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Preparation and Construction of Wills

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NOTICES

Preparation and Construction of Wills. By Clarence M. Lewis.
Matthew Bender & Company, Albany. 1926, pp. viii, 1115.
Price \$15.00.

It is the fashion to speak somewhat patronizingly of form books as if they were only to secure a rather superficial knowledge for the hand-to-mouth lawyer who really doesn't understand the law but wants to go through the motions of practice for the money there is in it. This patronizing attitude seems fair enough until one goes to a law office and finds the lawyers who have had excellent law school training using the form books constantly. The form book authors themselves do not claim that they are substitutes for understanding the actual content of the law; and it would be well if reviewers would not imply that it is incompatible with legal learning for one to use a form book at all. Certainly this book on Wills by Mr. Lewis is a scholarly and thorough volume which will be of great service to the profession.

Mr. Lewis sets forth a will, clause by clause, including in this will all the clauses that are generally necessary to accomplish a testator's intent. Then he annotates each clause giving references to decided cases, law review articles and text books in which the legal effect of the precise words used is explained and justified by the authorities. Especially in the drawing of a will a lawyer would like to know how the courts will construe the particular language which he uses. It is to supply an answer to these important questions that Mr. Lewis arranges his authorities in support of the various clauses which he gives. One may remark incidentally that

Mr. Lewis gives more quotations from law review articles in explanation of his provisions than he does from text books. The labor in securing apt quotations or excerpts from various law review material for each particular clause must have been considerable. The reader is delighted to find how clear and helpful is this running commentary of excerpts from legal periodicals. For the lawyer who does not practice in New York there may be some objection to the choice that Mr. Lewis has made in that he emphasizes New York cases and gives material in exposition of New York doctrines. The reviewer feels, however, that this emphasis is more apparent than real and that the exposition of the forms is adequate for all jurisdictions.

At the end of the volume is an appendix that gives in full a large number of wills by prominent men. Thus in the will of the late William G. Rockefeller and Alfred G. Vanderbilt the humble of this earth may see how millions are disposed of; and in the wills of Theodore Roosevelt and Woodrow Wilson we see how men of national distinction handle their estates. For instance on the death of Woodrow Wilson many of the newspapers announced that the estate had been willed entirely to Mrs. Wilson with the exception of a small legacy to Miss Margaret Wilson. In fact, it appeared in the will, however, that the estate is given to Mrs. Wilson for life while the entire property reverts to the children on her death.

The index is carefully done but like most all indexes could be more detailed with advantage to the busy lawyer who is seeking a particular point. There is a *Table of Cases* covering all the authorities from which quotations have been made in support of the author's proposed clauses in a will.