

that a new order of things should be inaugurated in the state by the new constitution. Changes of deep import were effected in the whole machinery of government. But the chief alterations were made in the Judiciary - the Department of Government which administers the Law. It was to the care in the paramount interest of the State that the Convention gave its most anxious consideration. Not only was the Judiciary intended to be changed, but the Law also. The Judiciary, the Convention itself changed. The Law, it could not of itself change; therefore it appointed the means by which it should be changed. And in order to give the most imposing sanction to the will of the people, on this subject, the Command to improve the Law is incorporated into the most important Section of the Article on the Legislative Department. The Command is not a mere isolated provision engrafted on the Constitution; but is incorporated into the very Soul of the Constitution, and consubstantiated as an inseparable portion of the fundamental Section of the Law making power. Immediately after the Section relating to the organization of the Legislature the great Section embracing the Law making power follows, and contains not as a separate clause, but interwoven through it, the provision to amend the Laws then existing. And the Command is that the Legislature, at its first Session shall appoint persons to amend the Law; and shall have power to determine the time within which it shall be amended; and after it is amended, the Laws afterwards passed, shall be enacted in the form of the amended Law: thus moulding the very Legislative power itself, by this Law amending provision, & making the provision a most vital part of the Constitution. (See Constitution Article 3rd Sec 17.)

It is then undeniable that the Constitution has in the most imperative, in the most determined, and the most imposing manner, & with the intention that it shall be done as soon as may be, directed that the Law be revised & Codified, and the proceedings of the Court & the forms of Conveyancing be simplified. No discretion is left to any functionary of the Government on the subject. Accordingly the Legislature, at their first Session obeyed the behest of the Constitution, & appointed persons to revise & Codify the Laws, and others to simplify Law procedure & Conveyancing. And at their very next Session, when the Command was fresh in their minds and enquiry was instituted about the progress of the work. The Commissioners to simplify Law procedure, themselves, with the greatest alacrity, reported that they were diligently engaged on their task & would lay a portion of their report before the next Legislature. On the meeting of the next Legislature, the Commissioners laid before them, two most important portions of their work, complete in themselves, and ready to be passed into Law and go into operation at once. But after due trial of the subject, the Legislature determined,