

assessment of damages against any... road or canal company shall be interested, directly or indirectly, in the furnishing of material 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. 9. Every banking law shall provide for the registry and countersignature 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.

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.

ARTICLE XVIII. Future Amendments. Sec. 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 in the manner provided in this constitution.

ARTICLE XIX. Railroads and Canals. Sec. 1. All railroads and canals shall be public highways, and all railroads and canal companies shall be common carriers. Any association or corporation organized for the purpose of operating a railroad between any two points within this state and to connect it with the state line with railroads of other states, every railroad company shall have the right with its stockholders to interest, connect with, or to any other railroad, and shall have the right to transport the passengers, baggage, and cars, loaded empty, without delay or discrimination.

Sec. 2. Every railroad and canal corporation organized in this state shall maintain an office therein, and transfers of its stock shall be made at that office. The secretary of the corporation shall be the auditor of its stock, and the names of its stockholders and the amounts owned by them, respectively, shall be kept on file in the office of the secretary of the corporation, and the names of its officers, directors, and stockholders shall be kept on file in the office of the secretary of the corporation.

Sec. 3. All individuals, associations, and corporations shall have the right to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in favor of or in facilities for transportation of freight or passengers over the state, or coming from or going to any other state. Persons properly transported over any railroad shall be delivered at any point on charges not exceeding the rates for transportation of persons of the same class in the ordinary mode to any more distant point, but excursion and commutator tickets may be issued at special rates.

Sec. 4. No railroad, canal or other corporation, or the lessee, purchaser or manager of any railroad or canal corporation, shall consolidate its stock, property, or franchises of such corporation with, or lease or otherwise the works or franchises of any other railroad or canal corporation owning or operating under its control a parallel or competing line, nor shall any officer of such railroad or canal corporation be an officer of any other railroad or canal corporation owning or operating a parallel or competing line, and the question whether roads or canals are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury in other civil issues.

Sec. 5. No incorporated company shall, directly or indirectly, possess or engage in mining or manufacturing articles for transportation of its works, nor shall such company, directly or indirectly, engage in any other business than that of a common carrier, or hold or acquire stock, 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 products of its mines and manufactories on its road 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 material 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 charges 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, or any lessee, manager or employee 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 persons except officers or employees of the company.

Sec. 9. No street passenger railway shall be constructed within the limits of any city, or 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 laws, 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 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 this constitution, designate the several judicial districts as required by this constitution. The judges in commission 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 district the president judge shall elect to which district he shall be assigned, and the additional 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 circuit, the president judge of the court of second circuit, the president judge of the court of common pleas of Schuylkill, Lehigh 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 or more judges are elected at the same time in any judicial district, they shall be divided 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, commencing on 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 several courts of record, and the compensation of the several judges of the common pleas of the commonwealth and the provisions of the thirteenth section of the article of legislation shall not be deemed inconsistent herewith. Nothing contained in this constitution shall be held to invalidate 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 present judges of the district court and court of common pleas of said counties and their successors, and such other judges as may be appointed from time to time by the general assembly. For the purpose of first organization in Philadelphia, the judges of 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 Tanyer, 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 judge oldest in commission, but any president judge re-elected in the same 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 several counties of the common pleas and the president judge of the common pleas and the district court shall be president judge thereof.

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 court number one and two respectively until their offices shall end, 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, eighteen hundred and seventy-five, and the present judges of the court number one and two respectively until their offices shall end, 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. 21. The causes and proceedings pending in the court of nisi prius, 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 prothonotary's office of said court.

Sec. 22. The causes and proceedings pending in the court of common pleas in the county of Allegheny shall be tried and disposed of in the court number one; and the causes and proceedings pending in the district 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 pleas until said date, when his commission shall expire and the present clerk of the court of over and terminer and quarter sessions of the peace in Philadelphia shall be the clerk of such court until the expiration of his present commission on the first Monday of December in the year one thousand eight hundred and seventy-five.

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