

Legal Terminology

Abstract - summary of the document as oppose to Extract which is a word for word copy.

Administrator -person appointed by court to administer an estate of a deceased person. Usually when someone has died intestate by could be appointed if executor/s name in will can not serve.

Birth Right - the right of the oldest child to inherit more than the other children.

Chattel - an article of moveable personal property- could include clothes, silver, furniture, animals, bonds - in olden times even slaves or bondmen. Often mortgaged when no land was owned.

Codicil - an instrument made after the will to modify the intent of the original will. Must be signed dated and witnessed.

Dowager - a widow.

Dower Right - a widow's right to on-third of her husband's estate, plus any dower she brought to the marriage. Often testators will grant other legacies to the widow in lieu of her dower rights.

Executor (male) or **Executrix** (female) - person named in will to administer estate.

Goods and Chattels - a comprehensive term for all personal property (exclusive of real estate).

Grantee - Assignee - the receive or purchaser and **Grantor** - Assignor - the giver or seller.

Holographic will - a will entirely in the hand writing of the testator.

Intestate - died without a will.

Instrument - in law a writing as a deed, will codicil etc.

Nuncupative Will - an oral will declared by the testator in the presence of witnesses and later reduced to writing by some one other than the testator and unsigned. Usually a death bed will.

Outset - portion of an estate put aside for unmarried children (usually daughters).

per stripes - a method of dividing an estate so that children act as a group rather than as individually, taking only the share to which their deceased ancestor would have been entitled to had he/she been living.

Primogeniture - right for the son to inherit the land owned by the father (English law).

Probate - a petition to the court to have the will proven, necessary for heirs to inherit.

Relict - another name for widow or dowager.

Surrogate - in NY and NJ the judicial officer presiding over probate matters.

Testator - the person who writes his or her will or testament.

Will and Testament - a formal instrument disposing of property intended to take effect at the death of the testator.