(*New Constitution, continued from 2nd page.*)

for one only, and when three are to be chosen, he shall vote for no more than two, the candidates highest in vote shall be declared elected.

Sec. 17. Should any two or more Judges of the Supreme Court, or any two or more Judges of the Court of Common Pleas for the same district be elected at the same time, they shall, as soon after the election as conveniant; cast lots for priority of commission, and certify the result to the Governor, who shall issue their commissions in accordance therewith.

Sec. 18 The Judges of the Supreme Court and the Judges of the several Courts of Common Pleas, and all other judges required to be learned in the law, shall at stated times, receive for their services an adequate compensation, which shall be fixed by law, and paid by the State. They shall receive no other compensation, fees, or prequisites of office for their services from any source; nor hold any other office of profit under the United States, this State or any other State.

Sec. 19. The Judges of the Supreme Court, during their continuance in office, shall reside within this Commonwealth; and the other Judges during their continuance in office, shall reside within the district for which they shall be respectively elected.

Sec. 20. The several Courts of Common Pleas, besides the powers herein conferred, shall have and exercise within their respective districts, subject to such changes as may be made by law, such chancery powers as are now vested by law, in the several Courts of Common Pleas of this Commonwealth, or as may hereafter be conferred upon them by law.

Sec 21. No duties shall be imposed by law upon the Supreme Court or any of the Judges thereof, except such as are judicial, nor shall any of the Judges thereof exercise any power of appointment, except as herein provided. The Court of Nisi Prius is hereby abolished, and no court of original jurisdiction to be presided over by any one or more of the Judges of Supreme Court shall be established.

Sec. 22. In every county wherein the population shall exceed one hundred and fifty thousand the General Assembly shall, and in any other county may, establish a seperate Orphan' Court, to consist of one or more Judges, who shall be learned in the law, which Court shall exercise all the jurisdiction and powers now vested in, or which may hereafter be conferred upon, the Orphans' Court, and there upon the jurisdiction of the Judges of the Court of Common Pleas within such county in Orphan' Court proceedings shall cease and determine; in any county in which a separate Orphans' Court shall be established the register of Wills shall be clerk of such Court, and subject to its direction in all matters pretaining to his office, he may appoint assistant clerks, but only with the consent and approval of said Court. All accounts filed with him as register or as clerk of the said separate Orphans' Court shall be audited by the court without expense to parties, except where all parties in interest in a pending proceeding shall nominate an auditor whom the court may, in its discretion, appoint. In any county Orphans' Courts shall possess all the power and jurisdiction of a Register's Court, and separate Register's Courts are hereby abolished.

Sec. 23. The style of all process shall be "The Commonwealth of Pennsylvania." All prosecutions shall be carried on in the name by the authority of the Commonwealth of Pennsylvania, and conclude against the peace and dignity of the same.

Sec. 24 In all cases of felonious homicide, and in such other criminal cases as may be provided for by law, the accused, after conviction and sentence, may remove the indictment, record, and all proceedings to the Supreme Court for review.

Sec. 25 Any vacancy happening by death, resignation or otherwise, in any court of record, shall be filled by appointment by the Governor, to continue to the first Monday in January next succeeding the first general election, which shall occur three or more months after the happening of such vacancy.

Sec. 26, All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction, and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts shall be uniform; and the General Assembly is hereby prehibited from creating other courts to exercise the powers vested by this Constitution in the Judges of the Courts of Common Pleas and Orphans' Courts.

Sec, 27. The parties, by agreement filed, may in any, civil case, dispense with the trial by jury and submit the decision of such case to the court having jurisdiction thereof, and such court shall hear and determine the same; and the judgement thereon shall be subject to writ of error as in other cases.

ARTICLE VI.

IMPEACHMENT AND REMOVAL FROM OFFICE.

Sec. 1. The House of Representatives shall have the sole power of impeachment.

Sec. 2. All impeachments shall be tried by the Senate; when sitting for that purpose, the Senators shall be on oath or affirmation; no person shall be convicted without the concurrence of two-thirds of the members present.

Sec. 3. The Governor and all other civil officers shall be liable to impeachment for any misdemeanor in office, but judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of trust or profit under this Commonwealth; the person accused whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment and punishment according to law.

Sec. 4. All officers shall hold their offices on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office or of any infamous crime.

Appointed officers other than the judges of the courts of record and the Superintendent of Public Instruction, may be removed at the pleasure of the power by which they shall have been appointed. All officers elected by the people, except Governor, Lieutenant-Governor, members of the General Assembly and judges of the courts of record, learned in the law, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate.

ARTICLE VII.

OATHS OF OFFICE.

Sec 1. Senators and Representatives and all judicial, State and county officers, shall, before entering on the duties of their respective offices, take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing, to procure by nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law."

The foregoing oath shall be administered by some person authorized to administer oaths, and in the case of State officers and Judges of the Supreme Court, shall be filed in the office of the Secretary of the Commonwealth, and in the case of other judicial and county officers, in the prothonotary of the county in which the oath is taken; any person refusing to take said oath or offirmation shall forfeit his office, and any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or offirmation, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within the Commonwealth.

The oath to the members of the Senate and House of Representatives shall be administered by one of the judges of the Supreme Court or of a Court of Common Pleas, learned in the law, in the hall of the House to which the members shall be elected.

ARTICLE VIII.

SUFFRAGE AND ELECTIONS.

Sec. 1. Every male citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections:

First. He shall have been a citizen of the United States at least one month.

Second. He shall have resided in the State one year (or if, having previously been a qualified elector or native born citizen of this State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If twenty-two years of age or upwards, he shall have paid within two years a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

Sec. 2. The general election shall be held annually on the Tuesday next following the first Monday of November, but the General Assembly may by law fix a different day, two-thirds of the members of each House consenting thereto.

Sec 3. All elections for city, ward, borough and township officers for regular terms of service, shall be held on third Tuesday of February.

Sec. 4. All elections by the citizens shall be by ballot. Every ballot voted shall be numbered in the order in which it shall be received and the number recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot. Any elector may write his name upon his ticket or cause the same to be written thereon and attested by a citizen of the district. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so as witnesses in a judicial proceeding.

Sec. 5. Electors shall in all cases except treason, folony, and breach or surety of the peace, be priviledged from arrest during their attendance on elections and in going to and returning therefrom.

Sec. 6. Whenever any of the qualified electors of this Commonwealth shall be in active military service under a requisition from the President of the United States or by the authority of this Commonwealth such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are or shall be present at their usual places of election.

Sec. 7. All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State, but no elector shall be deprived of the privilege of voting by reason of his name not being registered.

Sec. 8. Any person who shall give, or promise, or offer to give to an elector any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any other person or party for such elector's vote, or for the withholding thereof, and any elector who shall receive or agree to receive, for himself or for another, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such election, and any elector whose right to vote shall be challenged for such cause before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

Sec. 9. Any person who shall, while a candidate for office, be guilty of bribery, fraud, or wilful violation of any election law, shall be forever disqualified from holding an office of trust or profit in this Commonwealth; and any person convicted of willful violation of the election laws, shall in addition to any penalties provided by law, be deprived of the right of suffrage absolutely for a term of four years

Sec. 10. In trials of contested elections, and in proceedings for the investigation of elections, no person shall be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony.

Sec. 11. Townships and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory, in such manner as the Court of Quarter Sessions of the city or county in which the same are located may direct, but districts in cities of over one hundred thousand inhabitants shall be divided by the Courts of Quarter Sessions having jurisdiction therein whenever at the next preceding election more than two hundred and fifty votes shall have been polled therein, and other election districts whenever the Court of the proper county shall be of the opinion that the convenience of the electors and the public interests will be promoted thereby.

Sec. 12 All elections by persons in a representative capacity shall be viva voce.

Sec. 13. For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence while employed in the service, either civil or military, of this State of the United States, nor while engaged in the navigation of the waters of the State or the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poorhouse or other asylum at public expense, nor while confined in public prison.

Sec. 14. District election boards shall consist of a judge and two inspectors, who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled as shall be provided by law, election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns, except upon warrant of court of record, or judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their terms of service.

Sec. 15. No person shall be qualified to serve as an election officer who shall hold, or shall within two months have held any office, appointment, or employment in or under the government of the United States, or of this State, or of any city or county, or of any municipal board, commission, or trust in any city, save only justices of the peace and alderman, notaries public, and persons in the militia service of the State; nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve, save only to such subordinate, municipal or local officers below the grades of city or county offices as shall be designated by general law.

Sec. 16, The Courts of Common Pleas of the several counties of the Commonwealth shall have power within their respective jurisdictions to appoint overseers of election to supervise the proceeding of election officers, and to make report to the court as may be required; such appointments to be made for any district in a city or county, upon petition of five citizens, lawful voters of such election district, setting forth that such appointment is a reasonable precaution to secure the purity and fairness of elections; overseers shall be two in number for an election district, shall be residents therein, and shall be persons qualified to serve upon election boards, and in each case members of different political parties; whenever members of an election board shall differ in opinion, the overseers if they shall be agreed thereon, shall decide the question of difference; in appointing overseers of election all the law judges of the proper court able to act at the time, shall cocur in the appointments made.

Sec. 17. The trial and determination of contested elections of electors of President and Vice President, members of the General Assembly, and of all public officers, whether State, judicial, municipal, or local, shall be, by the courts of law, or by one or more of the law judges thereof; the General Assembly shall, by general law, designate the courts, and judges by whom the several classes of election contests shall be tried, and regulate the manner of trial, and all matters incident thereto; but no such law, assigning jurisdiction, or regulating its exercise, shall apply to any contest, arising out of an election held before its passage.

ARTICLE IX.

TAXATION AND FINANCE.

Section 1. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity.

Sec. 2. All laws exempting property from taxation, other than the property above enumerated, shall be void.

Sec. 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

Sec 4. No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or to pay existing debt, and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million of dollars.

Sec. 5. All laws authorizing the borrowing of money by and on behalf of the State shall specify the purposes for which the money is to be used, and the money so borrowed shall be used for the purpose specified and no other.

Sec. 6. The credit of the Commonwealth shall not be pledged or loaned to any individual, company, corporation or association, nor shall the Commonwealth become a joint owner or stockholder in any company, association or corporation.

Sec. 7. The General Assembly shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for or to loan its credit to any corporation, association, institution or individual.

Sec. 8. The debt of any county, city, borough, township, school district or other municipality or incorporated district, except as herein provided shall never exceed seven per centum upon assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property without the assent of the electors thereof, at a public election, in such a manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum (in the aggregate at any one time) upon such valuation.

Sec. 9. The Commonwealth shall not assume the debt, or any part thereof, of any city, county, borough or township, unless such debt shall have been contracted to enable the State to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the State in the discharge of any portion of its present indebtedness.

Sec. 10. Any county, township, school district, or other municipality incurring any indebtedness shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof within thirty years.

Sec 11. To provide for the payment of the present State debt, and any additional debt contracted as aforesaid, the General Assembly shall continue and maintain the sinking fund sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; the said sinking fund shall consist of the proceeds of the sales of the public works or any part thereof, and of the income or proceeds of the sale of any stock owned by the Commonwealth, together with other funds and resources that may be designated by law, and shall be increased from time to time by assigning to it any part of the taxes or other revenues of the State not required for the ordinary and current expenses of government; and unless in case of war; invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in the extinguishment of the public debt.

Sec. 12. The moneys of the State, over and above the necessary reserve, shall be used in the payment of the debt of the State, either directly or through the sinking fund, and the moneys of the sinking fund shall never be invested in or loaned upon the security of anything except the bonds of the United States or of this State.

Sec. 13. The moneys held as necessary reserve shall be limited by law to the amount required for current expenses, and shall be secured and kept as may be provided by law. Monthly statements shall be published showing the amount of such moneys, where the same are deposited, and how secured.

Sec. 14. The making of profit out of the public moneys, or using the same for any purpose not authorized by law, by any officer of the State or member or officer of the General Assembly, shall be a misdemeanor, and shall be punished as may be provided by law, but part of such punishment shall be disqualification to hold office for a period not less than five years.

ARTICLE X.

EDUCATION.

Section 1. The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public schools, wherein all the children of this Commonwealth, above the age of six years, may be educated, and shall appropriate at least one million dollars each year for that purpose.

Sec 2. No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school.

Sec. 3. Women twenty-one years of age and upwards shall be eligible to any office of control or management under the school laws of this State.

ARTICLE XI.

MILITIA.

Section 1. The freemen of this Commonwealth shall be armed, organized and disciplined for its defence when and in such manner as may be directed by law. The General Assembly shall provide for maintaining the militia by appropriation from the Treasury of the Commonwealth, and may exempt from military service persons having conscientious scruples against bearing arms.

ARTICLE XII.

PUBLIC OFFICERS.

Section 1. All officers whose selection is not provided for this Constitution shall be elected or appointed as may be directed by law.

Sec. 2. No member of Congress from this State, nor any person holding or exercising any office or appointment of trust or profit under the United States, shall at the same time hold or exercise any office in this State to which a salary, fees or perquisites shall be attached. The General Assembly may by law declare what offices are incompatible.

Sec. 3. Any person who shall fight a duel or send a challenge for that purpose, or be aider or abettor in fighting a duel, shall be deprived of the right of holding any office of honor or profit in this State, and may be otherwise punished as shall be prescribed by law.

ARTICLE XIII.

NEW COUNTIES.

Section 1. No new county shall be established which shall reduce any county to less than four hundred square miles, or to less than twenty thousand inhabitants; nor shall any county be formed, the area, or containing a less population, nor shall any line thereof pass within ten miles of the county seat of any county proposed to be divided.

ARTICLE XIV.

COUNTY OFFICERS.

Section 1. County officers shall consist of sheriffs, coroners, prothonotaries, registers of wills, recorders of deeds, commissioners, treasurers, surveyors, auditors or controllers, clerks of the courts, district attorneys, and such others as may from time to time be established by law, and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected.

Sec. 2. County officers shall be elected at the general elections, and shall hold their offices for the term of three years, beginning on the first Monday of January next after their election, and until their successors shall be duly qualified; all vacancies not otherwise provided for shall be filled in such manner as may be provided by law.

Sec 3. No person shall be appointed to any office within any county who shall not have been a citizen and an inhabitant therein one year next before his appointment, if the county shall have been so long erected, but if it shall not have been so erected, then within the limits of the county or counties out of which it shall have been taken.

Sec. 4. Prothonotaries, clerks of the courts, recorders of deeds, registers of wills, county surveyors and sheriffs shall keep their offices, in the county towns of the county in which they respectively shall be officers.

Sec. 5. The compensation of county officers shall be regulated by law, and all county officers who are or may be salaried shall pay all fees which they may be authorized to receive into the treasury of the county or State, as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants all county officers shall be paid by salary, and the salary of any such officer and his clerks, heretofore paid by fees, shall not exceed the aggregate amount of fees earned during his term and collected by or for him.

Sec. 6. The General Assembly shall provide by law for the strict accountability of all county, township and borough officers, as well for the fees which may be collected by them, as for all public or municipal moneys which may be paid by them.

Sec. 7. Three county commissioners and three county auditors shall be elected in each county where such officers are chosen, in the year one thousand eight hundred and seventy-five, and every third year thereafter; and in the election of said officers each qualified elector shall vote for no more than two persons, and the three persons having the highest number of votes shall be elected; any casual vacancy in the office of county commissioner or county auditor shall be filled by the Court of Common Pleas of the county in which such vacancy shall occur, by the appointment of an elector of the proper county who shall have voted for the commissioner or auditor whose place is to be filled.

ARTICLE XV.

CITIES AND CITY CHARTERS.

Sec. 1. Cities may be chartered whenever a majority of the electors of any town or borough having a population of at least ten thousand shall vote at any general election in favor of the same.

Sec. 2. No debt shall be contracted or liability incurred by any municipal commission, except in pursuance of an appropriation previously made therefor by the municipal government.

Sec. 3. Every city shall create a sinking fund, which shall be inviolably pledged for the payment of its funded debt.

ARTICLE XVI

PRIVATE CORPORATIONS.

Sec 1. All existing charters, or grants of special or exclusive privileges, under which bona fide organization shall not have taken place and business been commenced in good faith at the time of the adoption of this Constitution, shall thereafter have no validity.

Sec. 2. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

Sec. 3. The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well being of the State.

Sec. 4. In all elections for directors or managers of a corporation each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer.

Sec. 5. No foreign corporation shall do any business in this State without having one or more known places of business, and an authorized agent or agents in the same upon whom process may be served.

Sec. 6. No corporation shall engage in any business other than expressly authorized in its charter, nor shall it take or hold any real estate except such as may be necessary and proper for its legitimate business.

Sec. 7. No corporation shall issue stocks or bonds except for money, labor done, or money for property actually received; and all fictitious increase of stock or indebtedness shall be void; the stock and indebtedness of corporations shall not be increased except in pursuance to general law, nor without the consent of the person holding the larger amount in value of the stock first obtained at a meeting to be held after sixty days' notice given in pursuance to law.

Sec. 8. Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their works highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction. The General Assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporations or individuals, made by viewers or otherwise; and the amount of such damages, in all cases of appeal, shall, on demand of either party, be determined by a jury according to the course of the common law.

Sec. 9, Every banking law shall provide for the registry and countersigning, by an officer of the State, of all notes or bills designed for circulation, and that ample security to the full amount thereof shall be deposited with the Auditor General for the redemption of such notes or bills.

Sec. 10. The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators. No law hereafter enacted shall create, renew or extend the charter of more than one corporation.

Sec. 11. No corporate body to possess banking and discounting privileges shall be created or organized in pursuance of any law without three months' previous public notice at the place of the intended location, of the intention to apply for such privileges, in such manner as shall be prescribed by law, nor shall a charter for such privilege be granted for a longer period than twenty years.

Sec 12. Any association organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same with other lines; and the General Assembly shall, by general law of uniform operation, provide reasonable regulations to give effect to this section. No telegraph company shall consolidate with or hold a controlling interest in the stock or bonds of any other telegraph company owning a competing line, or acquire, in any manner, whether directly or otherwise, any other competing line of telegraph.

Sec. 13. The term "corporations," as used in this article, shall be construed to include all joint stock companies or associations having any of the powers or privileges of corporations not possessed by individuals or partnerships.

ARTICLE XVII.

RAILROADS AND CANALS.

Sec. 1. All railroads and canals shall be public highways, and all railroad and canal companies shall be common carriers. Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this state and to connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad, and shall receive and transport each the others' passengers, tonnage and cars, loaded or empty, without delay or discrimination.

Sec. 2. Every railroad and canal corporation organized in this State shall maintain an office therein, where transfers of its stock shall be made, and where its books shall be kept for inspection by any stockholder or creditor of such corporation, in which shall be recorded the amount of capital stock subscribed or paid in, and by whom, the names of the owners of its stock and the amounts owned by them, respectively, the transfers of said stock, and the names and places of residence of its officers.

Sec. 3. All individuals, associations and corporations shall have equal rights to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in charges for or in facilities for transportation of freight or passengers within the State, or coming from or going to any other State, nor shall any property transported over any railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station; but excursion and commutation tickets may be issued at special rates.

Sec. 4. No railroad, canal, or other corporation, nor the lessees, purchasers, or managers of any railroad or canal corporation, shall consolidate the stock, property, or franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line, nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation owning or having control of a parallel or competing line, and the question whether railroads or canals are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury as in other civil issues.

Sec. 5. No incorporated company doing the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing any article for transportation over its works, nor shall such company, directly or indirectly, engage in any other business than that of common carriers, or hold or acquire lands, freehold or leasehold, directly or indirectly, except such as shall be necessary for carrying on its business; but any mining or manufacturing company may carry the product of its mines or factories on its railroad or canal not exceeding fifty miles in length.

Sec 6. No president, director, officer, agent, or employee of any railroad or canal company, shall be interested, directly or indirectly, in the furnishing of materials or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled, or worked by such company.

Sec. 7. No discrimination in charge or facilities for transportation shall be made between transportation companies and individuals, or in favor of either, by abatement, drawback, or otherwise, and no railroad or canal company, nor any lessee, manager or employe thereof, shall make any preference in furnishing cars or motive power.

Sec. 8. No railroad, railway, or other transportation company shall grant free passes, or passes at a discount to any person except officers or employes of the company.

Sec. 9. No street passenger railway shall be constructed within the limits of any city, borough, or township, without the consent of its local authorities.

Sec. 10. No railroad, canal or other transportation company in existence at the time of the adoption of this article, shall have the benefit of any future legislation by general or special law, except on condition of complete acceptance of all the provisions of this article.

Sec. 11. The existing powers and duties of the Auditor-General in regard to railroads, canals, and other transportation companies, except as to their accounts, are hereby transferred to the secretary of internal affairs, who shall have a general supervision over them, subject to such regulations and alterations as shall be provided by law; and in addition to the annual reports now required to be made, said secretary may require special reports at any time upon any subject relating to the business of said companies from any officer or officers thereof.

Sec. 12 The General Assembly shall enforce by appropriate legislation the provisions of this article.

ARTICLE XVIII.

FUTURE AMENDMENTS.

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by a majority of the members elected to each House, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general election in at least two newspapers in every county in which such newspapers shall be published; and, if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, the secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid, and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such a manner, and at such time, at least three months after being so agreed to by the two houses, as the General Assembly shall prescribe; and if such amendment or amendments shall be approved by a majority of those voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted oftener than once in five years; when two or more amendments shall be submitted they shall be voted upon separately.

SCHEDULE.

That no inconvenience may arise from the changes in the constitution of the Commonwealth, and in order to carry the same into complete operation, it is hereby declared that.

Section 1. This constitution shall take effect on the first day of January in the year one thousand eight hundred and seventy-four, for all purposes not otherwise provided for therein.

Sec. 2. All laws in force in this Commonwealth at the time of the adoption of this constitution not inconsistent therewith, and all rights, actions, prosecutions, and contracts, shall continue as if this constitution had not been adopted.

Sec. 3. At the general election in the years one thousand eight hundred and seventy-four and one thousand eight hundred and seventy-five Senators shall be elected in all districts where there shall be vacancies. Those elected in the year one thousand eight hundred and seventy five shall serve for one year, and those elected in the year one thousand eight hundred and seventy five shall serve for one year. Senators now elected, and those whose terms are unexpired shall represent the districts in which they reside until the end of their terms for which they were elected.

Sec. 4 At the general election in the year one thousand eight hundred and seventy-six Senators shall be elected from the even numbered districts to serve for two years, and from odd numbered districts serve for four years.

Sec 5. The first election of Governor under this constitution shall be at the general election in the year one thousand eight hundred and seventy-five, when a Governor shall be elected for three years; and the term of the Governor elected in the year one thousand eight hundred and seventy-eight and of those thereafter elected shall be for four years, according to the provisions of this constitution.

Sec. 6 At the general election in the year one thousand eight hundred and seventy-four a Lieutenant Governor shall be elected according to the provisions of this constitution.

Sec. 7. The Secretary of Internal Affairs shall be elected at the first general election after the adoption of this constitution and when the said officer shall be duly elected and qualified, the office of Surveyor General shall be abolished, and the Surveyor General in office at the time of the adoption of this constitution shall continue in office until the expiration of the term for which he was elected.

Sec. 8. When the Superintendent of public Instruction shall be duly qualified, the office of Superintendent of Common Schools shall cease.

Sec. 9. Nothing contained in this constitution shall be construed to render any person now holding any State office for a first official term ineligible for reelection at the end of such term.

Sec. 10. The judges of the Supreme Court in office when this constitution shall take effect shall continue until their commissions severally expire. Two judges in addition to the number now composing the said court shall be elected at the first general election after the adoption of this constitution.

Sec. 11. All courts of record and all existing courts which are not specified in this constitution shall continue in existence until the first day of December, in the year one thousand eight hundred and seventy-five, without abridgment of their present jurisdiction, but no longer. The Court of First Criminal Jurisdiction for the counties of Schuylkill Lebanon and Dauphin is hereby abolished and all causes and proceedings pending therein in the county of Schuylkill shall be tried and disposed of in the Courts of Oyer and Terminer and Quarter Sessions of Peace of said county.

Sec. 12. The registers courts now in existence shall be abolished on the first day of January next succeeding the adoption of this constitution.

Sec. 13. The General Assembly shall at the next session after the adoption of his constitution designate the several judicial districts as required by this constitution. The judges in commission when such designation shall be made shall continue during their unexpired terms judges of the new districts in which they reside. But when there shall be two judges residing in the same districts, the president judge shall elect to which distrect he shall be assigned; and the additional law judge shall be assigned to the other district.

Sec. 14. The General Assembly shall at the next succeeding session after each decennial census and not oftener, designate the several judicial districts as required by this constitution.

Sec. 15. Judges learned in the law of any court of record holding commissions in force at the adoption of this constitution shall hold their respective offices until the expiration of the terms for which they were commissioned, and until their successors shall be duly qualified. The Governor shall commission the president judge of the Court of First Criminal Jurisdiction for the counties of Schuylkill, Lebanon and Dauphin as a judge of the Court of Common Pleas of Schuylkill county for the unexpired term of his office.

Sec. 16. After the expiration of the term of any president judge of any Court of Common Pleas in commission at the adoption of this Constitution, the judge of such court learned in the law and oldest in commission shall be the president judge thereof, and when two more judges are elected as the same time in any district they shall decide by lot which shall be president judge; but when the president judge of a court shall be re-elected he shall continue to be president judge of that court. Associate judges, not learned in the law, elected after the adoption of this Constitution, shall be commissioned to hold their offices for the term of five years from the first day of January next after their election.

Sec. 17. The General Assembly at the first session after the adoption of this Constitution shall fix and determine the compensation of the judges of the Supreme Court and of the judges of the several judicial districts of the Commonwealth, and the provisions of the fifteenth section of the article on Legislation shall not be deemed inconsistent herewith. Nothing contained in this Constitution shall be held to reduce the compensation now paid to any law judge of this Commonwealth now in commission.

Sec. 18. The Courts of Common Pleas in the counties of Philadelphia and Allegheny shall be composed of the president judges of the District Court and Court of Common Pleas of said counties until their offices shall severally end, and of such other judges as may from time to time be selected.

For the purpose of first organization in Philadelphia the judges of the Court number one shall be Judges Allison, Pierce and Paxson; of the court number two, Judges, Hare, Mitchell, and one other judge to be elected; of the Court number three, Judges Ludlow, Finletter and Lynd; and of the Court number four, Judges Thayer, Briggs, and one other judge to be elected.

The judge first named shall be the president judge of said Courts respectively, and thereafter the president judge shall be the the judge oldest in commission; but any president judge re-elected in the some court or district shall continue to be president judge thereof.

The additional judges for Courts numbers two and four shall be voted for and elected at the first general election after the adoption of this Constitution in the same manner as the two additional judges of the Supreme Court, and they shall decide by lot to which court they shall belong. Their term of office shall commence on the first Monday of January, in the year one thousand eight hundred and seventy five.

Sec. 19. In the county of Allegheny, for the purpose of first organization under this Constitution, the judges of the Court of Common Pleas at the time of the adoption of this Constitution shall be the judges of the District Court at the same date shall be the judges of the Common Pleas number two.

The President Judges of the Common Pleas and District Courts shall be President Judges of said Courts number one and two respectively until their office shall end, and thereafter the judge oldest in commission shall be President Judge; but any President Judge re-elected in the same court or district shall continue to be President Judge thereof.

Sec 20. The organization of the Courts of Common Pleas, under this Constitution, for the counties of Philadelphia and Allegheny, shall take effect on the first Monday of January, one thousand eight hundred and seventy-five, and existing courts in said counties shall continue with their present powers and jurisdiction until date; and no new suits shall be instituted in the Courts of Nisi Prius after the adoption of this Constitution.

Sec. 21. The causes and proceedings pending in the Court of Nisi Prius, Court of Common Pleas and District Court in Philadelphia shall be tried and disposed of in the Court of Common Pleas. The records and dockets of said courts shall be transferred to the Prothonotarie's office of said county.

Sec. 22. The causes and proceedings pending in the Court of Common Pleas in the county of Alleghany shall be tried and disposed of in the court number ONE; and the causes and proceedings pending in the Criminal Court shall be tried and disposed of in the court number TWO.

Sec. 23. The Prothonotary of the Court of Common Pleas of Philadelphia shall be first appointed by the judges of said court on the first Monday of December, in the year one thousand eight hundred and seventy-five; and the present Prothonotary of the District Court in said county shall be the Prothonotary of the said Court of Common Please until said date, when his commission shall expire, and the present Clerk of the Court of Oyer and Terminer and Quarter sessions of the Peace in Philadelphia shall be the clerk of said court until the expiration of his present commission on the first Monday of December in the year one thousand eight hundred and seventy-five.

Sec. 24 In cities containing over fifty thousand inhabitants (except Philadelphia) all aldermen in office at the time of the adoption of this Constitution shall continue in office until the expiration of their commissions, and at the election for city and ward officers in the year one thousand eight hundred and seventy-five, one alderman shall be elected in each ward, as provided in this Constitution.

Sec. 25. In Philadelphia magistrates in lieu of aldermen, shall be chosen as required in this constitution at the election in said city for city and ward officers in the year one thousand eight hundred and seventy-five, and their term of office shall commence on the first Monday of April succeeding their election.

The terms of office of alderman in said city, holding or entitled to commissions at the time of the adoption of this Constitution shall not be affected thereby.

Sec. 26. All persons in this Commonwealth at the time of the adoption of this constitution and at the first election under it shall hold their respective offices until the term for which they have been elected or appointed shall expire, and until their successors shall be duly qualified, unless otherwise provided in this constitution.

Sec. 27. The seventh article of this constitution, prescribing an oath of office, shall take effect on and after the first day of January, one thousand eight hundred and seventy five.

Sec. 28. The terms of office of county commissioners and county auditors chosen prior to the year one thousand eight hundred and seventy five, which shall not have expired before the first Monday of January, in the year one thousand eight hundred and seventy six, shall expire on that day.

Sec. 29. All State, county, city, ward, borough and township officers in office at the time of the adoption of this constitution whose compensation is not provided for by salaries alone, shall continue to receive the compensation allowed them by law until the expiration of their respective terms of office.

Sec. 30. All state and judicial officers heretofore elected, sworn, affirmed, or in office when this constitution shall take effect, shall severally, within one month after such adoption, take and subscribe an oath (or affirmation,) to support this constitution.

Sec. 31. The General Assembly, at its first session, or as soon as may be after the adoption of this constitution, shall pass such laws as may be necessary to carry the same into full force and effect

Sec. 32. The ordinance passed by this convention, entitled "An ordinance for submitting the amended constitution of Pennsylvania to a vote of the electors thereof," shall be held to be valid for all purposes thereof.

Sec. 33. The words "County Commissioners" wherever used in this constitution, and in any ordinance accompanying the same, shall be held to include the Commissioners for the city of Philhdelphia.

Adopted at Philadelphia, on the third day of November, in the year of our Lord one thousand eight hundred and seventy-three.

Office of
Secretary of the Commonwealth,
Harrisburg, Nov. 13, 1873.

I certify that the foregoing is a correct copy of the new Constitution proposed to the people of the Commonwealth of Pennsylvania, for their approval or rejection, as the same appears of record in this office.

M. S. QUAY.
Secretary of Commonwealth.

AN ORDINANCE.

FOR SUBMITTING THE AMENDED CONSTITUTION OF PENNSYLVANIA TO A VOTE OF THE QUALIFIED ELECTORS THEREOF, AS PASSED SECOND READING

Be it ordained by the Constitutional Convention of the Commonwealth of Pennsylvania, as follows: