

# Court terms defined for researchers

Probate court records can be confusing to genealogists. Many of us don't know the legalities and meaning of the words that describe the proceedings.

If you don't have a good dictionary for genealogists, you will find one extremely helpful.

Here are some examples from "A to Zax: A Comprehensive Dictionary for Genealogists and Historians" by Barbara Jean Evans, that will help us understand the estate process.

- Estate: what a person owns or has an interest in, at the time of death.

- Estate papers: a collection of documents created by the settlement of an estate. They can include the original will, inventories, accounts of the administration renunciations, etc. They are usually found in the county probate office where the decedent lived.

- Estate sale: when an estate is to be divided among the heirs. It is sometimes easier to convert personal property to cash, which can be divided more easily. Sometimes only the items the family does not want are sold. This is usually an auction sale.



Linda Kelly Talley  
GENEALOGY

- Probate: the legal process of settling an estate. Probate is a function of state authority and can vary from state to state and has changed over time.

- Testate: When a person dies and leaves a will, he dies testate.

- Intestate: When a person dies without a will, he dies intestate.

- Inventory: a verified itemized list of property. Sometimes an occupation can be determined by the contents of an inventory, e.g. one lot blacksmith's tools, one lot surveyor's tools, etc.

This list, by its contents, can tell us how an ancestor lived. What tools he possessed tells us his occupation. What grain and animals tells us what type of farming he engaged in, etc.

- Inventory of estate: a list of all items in the possession of a person at the time of death. It is

used for an equitable division of property among his heirs.

- Will and testament: The word "will" means a document in which the testator (the person making the will) distributes his or her real estate. The word "testament" means a document in which the testator distributes his or her personal property.

- Guardian: The person who is appointed by the court to oversee

Many times a child of 14 was considered capable of choosing a guardian, but if the child was younger than 14, a mother was not considered as a guardian.

Many times a guardian would be appointed by the court until the mother remarried and the stepfather would be appointed guardian. A father alone was considered a guardian. The business of a person deemed incapable of handling his own affairs. (A guardian might also be called a conservator, a curator, a tutor or a receiver.) The appointment of a guardian for a minor may be a separate court process from probate, handled by a different court.

- Ward: a minor child who has a guardian

- Orphan: a minor child who had lost one or both parents by death. Sometimes limited to a child whose father only has died. (An orphan may have a living parent.)

- Infant: a person who, although he might be 6 feet tall, is not of legal age and therefore is still a minor.

- Minor: a person under 21, or 18 in some states.

The probate process, as explained in "The Source, A Guidebook of American Genealogy" edited by Arlene Eakle and John Cerny, transfers the legal responsibility for payment of taxes, care and custody of dependent family members, liquidation of debts and transfer of property to heirs from the deceased to an executor (where there is a will), to an administrator (if the person dies without a will), to a guardian if there are heirs younger than 21, or, in cases, where a person has become incompetent through disease.

Linda Kelly Talley of the Johnson County Museum of History writes this column on alternate Saturdays. Comments can be sent to ltalley@co.johnson.in.us.

# Students recognized for work with humane society

Jessica Buchanan and Katie Burgdoefer, students at Franklin Community High School, were honored recently by the Humane Society of Johnson County during a volunteer-recognition reception for their service during 2006 and for saving the life of a dog named Destiny.

The humane society announced a new award in recognition of their efforts, the Destiny Scholarship Award.

Destiny was languishing in a back yard when the two students found her. They convinced the society's pet foster-care coordinator, Kelli Stropes, that Destiny needed help, and she was accepted into the program.

To contribute to the Destiny Scholarship Award, call 346-7001.

James Stephens, the son of



Annette Jones  
PEOPLE

Roger and Debra Stephens of Franklin, is a member of the Ball State University Concert Choir.

The choir performs on campus and in an annual spring tour. Members are selected by audition from throughout the campus.

Stephens, a freshman majoring in music education, and Garrett Orth of Greenwood, a sophomore majoring in music technology, are members of the Ball State Statesmen, a male choir that

performs on campus and occasionally at other venues around the state.

Steve Comiskey received the professor of the month award for December at Franklin College.

Diane Black received the staff member of the month award.

Comiskey, a lecturer of English, was a teacher at Warren Central High School and a night professor at IUPUI before recently coming to Franklin College. He received his master's degree from Indiana University.

Black is leadership department secretary and field adviser for the education department. She has been at the college since 1995. She also has served as program coordinator for Leadership Johnson County. She attends Trinity Evangel-

ical Divinity School, where she is studying for a master's degree.

Rebekah Gazaway, a junior at Transylvania University, recently returned from a winter tour with the Transylvania Choir.

The group spent six days performing in Tuscaloosa, Ala.; Pensacola, Fla.; Griffin, Ga.; Atlanta; Chattanooga, Tenn.; and Louisville, Ky.

In May, the choir toured Austria, Hungary and the Transylvania region of Romania.

A history major, she is the daughter of James and Dora Gazaway of Franklin and a graduate of Indian Creek High School.

Annette Jones is features editor of the Daily Journal. Items for her People column can be sent to ajones@thejournalnet.com.

## Talk

(CONTINUED FROM PAGE C1)

She studied pediatrician and child-development expert

Dr. Harvey Karp's methods for soothing babies and started her own business, specializing in the care of newborns and multiple births.

She also gives classes and offers in-home sessions on infant-soothing techniques.

Her forte is teaching babies to sleep longer and eventually through the night.

"It isn't difficult," said Karp by phone from his home in California.

With help, parents can learn

simple ways to calm an infant, he says.

Using Karp's ideas, Gibson teaches new parents how to recreate the "womb experience." She advises moms and dads on methods such as swaddling their babies, swinging them gently (light jiggling, never shaking) and using white noise to help pacify them.

Karp's methods are outlined in "Happiest Baby on the Block," available in book, CD and DVD formats.

His techniques are the subject of ongoing studies at the University of Pennsylvania, he said.

"Happiest Baby" ideas also are used in central Indiana.

Gibson has teamed up with Champions for Children, a child-advocacy group in Indianapolis, to teach "Happiest Baby" techniques to Hoosier parents.

Dr. Michele Saysana, a board member of Champions for Children and a pediatrician at

Riley Hospital for Children in Indianapolis, has included the course in a program for new parents.

"I piloted two 'Happiest Baby' classes (given by Gibson) and added them to the program," she says.

Educating inexperienced parents and those who have concerns about their babies is Gibson's goal, she said.

In today's mobile society, many new moms and dads don't live near trusted family members to whom they can turn for child-rearing advice, she said.

More people also are waiting until they have established careers to have babies. They are more settled in their lives and are not used to the responsibility of a baby, she says.

"We are the most educated people on the planet, with no experience when it comes to babies," she says. "Parents who have never changed a diaper have no place to turn."



KARP

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## PET OF THE WEEK



Rhett is a full-grown male mountain cur.

Rhett and other animals in need of a home will be at Tractor Supply on U.S. 31 in Franklin from 5 to 7 p.m. Thursday, when the Humane Society of Johnson County conducts a weekly adoption event.

Call the Humane Society of Johnson County at 346-7001 for an adoption application.

## Applebee's Valentine's Day Special For Two Wednesday, February 14th

Let Applebee's in the Greenwood Park Mall cater to you and your special one on a very special day.

Come in and enjoy an ambiance and dinner you won't forget.

(This offer will also be available on Monday, the 12th and Tuesday the 13th.)

### Special Sweetheart Offer....

Take advantage of Applebee's Valentine's Special and be automatically entered in a drawing to win a Diamond Necklace from Andrew's Jewelers. **A \$795.00 Value!!**

### ~DINNER MENU~

Choose a glass of wine from our gallery of Merlot's, Cabernet's & Zinfandel's.

### ~Appetizer~

NEW Shrimp Dipper with 3 exotic dipping sauces or Spinach & Artichoke Dip

### ~Entree~

12 oz. Ribeye seasoned & grilled to perfection or Roasted Garlic & Asiago Chicken

Topped with a savory roasted garlic cream sauce and bruschetta. (Both Entrees served with creamy garlic mashed potatoes and vegetable medley)

### ~Dessert~

Choose any of our fabulous desserts from our dessert menu for you and your sweetheart to share!

**\$50.00 per couple**

This offer good only at the Greenwood Park Mall location and only on the dates of February 12 through the 14th of 2007. There are no substitutions on this offer. For the offer to stand valid for the diamond necklace, you must purchase this special. The winner will be notified the next day, you do not have to be present to win.



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## Lincoln Day Dinner

**Wednesday, February 14, 2007  
6:00pm**

**Jonathan Byrd's Cafeteria  
at I-65 & Main Street in Greenwood**

Special Speaker  
Governor  
**Mitch Daniels**

**Advance Tickets - \$40 Per Person  
Price at Door - \$45 Per Person**




For tickets or information & reservations  
call 317-736-9179 or 317-738-3680

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