

T. Hamilton, as Senator elect for this State, for six years from the Fourth day of March, 1869," I have the honor to state, that so far as I have been able to ascertain, the election of Mr. Hamilton by the present Legislature, was, in every respect, in accordance with the requirements of the Act of Congress, of July, 1866, chapter 245, which was passed under authority expressly delegated in the fourth section of the first Article of the Constitution of the United States, and is the supreme law of the land. The only question as I am informed, respecting the validity of Mr. Hamilton's election, has arisen out of a supposed conflict with the Act of the General Assembly of Maryland, of 1867, chapter 11, passed on the 24th January, 1867. The first section of that Act repealed the 74th section of Article 35, of the Code of Public General Laws, which declared that "one of the Senators shall be always an inhabitant of the Eastern, and the other of the Western shore." The second section enacted "that in the first election of Senator to represent this State in the Senate of the U. S., which shall be held after the first day of April, in the year 1867, the person elected shall be an inhabitant of the Eastern shore of this State, and one of the Senators to be thereafter elected shall always be an inhabitant of the Eastern shore, and the other of the Western shore of this State," by section third the Act took effect from the date of its passage.

In arriving at the true construction and interpretation of a statute, several things are to be considered, as 1st. The object to be attained. 2d. The means employed. 3d. The intent of the Legislature. 4th. Contemporaneous exposition, &c. It is certain from the very terms of the Act of 1867, that the Legislature did not intend a total and absolute repeal of the 74th section of Article 35. It is apparent from its terms that the object to be attained was a temporary repeal. The surrounding circumstances are also to be considered. A Senator was to be elected to represent this State in the Senate of the United States. The State, from the first election of United States Senators in 1788, had been virtually divided into two Senatorial districts, the Eastern and Western. According to this division, and the said section 74, the Senator then to be elected was required to be an inhabitant of the Eastern Shore. The Legislature repealed that requirement as to that election only; for it is not reasonable to suppose that they then contemplated two elections of United States Senator at that session. The requirement that at the first election to be held after the 1st day of April, 1867, the person to be elected should be an inhabitant of the Eastern Shore, was evidently intended to secure to the Eastern Shore the next Senator to be elected after the election then about to be held. But an unexpected event hastened the accomplishment of this purpose. The