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SIXTY-FIRST DAY

TUESDAY, NOVEMBER 16, 1875¹¹⁸*The Judiciary Article Engrossed*

MR. GERMAN moved to amend Section 19 by striking out "the next general election," and inserting "an election shall be held for the unexpired term."

MR. BROWN said he was opposed to the policy of holding special elections.

MR. GERMAN said he was opposed to them also, but thought they were better than having district attorneys appointed for two years.

The amendment was lost.

MR. STEWART offered a new section, giving power to two-thirds of the Legislature to pass a local law to extend to not more than ten counties in which appeals might lie directly from justices of the peace, county, and commissioners' courts to the district courts.

MR. MILLS said this was another thrust at the black man.

The amendment was lost.

JUDGE REAGAN moved the previous question on the engrossment of the article, and it was engrossed by a vote of 43 to 25.

General Provisions

MR. McCORMICK moved to strike out the clause in Section 1 with reference to dueling. He said he would never vote to disfranchise a man for fighting a duel or carrying a challenge. There were cases where a man's honor or that of his family was concerned, where he must fight or be branded as a coward.

MR. ALLISON said he thought the history of the past showed that dueling could be suppressed only by some provision of that sort.

The Convention, by a vote of 16 to 45, refused to strike out the section.

¹¹⁸The proceedings for this day were taken from the *State Gazette* (Austin), November 17, 1875.