

and this we find is also conceded to all persons alike on the condition that a deposit shall be made of the value of the book to insure its return, and a sum paid for its hire or loan. A step farther brings us to the third and last privilege, that of members who instead of paying the hire of each book from time to time as they take it out, pay a single annual sum as an equivalent. The principle of commutation is familiar. It is as old as the history of tithings in England; as universal as the convenience and the necessities of business everywhere. The law prohibits a common carrier from discriminating between persons, it requires him to carry all men the same journey for the same price; yet there is probably no railroad in the country that does not issue season or mileage tickets, or commutation in some form or other to its local customers, and this has never been held to impair or infringe upon its public character as a common carrier. Such regulations, within reasonable limits, are mere administrative details, necessary in all but the most insignificant business, and not in any way affecting the general character of the institution.

One other privilege of the members, besides this commutation of book hires, may also be included in the same class of administrative details—the privilege of voting for the managers who conduct the affairs of the library. Some form of government is necessary. The managers are trustees, and some mode must be provided for their appointment. The particular mode selected is a matter for the founders or the State in granting a charter; but having been adopted, it does not in any way affect the public character of the corporation.

Next, and last, we have to consider the force to be given to the word “purely” in the constitutional phrase, “purely public charity.” In this connection, and in its ordinary sense, the word purely means completely, entirely, unqualifiedly, and this is the meaning we must presume the people to have intended in adopting it in their Constitution.