which is mixed, consisting in part of a local Territorial jurisdiction for local affairs and also a broader jurisdiction to cover all the powers of the different courts of the United States in those islands.

For my part, Mr. President, I take great pride in the fact that this commission and the committee have introduced this subject into the bill and have brought forward and presented to the Congress of the United States the step which is more significant than any other that we can take at all for the purpose of introducing the real authority of the United States Government into those islands. I will not for the present for the purpose of discussing what might be the effect of such an establishment of courts in Puerto Rico and in the Philippine Islands altogether. The United States will find itself compelled by the necessities of the situation to go into the Philippines and also into Puerto Rico with these district judges. Why is it, then, when we are extending the whole constitutional authority and power of the Government of the United States to the inhabitants of those islands, and the people or the Government of the United States is the opportunity of having a full sweep of jurisdiction as provided for the States of the Union in our large and elaborate system of legislation and judicial decisions? I can not understand it, Mr. President. I will not see any objection and I shall not make any objection to the real point of any objection that can be made to the introduction of these courts into the Hawaiian Islands. It is urged or it has been urged that it is unconstitutional to establish a district court in the United States any where in the world except within the boundaries of the States, and that we have made a very wide and various breach of the Constitution, which is now pretty nearly a hundred years old, in respect of the District of Columbia, for here we have a supreme court and a court of appeals of the District of Columbia, and exactly the same jurisdiction is conferred upon that court that is conferred by law upon the district, circuit, and appellate courts of the United States.

We have judges who hold their constitutional tenure also during good behavior. Those courts in every possible respect, except in the mere name, have all of the powers of circuit and district courts of the United States, with one solitary exception, and that is where a plaintiff in a district court of the United States, if he stand upon his character as a citizen merely without reference to the nature of the question he brings into court, his suit will not be heard where there is no State and cannot be heard where there is the District of Columbia or the city of a Territory. That is the only difference. That, however, does not in the slightest degree operate as against the jurisdictional powers which he may invoke, no matter of what State or Territory he may be a citizen, if the question presented in the case is one that arises under the laws or the treaties of the United States.

It is no argument against the constitutionality of this court that a man living in Hawaii cannot sue another man who may live in California. A man living in California can sue a man who lives in Hawaii by this bill, but he cannot sue a man who lives in the United States. He would have to go into the local courts in order to have his redress. He is the only man who is excluded from that power or right. More than that, it is not quite settled -- it was not settled in the first case decided upon this question, and it is not settled yet -- whether the Congress of the United States, without any man who lived in a Territory or the District of Columbia, can have the power to sue in a Federal court. Chief Justice Marshall kept that expressly as an open question in the first decision delivered on the subject.

Now, I do not care to elaborate this subject before a Senate so thin as this is, because when our colleagues come to vote upon this question, we will simply know nothing about it, unless we take the pains to go over the whole ground and explain it again, but I wanted to ask the Senator from Connecticut, unless he could state some real constitutional ground of objection to this legislation, to forbear his opposition to it in deference to the views of the majority of the committee, and of others -- who have carefully scanned this whole subject, and who have presented a system here which will be broken into and very badly injured, if not destroyed, by the effect of his amendment; and I hope the Senator from Connecticut, when he comes to consider the subject more maturely, will not insist upon his amendment.

I hope President Lincoln will see that we should proceed with this bill in a hurry for the reason that the bubonic plague is afflicting the people of the Hawaiian Islands. It has now originated, as we are informed this morning by the newspapers, in the island of Maui. In that connection, I should like to say that the bubonic plague in the island of Hawaii, according to the newspapers, is not a more serious threat to the health of the department of health and other depart, but of others who have carefully scanned this whole subject, and who have presented a system here which will be broken into and very badly injured, if not destroyed, by the effect of his amendment; and I hope the Senator from Connecticut, when he comes to consider the subject more maturely, will not insist upon his amendment.

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