

Nor is the case affected by the fact that the donors or subscribers may themselves derive benefit from the charity. Inside the building they have no greater rights than any of the indefinite public. It is only that they can take books out by annual commutation, instead of paying every time. As to this, the Court below has said :—

“ 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.”

And even if the *motive* of the commuters in thus securing a benefit to themselves was purely selfish, yet this cannot affect or defeat the contract which the Government made with the corporation, when it created it a public charity, and which it could enforce if that design were perverted. If the motive of all those who endow charities were suffered to taint the charity itself, there would be an end to the law of charities.

No one can doubt that when a charter defines the purpose of a corporation and provides machinery for carrying out the purpose, the machinery becomes part of the purpose. In this case, the charter declares the purpose to be a public charity, and provides as part of