

M Hello everyone and welcome to EnglishPod. My name is Marco

C My name is Catherine. And today we have a very serious dialogue for you.

M That's right. We're going to talk about a will and testament, the last will and testament of someone.

C All right. So what is a **will and testament**. Basically this is a document that someone writes. Usually with a lawyer, that explains what to do with a person's body, and their possessions, their things after they die.

M Right.

C So many people write these and the family will then use it, to discover who gets to receive certain objects, and what to do with this person's body.

M Right. Exactly so that is a last will and testament, we're going to take a look at an example of one's. You would see more or less in English how one is written. Now, obviously they can be very long, and very complex. So we've taken one that eh that has some interesting words there and they're a little bit more specific very.. a lot of legal terms there, so why don't we listen to this dialogue for the first time, and we'll back shortly.

Dialogue first time 1:05- 2:35

M All right, we're back. So now we're gonna take a look at five keywords on "language takeaway".

Voice: Language takeaway

C Okay. The first word here in "language takeaway" comes from the very beginning of this, well, monologue. Reading the last one testament aloud. I, Luke Thompson, residing in California, being of **sound mind**. Sound as an adjective. What does this mean?

M That's very interesting. So he says "I am in sound mind". And sound is an adjective to describe I am in a good state of mind.

C That's right. So it means not having any problems, or eh logical or ..

M Basically .. basically I'm not crazy. Right.

C Right. I'm not crazy, I don't have any problems. We can say this about other things too. We can say he's a sound body.

M Right. That means that he is healthy. He has no problems with his body.

C Or I could say: Marco, that's a really good decision, it's a sound decision.

M So again. That's also a way of saying good or ..

C it will work.

M It will work. It's a good decision.

C It's feasible yea.

M So you can use this adjective with sound body, sound mind, or a sound decision. Or sometimes some people even say, I think in Ireland, they say: oh he's a really sound guy.

C Oh he's a good guy.

M He's a good guy.

C Very interesting *...I learnt ???3:59* something

M Yeah. So eh sound body, sound mind, sound guy. Moving on he was talking about the will and he says: I hereby revoke all previous wills and codicils.

C The verb here is **to revoke**.

M To revoke.

C This is something that a lot of people hear in America, when they .. they drive their car too fast, the police catch them, and the police revoke their driver's license.

M And that basically means to take away.

C That's right.

M Or to .. yeah to take, right?

C To take away from. So this man here, Luke Thompson, what he's saying is: I revoke all previous wills. That means any other will that I wrote before, it's not good anymore.

M Right.

C And I'm throwing it away, this is the only one that will exists.

M Ahem. So you can use this word "revoke" with many aspects. E.g. sometimes employers will get their benefits revoked, by the company, because maybe they don't have money anymore.

C Or maybe they are bad employees.

M Or maybe they are bad employees.

C ***Now that's too bad? 4:55***

M All right, so "to revoke". Now moving on, he was talking about his **estate**. So this is very interesting because he says: I give all the rest and residue of my estate to my spouse.

C Okay, estate. It sounds like a very fancy word, it is a fancy word. Sometimes we use this word to mean someone's property, the house, but in a will, this means everything the person owns. House, car, things, pets, stocks, investments. The estate is essentially everything that the person owns, as eh kind of one unit.

M Right, exactly. So anything that is yours, or you may have bought. Just consider the estate as a big bag. Right, that's your estate, and inside this bag is everything that you own.

C You might see advertisements in fact, in America or in England, for **estate sales**. This means that when someone passes away, when they die, their family will sell their things, and this is an estate sale. You can find beautiful interesting things in estate sales.

M Right, exactly. Very interesting. So that's a person's estate. Now remember this is in

the legal terms, because you have also other things like **real estate**, and as you mentioned, which would be a house. Right, Okay Now apart from this .. from his estate he was telling everyone as to how they should take care of his body. What they should do with it. And he said well, I am **to be cremated**.

C Okay, this is important. When a person dies, there are generally two options. Their body can be buried, in a casket in the ground, that means they put in the earth. But a lot of people choose to be cremated.

M All right.

C Okay. That means that their body will be burnt. And their ashes, that means the things that are left after they are burnt, they will be taken somewhere else. Like in a bowl or pot.

M Right. And eh in this case that's what the person wants, he wants to be cremated. So that would be the verb **to cremate**, and the noun would be **a cremation**.

C Cremation. And what is gonna happen, all this stuff. Basically it's gonna be giving away to his wife, to eh EnglishPod, and to his **heirs**.

M Heirs.

C This is our next word. What is an heir?

M Now if you've noticed, the **"H"** is silent there, so his heirs. And that .. those are basically his children. His daughters or his sons.

C Right. My heirs are the people who are related to me, who -in this case- will receive some of my things.

M Now is it only their .. the children, or also it could be maybe (in) the other.. relatives,

C It could be any other relative. You could say: I'm his heir, he's my great uncle. That means we're related, but we're not necessarily father and daughter, or grandfather and granddaughter. An heir is someone who's related to the family, and it doesn't have to be a certain relationship.

M And now it's interesting because from this word we can get **inheritance**. Now we didn't find it in the dialogue, though it's very interesting, because, it comes ... they are very similar in spelling, right? Inheritance and heir.

C Right. Good to remember.

M Yeah, good to remember, you can .. you switch the "e" and the "i" right?

C That's right. So inheritance, it's a thing, eh you can receive this. So I receive an inheritance from my great grandmother. That means I receive some money, or some things, ..

M That means you're that person's heir

C That right.

M Okay.

C Or you know, in his inheritance, he .. he received a large house. He was the heir to a great fortune.

M Okay, interesting. So again, inheritance wasn't in the dialogue, but I think it's worth

mentioning, and eh I think now we can move on to four very interesting items that we have for you on "fluency builder".

Fluency builder

C Okay, these first two are words that we normally read or hear in legal documents. And I want to place emphasis on the fact that we don't really say them in spoken English. So remember that these are more formal terms.

M Yeah

C The first one is **hereby**.

M Hereby

C I hereby declare. That means: now, with this word, with this spoken sentence, this will happen.

M I think we've seen this like in movies sometimes, it's like: I hereby declare this country in the name of England.

C I hereby declare you man and wife.

M Exactly. Okay.

C That means: in this moment this happens.

M Okay. And a very similar word that we also saw in the dialogue is **herewith**.

C So in the will and testament we hear Luke Thompson who says: I herewith affix my signature. That means with the action of signing my name, signing my signature, this will be completed.

M Okay.

C Okay. So I herewith, you have to have an action **not just a? 9:43** word.

M Okay. So I herewith..

C I herewith attach my seal. Okay, a seal is like a stamp. Eh very common in the old days, when you had real letters. But I herewith .. I herewith attach my seal, and give my approval to this document.

M Okay, has to be something physical. Right, so maybe you're writing this very classic letter, and you say "I herewith include a lock of my hair".

C Eh how romantic.

M Okay, that's kind of creepy. But here you you're including or attaching physically right. I guess.. I guess the modern version of "herewith" would be "attach". Okay, good.

C Yeah. Herewith, hereby. We've got another phrase here, that you might hear more commonly. In the beginning of the will and testament there is a phrase: **as follows**. Okay. I direct that the disposition of my remains be as follows. So, with my body do as follows.

M Ahem, so basically this is a very common way of putting this in a sentence to indicate that you're going to start to list items.

C That's right. Or give instructions.

M Give instructions.

C So e.g.: to make a loaf of bread, do as follows. Number one: get some flour. Number two: add some water . So this is a way for us to say listen, I'm going to give you instructions or a list, pay attention! So please do as follows. Please act as follows.

M Okay, very good. And our last word that we have here, going back to "herewith", he said "I herewith **affix** my signature". What does that mean when you affix?

C Okay, affix is a word, we have a number of other words for, these days, so you rarely hear it. It means to attach, or to include.

M Okay, so "I herewith affix my signature" would be "attach my signature".

C Right. I provide my signature, or I herewith affix my address. Or I herewith affix something.

M Okay, very good. Really interesting stuff, you obviously see this very commonly with legal documents, such as these, even though it is like older English, it's still very commonly used. **I guess it's a law??? 11:56** ..it's so old.

C That's right, definitively. And I think it's worth listening to this monologue one more time. Think about some of the words that we've just discussed, and we'll back in a moment.

Dialogue second time 12:10 - 13:40

M All right, we're back. So this is a very interesting topic. Now I wonder, within the will or within the estate, do you also acquire a person's debts?

C Ah, that's a good question.

M Cuz I know in some countries you do, in some countries you don't . Eh I know in like some cases some heirs have found themselves in some legal problems, because all the sudden they inherited he that person's eh debt.

C I think that does happen, especially for people who's properties are mortgaged. E.g. if eh your uncle has a house, and he didn't pay for a **cache??14:21** his mortgage, and he dies, and you inherit this house, you also inherit the mortgage. So sometimes inheritances are not always a good thing. I think this happened more in the past. There are more protections and safeguards for people today. But definitely eh I mean what does it in like Ecuador, do people inherit a debt?

M Yeah, I think most well eh obviously most banks when they give out loans, or a mortgage you are..they.. they have somebody that will kind of cosign on these things and I imagine, I'm not really very sure, but I know that if you inherit an estate that has a mortgage, you're forced to pay it and if you can't, then they will make that other person who cosigned it responsible, if he still exists. I don't know, in these legal systems it's sometimes very strange, because it seems like there will be a lot of gaps.

C That's right. And everyone wants to protect themselves.

M Yeah, exactly.

C So we've got the bank that wants to protect it .. it's its self, it gives a loan, it wants the money back, and the person who wants to protect themselves from maybe a relative who has died and has debt. Yeah . So I'm curious to know what our users have to say, what's the situation in your country, do most people have a will and testament, what

happens with that.

M Or what happens if somebody dies and they don't have a will, a testament.

C That's a good question too, I don't have an answer for that.

M All right, so let us know well eh, give you guys some information on that as well, Englishpod.com, we'll see everyone there

C,M Bye everyone, bye.