

**PUBLICATIONS OF THE COMMITTEE ON
HISTORY AND TRADITION OF THE
COLONIAL DAMES OF THE STATE OF NEW
YORK. NO. I. THE MINUTES OF THE
ORPHANMASTERS OF NEW AMSTERDAM,
1655 TO 1663. TRANSLATED AND EDITED**

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Translated and Edited by Berthold Fernow

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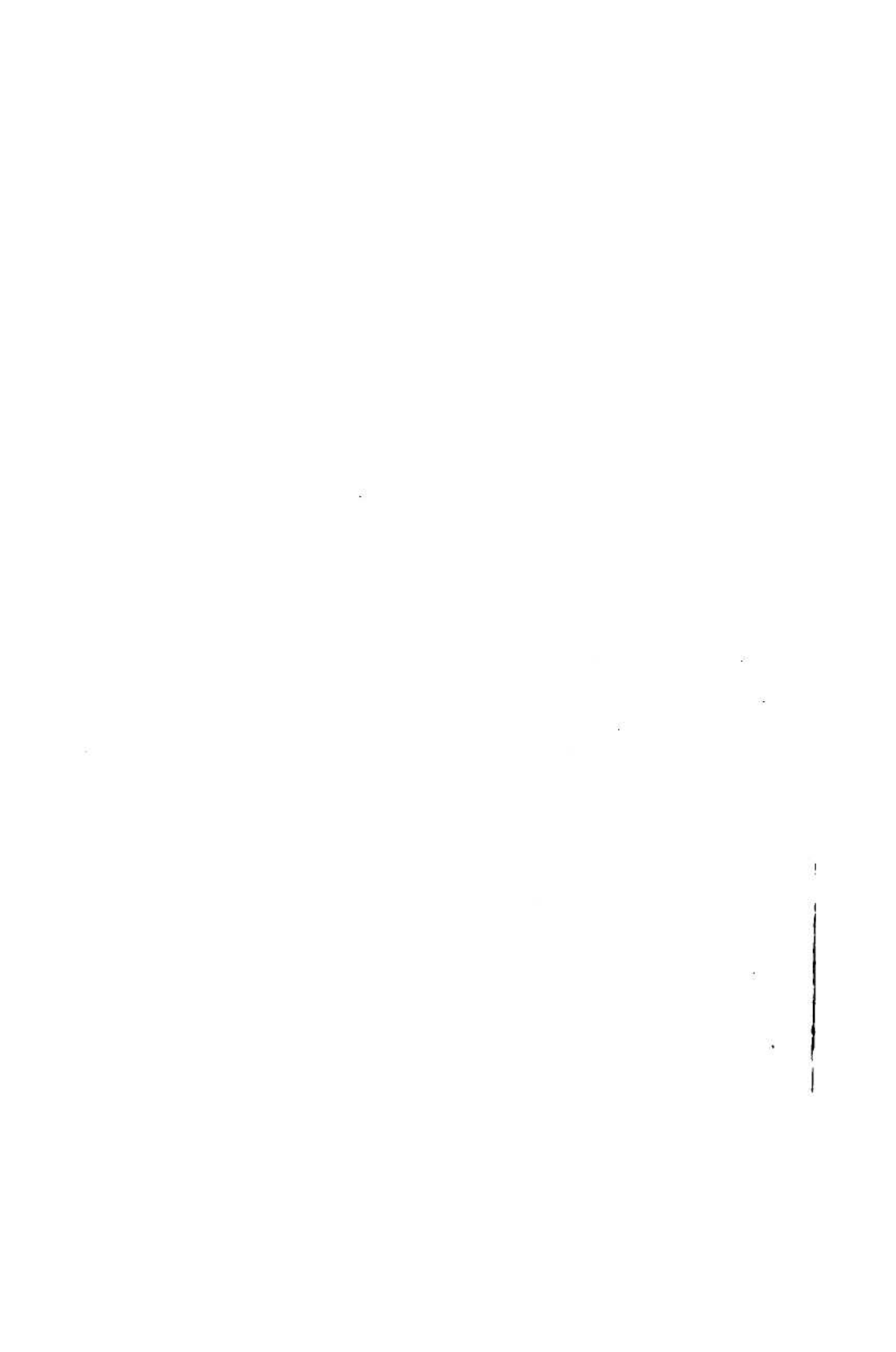
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No. 1



THE
MINUTES OF THE
ORPHANMASTERS

OF
NEW AMSTERDAM

1655 to 1663

TRANSLATED AND EDITED UNDER THE AUSPICES OF THE
COMMITTEE ON HISTORY AND TRADITION OF THE
COLONIAL DAMES OF THE STATE OF NEW YORK

BY
BERTHOLD FERNOW

*Late Archivist of the State of New York,
Honorary resp. Corresponding Member of the Historical Societies
of New York, New Jersey, Pennsylvania,
Virginia, etc., etc., etc.*



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SOCIETY OF COLONIAL DAMES
STATE OF NEW YORK.

*Nathan P. Vincent Wyplauke,
President.*

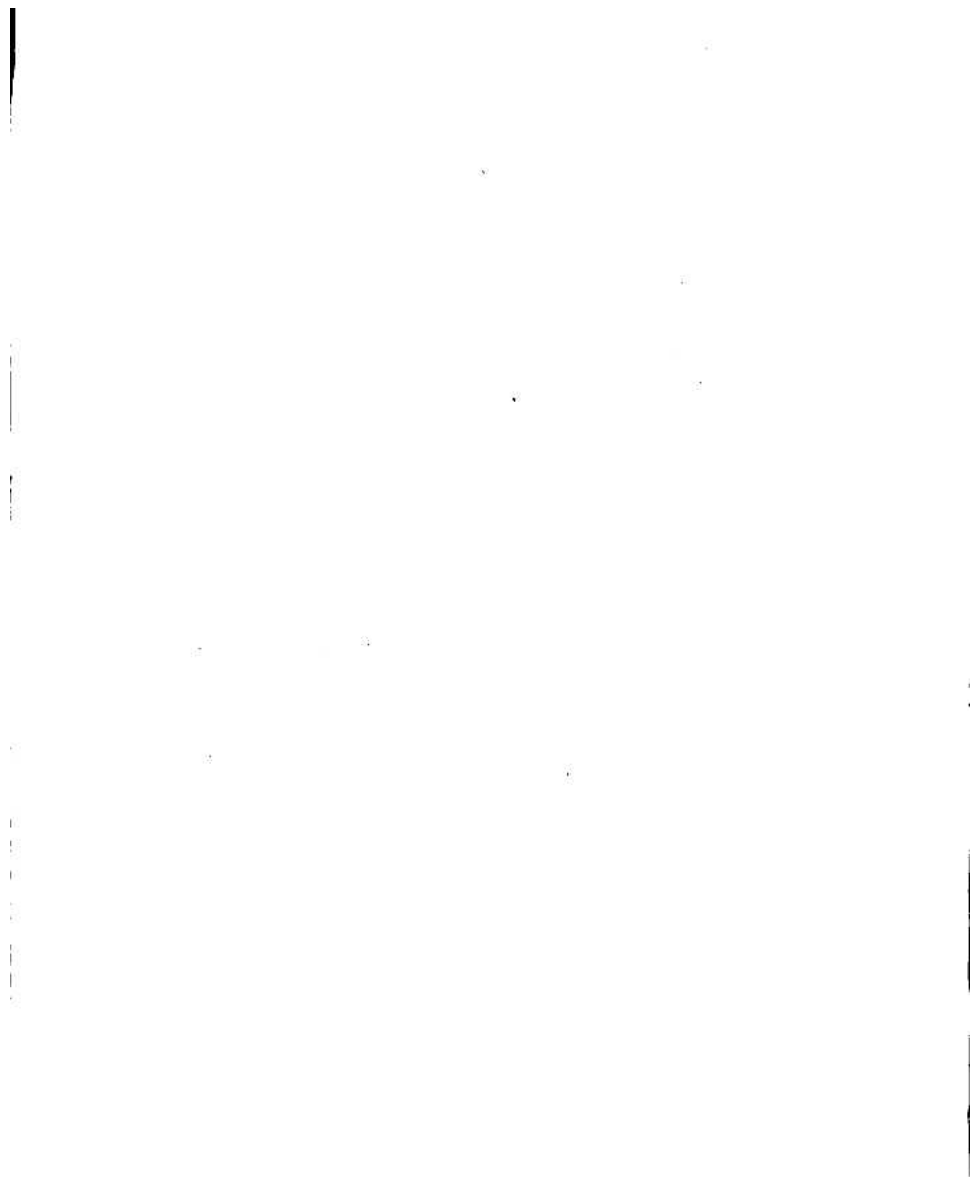
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THE COMMITTEE ON
HISTORY AND TRADITION

OF THE

Colonial Dames of the State of N. Y.

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PREFACE.

It was argued in an elevated railway case, some years ago, that only English law prevailed on Manhattans Island, even though the Dutch West India Company ruled the Province of which the Island was a part, but nevertheless we have to look for the origin of the Orphans' Court, of which the minutes are herewith presented, in the TWELVE TABLES of the Roman law, of which the fifth related to inheritances and guardianships. The Byzantine Emperor Justinian (527 to 565 A. D.), wishing to promulgate a body of law, not too bulky for general use, appointed a commission of jurists, who compiled the works on which all laws of Continental Europe are based to-day; two previous compilations—the Roman law of the Burgundians and the Roman law of the Visigoths—having been used to amplify or diminish the provisions of Justinian's Code.

The *Institutes* of Justinian direct that, if a person died without a testament, the law should regulate the succession to the inheritance, as prescribed in the Twelve Tables; also that a curator or guardian must be appointed, when the heirs or children were minors, and therefore not only not able to conduct their affairs, but also unable to understand, perhaps