



Language for Lawyers

by Gertrude Block

Question: Which of these is correct? “The boy should promptly deliver the message.”
“The boy promptly should deliver the message.”

Answer: Philadelphia attorney Charles F. Forer, who sent this e-mail, added, “This question always bedevils me.” It shouldn’t, for both of his choices are grammatically correct. But for stylistic reasons, I would avoid both of his choices; Instead, I would substitute a third: “The boy should deliver the message promptly.”

Why that change? As document-drafters you are probably aware that the most important position in a sentence is at the end. The second most important position is the beginning, and everything else should be placed in the middle of a sentence.

That’s because readers tend to pay the least attention to what language is placed in the middle of sentences. Both sentences placed the phrase “deliver the message” right next to or within the verb phrase, which is desirable. And in this message, there may not be a need to call attention to the adverb “promptly.” His second choice of a sentence, however, is far less desirable, for it violates English idiom and might therefore puzzle readers.

Attorney Forer asked another good question, which has also been submitted by other readers: whether the pronoun “that” is necessary in the following sentences:

The boy told me he broke the window.

The boy told me that he broke the window.

Before answering the question of “that” we should correct a second difficulty with both sentences: syntax. In each sentence the first verb is in the past tense. So is the second verb, implying that both actions occurred at the same time. Since the second action actually occurred before the first, English syntax indicates that relationship by using tense. So the sentence should read, “The boy told me he had broken the window.” The statement is clear without “that.”

However, adding “that” to a sentence sometimes avoids a possible misunderstanding. As pointed out above, readers pay little attention to what is written in the middle of a sentence. So the sentence that reads, “I heard your speech yesterday was very effective” might result in misunderstanding. Reading the sentence quickly, some people might understand that the drafter had been present during the speech. (“I heard your speech yesterday ...” Adding the word “that” would avoid the necessity of re-reading the statement and perhaps some annoyance at being required to do so.

Speaking of annoyance, this column has received e-mails from many people who are annoyed when *that* (instead of *who* or *whom*) is used to refer to human beings, a usage considered incorrect until recently. Here are two illustrations:

The people that (whom) I met in my new job were very cordial.

The man that (who) crossed the street against the light was hit by a bicycle.

In each of these sentences, *who* was formerly the only correct choice, for *that* applied only to animals, places, objects, and other things. (Animal owners are apt to bestow the honorific “who/whom” to their pets.) However, linguists describe language as it is currently used, not as they think it should be used; and *that* is now widely used to refer to individuals who are not known by the speaker, or who are thought of as members of a group—not as individuals. (My own prejudice favors the traditional usage, and you can make your own choice.)

From the Mailbag

In response to my answer to a question about the legitimacy of the term *anyways* as a substitute for *anyway*, I surmised that it was a colloquialism used mostly by Bostonians. Another reader has corrected me, having heard it in the dialect of New York’s Mayor Bloomberg. (Was he perhaps born in the Boston area?)

Potpourri

A Boston reader reported that in New England a third choice is now available as an answer to the question “Married or single?” The answer is “Un-married but not single.” That phrase now describes a couple who are in a relationship, but are neither married nor engaged. (I have not heard that description in the South, but it is possibly more widespread than in the Boston area.)

Finally, this item, a recent Amtrak advertisement that a reader forwarded. The ad read, “LAKE SHORE LIMITED is anything but for viewing.” The ad continued, “COME AND ‘FALL’ FOR OUR MOST BEAUTIFUL SITES!”

“Please interpret,” the reader begs. (But I’ll have to pass; I am as mystified as he by the phrase “anything but for.” Did the drafter mean to write “for anything but viewing?” ☺

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