

(b) "*Mechanics.*" In its wider sense this term denotes an artisan, mechanic or artificer, or a person who follows a handicraft for his living; in its more restricted sense it is applied to employes of the above descriptions whose work is confined to the making and repairing of machinery². Invariably, therefore, it imports the performance of some kind of manual work. Accordingly it is not applicable to a person who is employed by the owner of a factory to assist him in purchasing machinery, to superintend its erection, and to put the factory in working order, but who does no manual labour himself³; nor to a man engaged in soliciting orders for, and selling the products of a mine upon commission⁴.

(c) *Operatives.* By lexicographers this term is defined as a "labouring man, artisan, or worker in manufactories"⁵. Like the two words discussed in the preceding subsections, therefore, it connotes manual work. See subd. (f), *post*. It has been held applicable to an artisan who makes boots at his own home out of materials furnished by his employer⁶.

(d) *Persons performing labour as operatives.* The notion of a preference extended only to those classes of employes whose work is primarily and essentially of a manual character manifestly inheres in this form of words as in the simple term "labour." Accordingly it does not embrace a traveling salesman⁷; nor the secretary of a manufacturing company, even though as an incident of his duties as secretary, he manages the business and assists in packing and shipping

"workmen" and "labourers" are grouped together. The court, therefore, might have fortified its conclusion by invoking the rule, *Noscitur a sociis*. But the scope of the word was not considered from this standpoint.

²Imperial Dictionary; Century Dictionary.

³*Crook v. Ross* (1895) 117 N.C. 193.

⁴*Willauer's Estate* (1882) 1 Chest. Co. Rep. 533.

⁵Imperial Dictionary; Century Dictionary.

⁶*Thayer v. Mann* (1848) 56 Mass. 371 (Insolvency Act of 1838, ch. 163).

⁷*Re Sloan's Estate* (1899) 60 Ohio St. 472; *Davis v. Greenley*, 13 Ohio C.C. 229.