from his municipality. The tax is then levied on all the cropped area in the municipality except on lands withdrawn from the operation of the act. The tax is payable at the same time and under the same conditions as other municipal taxes. The tax must be paid by the ratepayer on or before December 15 and the municipal district must pay the whole amount due from that district to the board on or before December 31.

Have You Made Your Will ?

Some General Principals to Remember,

By H. Davidson Pickett

IN time past many people seemed to hold the now exploded superstition that the making of a person's will was in some way a foreboding of death. Fortunately, a wiser opinion now prevails and men, and women too, for that matter, when they have property to be left to their descendants or relations, should for their own peace of mind, and with a view of economy in the handling of their estates, see that a proper will is left where it can be available on the death of the maker. It is well to bear in mind that there is an important distinction between the Letters of Administration of the estate of an intestate (that is, one who dies without having left a proper will) and probate of a properly executed will.

Administration may be straight administration, that is where there is no will at all, or it may be administration "with will annexed." This applies to cases where the deceased left a will but did not name any executors. Letters probate is the term applied to the authorization of the court for an individual or corporation named in the will to undertake the handling of the estate.

In both cases of administration referred to above it is necessary for the person who applies for letters of administration to file with the application a bond in double the gross value of the estate, conditional on the proper accounting for the assets. This involves very often the expense of procuring bondsmen or a bonding company and always the drawing of a proper bond, besides, in the case of a bonding company, the payment of an annual premium on the bond during the whole term of administration. On the other hand no bond is required of an executor.

Should Embody Testator's Wishes

In dealing with the making of a will, one should always bear in mind the importance of having the will drawn exactly as the testator wishes. It does not do for the average individual to use legal phrases in the drawing of such documents unless he knows exactly what they mean, and for that reason it is always advisable and probably the cheapest in the long run to employ a reputable solicitor and then to feel that the will properly disposes of the property left.

The printed forms sent out by many of the trust companies are very general in their terms and usually do not provide for exactly what the testator wants and the result is that alterations are made and not sufficiently authenticated when the will is executed, thus causing litigation and expense.

In drawing a will the testator should always remember that the will "speaks" from the time of his death, and it is unnecessary to refer to specific properties unless they are to go to particular individuals. For example, "I devise and bequeath to my wife all my real and personal property," would convey everything of which he died possessed, no matter whether the property was acquired subsequent to the date of drawing the will or not, and is at the same time no restriction on his later disposition of property which he owned at the time the will was drawn.

A later will always revokes (cancels) the previous will even although the prior will should not have been destroyed, and a will may be altered after it has been executed by what is called a "codicil."

Drawing of Will

The will should be drawn, first providing for the appointment of executors or an executor as the case may be. A wife may be the executor alone, or with someone else, as any other relative or a stranger. Often times a trust company is appointed as sole executor or as executor with the wife or another person.

In some cases it is advisable to have a trust company appointed. For example, where there are small children and the estate is to be held intact until the youngest or some of the other children come of age. In other cases it often happens that the expense of management under the trust company is greater than where individuals are appointed. If there are relatives who are sufficiently able to manage the estate it can often be done more economically than through a trust company, but if strangers only are available the trust company is preferable particularly if there is financing to be done in order to clear up the liabilities or to secure a title to property.

It is well to provide too for the administrator paying the debts, testamentary and funeral expenses, although it is not necessary to do so because the law requires them to do this.

In making specific devises or bequests the persons to whom they are to be made should be described so that there will be no mistake, for example, "my son John," or "my dear wife Mary," or as the case may be. It is generally recognized that the word "bequeath" refers to personal property and the word "devise" to real estate, although the express use of these words is only necessary to make the reading of the will more clear.

In making specific gifts the testator should remember that the will "speaks" from the time of his death so that when the particular gift is made there should be provision for the disposing of that particular portion of the property in case the person to whom the gift is made should die before the testator, as otherwise that particular property would become part of the general estate and be disposed of with the residue.

Revoking a Will

It should be remembered that marriage revokes a Will unless the will is particularly made in contemplation of the marriage, for instance, if a married man makes a will and subsequently his wife dies and he later re-marries, he must make a new will or he dies intestate.

The will may be revoked either by destroying it absolutely, or, by cancelling the signatures accompanied by a declaration in the presence of witnesses that it is intended to be revoked, or by the making of a later will.

If corrections are being made in a Will they should be identified by the signatures or initials of the testator and the witnesses in the margin opposite the particular correction. This refers particularly to slight corrections that are made before the will is signed. If the testator wants to alter his will any time after it is signed he should do it as by what is termed a "codicil" attached to the will or referring to the will and executed with the same formalities as the will itself, there may be more than one "codicil," and a "codicil" may be altered by a later one.

Execution of a Will

In the execution of a will care must be taken that there are two witnesses who must sign with the testator, all being present at the same time. The witnesses should see the testator sign, and each witness and the testator should see the other witness sign, and, generally speaking, the testator should inform the witnesses that it is his last will and request them to witness it. It is not necessary that the witnessing clause at the foot of the will should