Trawick, Redfearn Wills & Admin. in Fla. § 3:1 (2012-13 ed.)

Chapter 3. Wills and Other Testamentary Instruments

Scope

A will is an instrument that disposes of the property of the person executing the will after his death.¹ A number of different kinds of wills have existed from time to time. They are briefly discussed in this chapter for reference purposes. Florida now requires all wills to be formal, written and attested instruments. Other instruments having a testamentary character or effect are also discussed in this chapter. At common law the term will referred to the devise of real property. The term testament referred to a bequest of personal property; hence the traditional designation “Last Will and Testament.”² The traditional designation is obsolete and pompous. The term will is modern and sufficient.

Footnotes

1 § 731.201(40) F.S.A. See § 3:4 for the details and exceptions.
2 1 Page on Wills, Bowe-Parker Revision, § 1.3; Thompson on Wills 12; 94 C. J. S., Wills, § 1.