(c) The kindred rule which is summed up in the phrase, *Noscitur a sociis*[2].

(d) The rule under which "each word used in an enumeration of several classes or things, is presumed to have been used to express a distinct and different idea'"[3]. It is obvious that the operation of this rule is, generally speaking, directly antagonistic to that of the two just referred to. In fact, as will be shown hereafter its application to the concrete facts involved in the New York case cited has produced an embarrassing conflict of authorities in that State. See § 7 (f), *post.*

(e) The footing upon which the statute in question should be construed,—whether strictly or liberally. The diverse views entertained on this point by the American courts have been a fruitful source of inconsistency. In this connection reference may be made especially to §§ 4, 11, 20.

(f) The general objects which it may be supposed that an enactment of the kind under consideration was intended to subserve.

(g) The previous course of legislation in the same country or state. The fact that the language of a provision is broader and more comprehensive than an earlier enactment in *pari materia* may sometimes be a sufficient reason for holding the former to be applicable to classes of employés, which were not

---

same nature as itself takes its meaning from them, and is presumed to be restricted to the same genus as those words." Maxwell, Stat. 4th ed. p. 499. (§ 405 in Endlich's adaptation of this work).

"When there are general words following particular and specific words, the former must be confined to things of the same kind." Sutherland, Stat. Constr § 268.

[2] "When two or more words, susceptible of analogous meaning are coupled together, they are understood to be used in their cognate sense. They take, as it were, their colour from each other; that is, the more general is restricted to a sense analogous to the more general." Maxwell, Stat. 4th ed. 491. (§ 400 in Endlich's adaptation of this treatise.) This statement was adopted in *Re Stryker* (1899) 158 N.Y. 526; *Wakefield* v. *Fargo* (1882) 90 N.Y. 213.

[3] *Palmer* v. *Van Santvoord* (1897) 153 N.Y. 612, 38 L.R.A. 402.

For a case in which the court proceeded upon the principle, that an intention on the part of the legislature to enlarge the scope of the statute in question was to be inferred from the addition of another descriptive term to those used in the context, see *Conlee L. Co.* v. *Ripon L. & N. Co.* (1886) 66 Wis. 481 (see § 7, note 13, *post*).