

of great importance, inasmuch as the general execution of the statute would depend, for its legality, on the legal exercise of them, by a board of examiners, appointed in conformity with the provisions of the statute.

The legislature may have intended, and it would have been consistent with the nature and purposes of the Act, that the supervisor should not be an integral part of the board of examiners, but that he should, only, by virtue of his office or, *ex officio* be a member of that board. But the language of the clause, in the opinion of the court, excludes such a construction. To effect this intention, if it had been entertained by the legislature, the words "one of whom shall be the supervisor" ought to have been omitted, where they occur,—and of the board of examiners, as it would then have been constituted, and capable of subsisting *per se*, the supervisor should have been, by the use of the necessary words, made a member *ex officio*.

It has, indeed, been argued, that the legislature has used an elliptical form of expression, leaving a word or two to be understood, which, if supplied would warrant the construction which has been contended for, and also that according to the rules of interpretation applicable to statutes, this construction might and ought, in furtherance of the public interest involved in this question, to be given. But the figure of elipsis, or elliptical forms of expression, are not suited to acts of legislation, and are not to be looked for in them; nor is it necessary, in this case, that any words, though not expressed, should be understood, inasmuch as the words which have been used, convey a full and distinct sense, without any addition to them.

The rules also, which are used in the construction of statutes, can be considered as applicable only, where the language of the legislature is dubious, and admits of more than one meaning, not where the terms are clear and