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BOOK REVIEW

Estates and Trusts, 4th ed. By Gilbert Thomas Stephenson. New York: Appleton-Century-Crofts, Inc. 1965. Pp. 451. \$6.00.

A review of this outstanding textbook would not be complete without the reader's knowing something about the author and the process of evolution that this textbook has undergone since 1926.

First, about the author. Mr. Stephenson is one of North Carolina's most distinguished sons,—a graduate of Wake Forest College and the Harvard Law School. After practicing law from 1910 until 1918, he entered the field of trust business and continued as an active trust officer until 1937. In that year he became Director of Trust Research of the Graduate School of Banking (later to be known as the Stonier Graduate School of Banking, the Trust Division of which recently has become known as the National Trust School), of which he had been Chairman of the Trust Faculty since its beginning in 1935.

Manifesting a scholarly interest in the trust business from the beginning, both as writer and speaker, Mr. Stephenson is recognized as having done more than any other single individual to advance trust education in the United States. His "retirement" as Director of Trust Research in 1950 amounted to nothing more than a change of location from his office in his home in Wilmington, Delaware, to his office in his beautiful plantation home at Warren Place, Pendleton, North Carolina. In his retirement he has found time to write four books, to write with Mrs. Stephenson the delightful book entitled, "We Came Home To Warren Place," to teach at the Wake Forest College School of Law and to serve in many other capacities too numerous to mention. At an age when most men would be content to sit and reminisce about past accomplishments, Mr. Stephenson is busily engaged as the Advisor to the Trust Program at the Southwestern Graduate School of Banking at Southern Methodist University and in formulating new ideas for the advancement of both trust education and trust business.

The first edition of this outstanding textbook appeared as two volumes—*Living Trusts*, including life insurance trusts (1926), and *Wills* (1928). The early volumes met with immediate success. In

1949 the two volumes were combined into one and published under its present title as a first edition. Adopting a policy that has been followed in all subsequent editions, the author replaced material in the earlier volumes considered inappropriate for the 1949 edition with material designed to keep the reader abreast of the changes that were occurring in the field.

The first edition was designed to be elementary in nature and dealt largely with material necessary for an orderly study of estates and trusts. The fourth edition preserves the material regarded as basic to the study of estates and trusts and, like the third edition, adds new material which will be of great benefit to those who are engaged in settling estates, administering trusts, or simply helping other persons to plan the disposition of their property.

In this, the fourth edition, the primary objective of the author is to bring this widely accepted work up to date. The updating is carried out in a most careful manner—in citations to books, treatises, and statutes; in suggestions for collateral reading at the end of each chapter; in the bibliography; in the substitution of Regulation 9 of the Office of the Comptroller of the Currency which became effective April 5, 1963, for Regulation F of the Board of Governors of the Federal Reserve System; and in the illustrative instruments which reflect the changes wrought by the Federal Revenue of 1964.

Retaining the format of the third edition, the fourth edition has been divided into four parts. Part I, which discusses the disposition of property, has as its objective to present information that will acquaint every student, regardless of his anticipated business or profession, with the various dispositive devices available to property owners. Included are such subjects as employee-benefit plans, pension trusts, profit-sharing trusts, stock-acquisition trusts, corporate trusts, charitable trusts including various types of charitable foundations, and powers of appointment.

Part II, dealing with the administration of property in estates and trusts, analyzes the problems that the fiduciary executor, administrator, guardian, trustee, or agent encounters in the administration of another's property. Included among the subjects discussed are fiduciary principles, investment of trust funds, investments in businesses, and administration of employees, charitable and corporate trusts.

Part III is devoted to the problems encountered when the prop-

erty owner plans the disposition and administration of property. In reviewing, and to some extent weighing, the objectives that are normally sought by the property owner who plans his estate, the author demonstrates his vast knowledge of the subject. While Part III does not pretend to be an exhaustive treatment of taxation, it does include a very good general discussion of the tax considerations involved in planning the disposition and administration of property.

Part IV may well prove to be of greatest benefit to the legal practitioner, for there the author includes illustrative instruments of disposition and administration. Among the instruments included are a will, a living trust agreement, a personal insurance trust agreement, and a business insurance trust agreement. These instruments are designed for a hypothetical estate that involves some of the major problems that have been raised in the text.

This book is not a treatise on the law of estates or trusts, but it makes a notable contribution to the literature on the subject. While this book is a "must" for the student who wishes to become knowledgeable on the subject, the lawyer and layman, including the accountant, trust officer, and life insurance underwriter would do well to read what the dean of American trust men has to offer on the subject of estates and trusts.

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