

weekly wages and an additional sum for commissions, is not entitled to priority as "wages"."

4. — under other American statutes giving a priority to claims for wages. Generally.—(a) *Scope as determined by the reasons for their enactment.* The considerations by which the legislatures are said by the courts to have been influenced in enacting these statutes have reference both to the welfare of the employés and to that of the employer.

On the one hand they are viewed as being intended to afford an additional security to those classes of employés who are the least able to protect themselves against loss¹, and whose remuneration is in a special sense necessary for the support of themselves and their families². They are not "designed to give a preference to the salaries and compensation due to officers and the employés occupying superior positions of trust or profit"³.

On the other hand it has been stated that one of their objects is "to prevent those persons whose labour is indispensable to the continuance of the business of the employer from abandoning it," and thus obviate that "sudden and general desertion" which "would in many instances result in complete ruin to all concerned⁴."

(b) *Rule of construction applied in determining the scope of these statutes.* The doctrine laid down in most of the cases in which the point has been specifically referred to is that statutes

¹ *Re Mayer*, 101 Fed. 227.

² For cases in which the notion that the employé in question did or did not belong to a class which required protection was mentioned as a factor which operated in favour of or against his claim, see *Seventh Nat. Bank v. Shenandoah I. Co.* (1887) 35 Fed. 436; *Pennsylvania & D.R. Co. v. Leuffner* (1877) 84 Pa. 168.

³ For allusions to the significance of this factor, see *Boston & A.R. Co. v. Mercantile T. & D. Co.* (1896) 82 Md. 535, 38 L.R.A. 97; *Palmer v. Van Santvoord* (1897) 153 N.Y. 612; *Pennsylvania & D.R. Co. v. Seuffner* (1877) 84 Pa. 168; and the case cited in the next note.

⁴ *Re Stryker* (1899) 158 N.Y. 526.

⁵ *Navigation Co. v. Central R.R. of N.J.* 2 Stew. 252, quoted with approval in *Watson v. Watson Mfg. Co.* (1879) 30 N.J. Eq. 588.