

Legal Terms Found in Estate Files

ACCOUNT	A statement in writing of debts and credits or receipts and payments
ADMINISTRATION	The management of an estate, usually without a will.
ADMINISTRATION BOND	A bond posted by the person/persons selected to administer an estate, as security that their obligations would be fulfilled.
ADMINISTRATION C.T.A.	An estate managed by an administrator appointed by the court when a decedent left a valid will, but the named executors have died or cannot serve.
ADMINISTRATION CUM TESTAMENTO ANNEXO (CTA)	Administration of an estate when no executor was named in the will or the executor was incompetent or refused to act.
ADMINISTRATOR/ADMINISTRATRIX	A court appointed person authorized to settle the estate of a deceased person. Unlike the executor he/she must give security for the purpose of administration of the estate by entering into a bond with sureties.
AFFIDAVIT	A written declaration of facts confirmed by the oath or affirmation of the party making it
AMENDMENT	Alteration of a law or resolution
ADMINISTRATION DE BONIS NON (DBM)	Administration of that portion of an estate not handled by the former executor or administrator.
ATTEST	To affirm with your signature as witness to the execution of a document.
BENEFICIARY	Heir at law, in an intestate estate and devisee, in a testate estate
BEQUEATH	To give personal property by will.
BEQUEST	The gift of personal property by will.
CAVEAT	"Let Him beware." Formal notice of an interested party to prevent (temporarily) the proving of a will or the grant of letters of administration
CERTIFICATE	A document containing a certified statement as to the truth of something specifically
CHATTEL	A comprehensive term for living and inanimate goods, once including slaves. Things, which in law are deemed personal property.
CHILD OF TENDER YEARS	A child under 14 years of age.
CODICIL	An addition or modification of a will.
CURATOR	A person appointed by the court to take charge of the estate of a decedent until letters are issued
CURTESY	The life estate to which a man is entitled, upon his wife's death, in the lands she owned in her own name, provided they had children born alive.
DECEDENT	A deceased or dead person.
DEVISE	A gift of real property in a will.
DEVISE	Noun: a testamentary disposition of real or personal property Verb: to dispose of real or personal property by will.
DEVISEE	A person to whom real property is devised.
DISCLAIMER	The rejection or renunciation of a claim, power or property
DOMICILE	A person's usual place of dwelling (aka residence)
DOWER	House and land claimed by the widow, usually a One-third share.
EFFECTS	Personal property of any kind.
ELECTIVE SHARE	A widow's statutory prescribed share
ENTAIL	A method of devising land to a number of persons in succession, preventing any one devisor to be able to dispose of it.
ESCHEAT	Reversion of property to the state when there are no qualified or proven heirs.
ESTAMENTRELICT	An act by which a person determines the disposition
ESTATE	The degree, quality, nature and extent of one's interest in land or other property; possessions; the assets and liabilities left by a person at death
EXECUTION	A document is executed when it is signed, sealed and delivered.
EXECUTOR/EXECUTRIX	A person named by the testator in his will to administer the estate and see that the provisions in the will are carried out.
FAMILY ALLOWANCE	A portion of the estate set aside for a surviving spouse, children or parents, regardless of any testamentary disposition or competing claims
FEME COVERT	A married woman.
FEMME SOLE	An unmarried woman.
FIDUCIARY	Another name for an executor, administrator or personal representative
GUARDIAN	A person named to manage the rights and property of a child or

	incomplete person.
HEIR	A person who inherits property.
HEREDITAMENT	Anything capable of being inherited.
HOLOGRAPHIC WILL	A will believed to have been written by a person entirely in his or her own handwriting
HOMESTEAD	Property which is set aside for the benefit of specific family members and which cannot be transferred by the decedent to a third party
INQUISITION	An investigation made by a sheriff and a jury impaneled by him.
INSTRUMENT	Any formal Document.
INTER VIVOS TRUST	Living trust
INTESTATE	A person who dies without a will.
ISSUE	All lineal descendants.
ITEM	A paragraph in a will.
JOINT TENANCY	Property held in the names of two or more persons. The property passes to the surviving joint tenant on death of the other joint tenant
LATE	Defunct or dead.
LEGACY	A gift by will.
LETTERS OF ADMINISTRATION	Document issued by the Register of Wills authorizing the administrator of an intestate estate to function in that assignment.
LETTERS OF TESTAMENTARY	The formal authorization for the executor of a will to function in that capacity.
LICENSE	A permission granted by competent authority to engage in a business or occupation or in an activity otherwise unlawful
LIVING TRUST	A trust that becomes effective during the lifetime of the settlor (aka inter vivos trust)
MESSUAGE	A dwelling house.
MOIETY	The half of anything. Joint tenants are said to hold by moieties.
NEXT FRIEND	A person who volunteers to bring an action for someone incapable of suing in his/her own name.
NUNCUPATIVE WILL	An oral will declared or dictated by a testator in his last sickness, heard by a prescribed number of witnesses and reduced to written form within a limited time.
PER STRIPES	To distribute a share to a descendant of a deceased beneficiary
PIENARY	Complete in every respect, absolute, unqualified
PROBATE	Originally, relating to the proof of wills. In American law, now a general term used to include all matters of which probate courts have jurisdiction.
PROGENY	Descendants of a common ancestor.
RENUNCIATION	The act by which a person abandons the right of administration or the appointment as executor.
SEIZED	An owner's possession of a freehold property.
SETTLOR	One that makes a settlement or creates a trust of property
TESTAMENT	An act by which a person determines the disposition of his or her property after death
TESTATE	To die leaving a valid will.
TESTATOR/TESTATRIX	One who dies leaving a will.
TRUST	A property interest held by one person for the benefit of another
VENDUE	A sale made under authority of law, as by an administrator or executor.
YEOMAN	A common man.