

Everybody should have a will, not just the rich. Even small legacies can present survivors with a costly problem.



by
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a **WILL!**

About half the Americans who die each year leave no will. Thus their legacy creates complicated problems for their survivors.

If a person leaves no will, the state in which he lived directs distribution of his property. And state laws vary widely on this point. All prescribe a fixed share for the surviving spouse, but this varies from one-third or one-half to a sliding scale based on the number of children.

In most states, the wife gets one-third of the property, and the other two-thirds is divided equally among the children. But until the children come of age and can claim their inheritance, the mother must get a court order to use any of the children's money to meet everyday expenses. Although state laws must distribute unbequeathed property by a stock formula, it may be a very poor formula, indeed, for *your* family.

So, it's important that you know the inheritance laws of your state and make a will to comply with them.

What's involved in making a will? That, of course, depends on the complexity of your estate and the bequests you want to make. But here are a few general rules to remember:

1. In 19 states, a will entirely in your own handwriting and dated is legal if labeled clearly as a will. In the other states (and in the 19, if printed or typewritten), the will must be witnessed by either two or three persons.
2. Witnesses must be adults who have no interest in the estate. They should watch you initial each page of the will and sign at the end before they sign their own names and addresses.
3. A will can be changed by adding a properly witnessed codicil; but it's safer to make a whole new will.
4. It's better to state bequests in terms of percentages of the estate than in actual cash value, which may change considerably.
5. Bequests should be thoughtful, specific, and stated in easily understood language. ("Between" and "among," for example, have very different meanings in a legal document.)
6. Don't leave will-making to the last moment when you might deal unjustly with deserving heirs.
7. In many states, a will is revoked by the birth of a child.
8. In most states, a divorce does *not* revoke a will.
9. If you move from one state to another, your will may have to be changed to comply with the laws of the new state.
10. If possible, consult a lawyer. A simple will probably won't cost you more than \$25.

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