Mr. POMEROY. Whenever there is a contest it is customary to take a vote on it.

The VICE PRESIDENT. The Senator from Kansas demands a vote on the motion of the Senator from Massachusetts.

The yeas and nays were ordered.

The VICE PRESIDENT. The motion to reconsider the vote was seconded, and the motion to reconsider was ordered printed.

The VICE PRESIDENT. The motion of the Senator from Massachusetts to restore the Union to what it ought to be, and ministering the oaths I ask for the yeas and nays, resulted—yeas 46, nays 8; as follows:


Mr. WARNER. I move that the Senate adjourn.

The VICE PRESIDENT. The motion was agreed to; and the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIYAT, February 25, 1870.

The House met at twelve o'clock, to prayer by the Chaplain, Rev. G. Chapin.

The Journal of yesterday was read and approved.

Mr. ROSE, by unanimous consent, introduced a bill (H. R. No. 1291) to establish a system of national education, which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

Mr. STARKWEATHER, by unanimous consent, introduced a bill (H. R. No. 1292) to encourage the building of first-class iron steamships, to aid in restoring the commerce of the country, and to provide for carrying the mails of the United States in steamers built and owned by citizens of the United States, and to give the flags of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. WOOD. I move that the House adjourn to-day and adjourn to meet on Monday next.

The motion was agreed to.

Mr. WOOD moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ELECTIONS OF HON. PATRICK HAMILT.

Mr. CESSNA. I am instructed by the Committee of Elections, or the joint committee, with an accompanying resolution, on which I demand the previous question.

The report, which was read, recites that the House, on the 5th of March, 1869, adopted the following resolution:

"Resolved, That Patrick Hamilt, member-elect from the fourth district of Maryland, be sworn in, and that the papers filed in respect to his case be referred to the Committee of Elections appointed when the session shall be called."

The report further states that the papers referred to in the resolution were affidavits charging upon Mr. Hamilton a want of loyalty to the Government of the United States and disloyalty to the Constitution and flag of the United States; which were sealed affidavits entirely, and all of them had been taken without notice; that the parties making the charges have never followed them by any proof whatever, and there was, therefore, no legal evidence before the committee to disqualify Mr. Hamilton or show that he is not eligible to the seat he now occupies.

The committee therefore submitted the following resolution:

"Resolved, That the committee be discharged from the further consideration of the case, and the papers were ex parte affidavits entirely, and all of them had been taken without notice; that the parties making the charges have never followed them by any proof whatever, and there was, therefore, no legal evidence before the committee to disqualify Mr. Hamilton or show that he is not eligible to the seat he now occupies.

The previous question was entered into and the main question ordered; and under the operation thereof the resolution was adopted.

Mr. CESSNA moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DEPARTMENT OF JUSTICE.

Mr. JENORES, by unanimous consent, reported from the Committee on Retrenchment, a bill (H. R. No. 1290) to establish a Department of Justice; which was read a first and second time, recommitted to the Committee on Retrenchment, and ordered to be printed.

Mr. RANDALL, by unanimous consent, introduced a bill (H. R. No. 1290) granting a