

## Wanted—A Servant Girl

The above title does not refer to the attempt of a modern housewife to obtain the services of a maid. Rather it points backward some eighty-six years to an obscure incident revealed by a notice published without explanation or comment in a Dubuque County history.

“Notice. — Ran away from the subscriber on the 22nd inst. a servant girl about eleven years of age; had on a small figured blue calico dress, short black hair and black eyes. I hereby caution persons against harboring or trusting her, under penalty of the law, as I will enforce it against anyone to the uttermost extent.

Du Buque, Jan. 25, 1840

Charles Swift.”

Who was this eleven year old girl and why, in the middle of a northern Iowa winter, did she leave her place of employment? Where had she gone or with whom was she staying? Was she white or colored? All these questions may be asked, but there is no answer in the county history. The notice is merely quoted and the reader is left to use his imagination concerning the fate of the child or to search the records for further information — which probably could not be found.

There are other questions, however, less personal,



which are suggested by this notice. What right had the "subscriber" to this girl? It is evident from the language used that she was neither his daughter nor his ward, and the only other relation in Iowa which would give him a claim to her would have been that of master and apprentice or indentured servant.

This relation was originally derived from the trade and craft organizations of the Middle Ages, but by 1840, especially on the frontier, it had largely lost its importance as a system of industrial training and had become a method of caring for dependent children without expense to the public. A minor so "bound out" or apprenticed was obliged to serve the master until the expiration of the term of service. Theoretically such an apprentice occupied much the same relation to the master that a child did to its father except in the matter of inheritance, but actually many of them were merely unpaid drudges, protected by law against cruel treatment but for the most part unaware of this protection and entirely without the opportunity of invoking such protection even if aware of it.

If this eleven year old servant girl was such an apprentice, then her master had a legal right to her services, whatever they were. And this raises another question. If a boy or girl thus bound to service refused to work as provided for in the articles of indenture, what could the master do about it? Since corporal punishment was then in vogue it was quite likely that most masters found no difficulty in



enforcing their claims unless the child escaped altogether.

But the Iowa law at this time contained definite provisions concerning truant servants. A runaway apprentice might be arrested and brought before a magistrate who, if the servant persisted in refusing to work for the master, might "commit him or her to the jail of the proper county, there to remain until he or she be contented and will serve as an apprentice or servant according to the intent and meaning of this act." Just what facilities there were in the hewed-log jail at Dubuque for the imprisonment of an eleven year old girl we do not know, but having the legal right of a parent as to control and chastisement it is not likely that the master in this case would have asked aid of the law.

His difficulty, if he knew where the girl was, lay in another direction. One can scarcely imagine that this child had left her master unless some older person had aided and assisted her. His threat to prosecute to the "uttermost extent" any person who harbored or assisted her suggests another difficulty of the delinquent or fugitive apprentice. According to the Common Law, which at that time largely governed in Iowa, any person who hired or retained a runaway servant, after receiving notice that the servant had left his rightful master, was liable to that master for damages. "The reason and foundation upon which all this doctrine is built", says Blackstone, "seem to be the property that every man



has in the services of his domestics''. From which it appears that the eleven year old girl was "property", the right to which was protected by law.

And so this girl, with her blue calico dress, her bobbed black hair, and her black eyes, was a fugitive from the law as well as from her master, if it may be assumed that she was his apprenticed servant. One would like to turn to the back of the book to see how she fared and what became of her, but unfortunately the story is unwritten — only the notice and the yellowed pages of the old laws remain.

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