extend, however many things it may reach, however extraordinarily wide it may be, must be a coded power, and therefore not superior to the highest power or its representatives. Does not that proposition? What gentleman dare assert that the warrant for Congressional action is found in the Constitution and yet deny, when the extent of the Congressional power is questioned, that he knows what Congress can do and what Congress cannot do with a Territory, that the Constitution itself must be appealed to for answer? When a dispute arises as to whether Congress has or has not any particular power, or extent of power, logically, naturally, constitutionally, the controversy must be settled by appealing to the Constitution. Does Congress have any right to do anything it pleases to the Territories? Is it, then, the Constitution or the will of Congress? Therefore, the Constitution itself must be appealed to for answer. If you quote the Constitution for the power, you are bound by the Constitution; your power must be derived from it. Whether you have it or have it not in any particular instance must be determined by the Constitution and the exposition of the Constitution. If there is no such power given under the Constitution, there is no such power given under the Constitution, even if you can throw in your ad libitum exponent of the Constitution, or, if necessary, from the proceedings of those who founded it, by the aid of the light of concurrent history, or from the decisions of the Supreme Court of the United States independent of the Constitution. Is the Congress one of the streams, however big? Can the stream rise higher than its source? Hardly, I think, even under the pressure of "expansion." I care not to dwell longer upon that proposition. I know how easily one may be wrong who is not confident that he is right; and although I am confident of the correctness of my proposition, I may be entirely in error; but I would be very much obliged to any gentleman on the other side if he would be kind enough to show me wherein I err, if I err.

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Assume, if you please, that the Constitution is not in force in Hawaii—those islands so very desirable for us, as so many people have said; those islands where the plague prevails, where contract labor is the rule, and slavery the result; where slavery, in fact, is even more cruelly practiced, and where we have no control of the United States; the islands overrun with the cheapest labor of the Orient—if the Constitution is not over Hawaii, if the Constitution has not force and effect there, what force and effect will this legislation give it? Can you make a constitution to cover a portion of the country, and by a stroke of the pen, make our States have required constitutions they have made them themselves; they have been made by the people of the State. Then can you make the Constitution of the United States the constitution of Hawaii by Congressional enactment? It seems to me it is absurd to attempt that.

Then how does this enactment carry the Constitution there? How can it carry the Constitution to Hawaii? How can a legislative act make over Hawaii a law supreme, as the Constitution of the United States is supreme over every sovereign State of this Union? How can it be done? And when then it is done, if it can be done, what about this vast Congressional power of which we have heard? The Congress which has the power to extend the Constitution to Hawaii—the Congress which, if it is right in now maintaining the Constitution of the United States as supreme over the Territory of the United States or all of the territory outside of the States shall or shall not have the Constitution of the United States as the supreme governing law? Can that be true? And can it be true also that having once exercised this power, having made a Constitution for the Administration over the Territory, Congress is powerless to withdraw it? I suppose these gentlemen who contend for this ample power—power so vast, so transcendent, that the Constitution does not restrain it, either because the Constitution has granted the power beyond recovery or because the power is derived from some other source—can it be true that the Congress of the United States possesses the power to make a Constitution for the Administration, that the Constitution of the Territory of the United States or all of the territory outside of the States shall or shall not have the Constitution of the United States as the supreme governing law? Can that be true? And can it be true also that having once exercised this power, having made a Constitution for the Administration over the Territory, Congress is powerless to withdraw it? I suppose these gentlemen who contend for this ample power on the part of Congress will hardly assume or hardly assert that Congressional legislation, from the time of the extending of the Constitution over the Territory, Congress is possessed of power, and that permitted to have an abiding place there, can be independent of the Constitution. I think that can not be true. When the Constitution is there or gets there, when the agis of the Constitution is over Hawaii, then, for the time being, Congress, in legislating