The question being taken, the Chairman announced that the noes appeared to have it.

Mr. GILBERT. The amendment reported, please.

The CHAIRMAN. Without objection, the amendment will be again reported to the committee.

The amendment was again reported.

The CHAIRMAN. The gentleman from Massachusetts [Mr. KNOWLES], the gentleman from Nevada [MR. NEWLANDS] will act as tellers.

The committee again divided; and the tellers—aye 70, noes 67.

So the amendment was agreed to.

So the amendment was agreed to.

On the Democratic side.

The Clerk read as follows:

TOWN, CITY, AND COUNTY GOVERNMENT.

SEC. 58. That the legislature may create counties and town and city municipalities within the Territory of Hawaii and provide for the government thereof.

Mr. McDOWELL. Mr. Chairman, in section 58, line 17, I move to strike out the word "may" and insert the word "shall." This would then read as the section reads in the Senate bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 74, line 17, strike out the word "may" and insert the word "shall;"

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. McDOWELL. Division.

The committee divided; and there were—aye 50; noes 39.

So the amendment was rejected.

The Clerk read as follows:

Fifth. Prior to such registration there shall have been paid a poll tax of $1 for the current year, due by him to the government.

Mr. WHITE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike out the first three lines on page 74.

Mr. WHITE. Mr. Chairman, there is absolutely no qualification as to that section, and it is a special section having reference to voters. The custom, as I understand, in most of the States, requires a poll tax on each male inhabitant from the time that he is 21 years of age until he reaches the age of 50, and then from that time on no more. There is no limitation provided in this section. It matters not how old the man may be, how decrepit, how honorable, how well educated, this would deprive him of the right of the franchise in his old age, even after serving his country well, of the right to vote unless he paid this poll tax of a dollar a year.

This is a matter that can be very easily acted upon by the local legislature, and I do not think, unless there was some qualification in that section, that the amendment should be made, that no man would be permitted to register and vote unless he has previously paid a poll tax from the time he is 21 years until he dies.

I do not think there is a necessity, therefore, that such registration should be made by this section, but that the provision will be stricken out and leave that part to be managed by the local legislature. However, if this Republican Congress, through its committee, desires to incorporate this and other sections of the Mississippi election law in this statute for the government of the Hawaiians, I wish to say that I shall feel it my duty to vote against the bill.

Mr. KNOX. Mr. Chairman, I will say in reply that while there were a number of Hawaiians before the committee, no objection whatever was made to this provision. Under the law of Hawaii there are other provisions in what is considered as a personal tax than what we call a poll tax—for the support of education, in all personal tax of about $5. We struck out every provision except the mere head tax of a dollar, and inserted it here. It will be understood by the House also to the fact that it does not provide for back taxes that may be due, but that it simply provides for the payment of the tax for the current year.

It was thought it would be a very wholesome provision in reference to the suffrage of Hawaii; and I am sure it will not be opposed by the great body of the large class of citizens whom our friends so well represents.

The question was taken; and the amendment was rejected.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish to offer an amendment.

The Clerk read as follows:

In line 1, page 74, after the word "registration" and before the word "have," insert "and at least nine months prior to the election;"

Mr. WILLIAMS of Mississippi. Mr. Chairman, in explanation of that amendment, I merely wish to say that it is the uniform way of all States that have poll-tax provisions that if the poll tax can be paid upon the day of election or the day before