

fallen timber prop. The plaintiff picked him up and carried him away. The effect upon the plaintiff was such that he sustained a nervous shock which incapacitated him from working at his usual place in the mine, and the manager refused to give him any other job and he had not worked since.

The County Court judge found that there was a genuine incapacity to work due to a nervous shock; that it was clearly the plaintiff's duty to his employer to go to the injured collier who shouted for help, and that his doing so arose both "in the course of" and "out of" his employment; and he awarded compensation to the plaintiff of a certain sum a week. From this judgment the employers appealed. The case was heard before the Master of Rolls, Lord Justice Farwell and Lord Justice Kennedy, and the finding of the County Court judge was upheld and the appeal dismissed. The Master of the Rolls in concluding his judgment, said it was clear from *Eaves v. Blaenclydach Colliery Co.* (1909) 2 K.B. 73, that if a workman sustained a nervous shock producing physiological injury which incapacitated him from his ordinary work as a collier this was just as much an accident arising out of and in the course of the employment and entitling the man to compensation as the loss of muscular power was. The present case was within the Act; in principle it was the same as if this man, in going to help his fellow-workman—as he was bound to do—had stumbled and fallen as he went and so sustained a physical injury; there was no difference in principle between an accident of that kind and the present: *Yates v. South Kirkby, etc., Collieries* (1910) 2 K.B. 538 at p. 542.

"CESTUI QUE USE": "CESTUI QUE TRUST."

What is the plural of cestui que trust? Some write cestuis que trust, others cestui que trusts, and some cestuis que trustent. The first is probably the best, but there is not much to choose between it and the second; the third is hopelessly wrong. The present writer is not aware when cestui que trust was introduced into our language. It is, of course, bastard Norman-