To the Bag

For Want of a Staple

To the *Bag*:

Discussions by Rob James (*The Jurisprudence of Paper Clips*, 19 Green Bag 2d 249 (2016)) and Paul Kiernan (*The Paper Clip Files*, 19 Green Bag 2d 338 (2016)) prompt this addition to the already voluminous jurisprudence on the subject of paper clips and other fasteners.

The highest court of Maryland just entered these trenches. Without citing either of the *Green Bag* pieces, it issued its opinion on the following subject. If the witnesses to a will sign their names on a page separate from the signature of the testator, is the will invalid if those two pages are not bound by a staple? Without any reference to the famous poem which begins "For want of a nail, the horse was lost," the court decided that for want of a staple, the Will was *not* lost. Relying on such a hoary authority as *Schouler on Executors and Administrators* (5th ed. 1915), the court rejected such a contention. Demonstrating its long perspective, the court cited the *Restatement Third of Property (Wills and Donative Transfers)* (1999). The court also mentioned the weighty problem of whether the relative firmness of a staple, compared to the flimsiness of a paper clip, might be determinative. *Castruccio v. Estate of Peter Castruccio*, 456 Md. 1, 169 A.2d 431 (2017). We must all give great thanks to those attorneys (and *Green Bag* readers) who relish this field of law.

Very truly yours,
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