* charity? To answer this question we must look to the facts of the case.

By the original rules of Franklin and the other founders, the librarian was required to permit "any civil gentleman to peruse the books of the library in the library room," and in the same spirit the charter, which is the fundamental law of the corporation, and the by-laws made under it, permit the use of the library: 1. By *all persons* within the library building free of charge or fee of any kind; 2.