ment take into consideration the propriety of incorporating into the constitution a provision requiring the Legislature to cause the laws of this State to be codified at the expiration of every ten years, said codes to embrace all the acts of the Legislature of a general nature, all the British statutes recognized as now in force in this State, and a short digest of the decisions of the Court of Appeals upon the various articles embraced in said codes.

On motion of Mr. Nicolai, the rules were suspended, and the special order, being the report of the committee on the declaration of rights, was taken up.

Mr. Stoddert moved to recommit the report, which was decided in the negative, by yeas 38, nays 57.

The consideration of the report was then proceeded with, article by article.

Mr. John H. Barnes moved to strike out article 1, and substitute article 6 for article 1, with an amendment.

The article proposed to be struck out is as follows:

Art. 1.   That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole; and they have at all times the inalienable right to alter, reform or abolish their form of government in such manner as they may deem expedient.

The article proposed to be inserted as article 1 is as follows:

All just powers of government are derived from the people, and all persons invested with the executive or legislative powers of government are trustees of the public, and as such are accountable for their conduct; wherefore, whenever the ends of government are perverted and publice liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to, reform the old or establish a new government; that the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

Mr. Carter did not propose to enter upon an elaborate discussion of the relative merits of the two propositions. The phraseology adopted in article 1, as reported by the

96