

## APPRENTICES, &amp;c.

AN ACT concerning Apprentices and Servants.

Persons ap-  
prenticed, with  
consent of pa-  
rent or guard-  
ian, to serve  
for the speci-  
fied term.

SEC. 1. *Be it enacted by the Council and House of Representatives of the Territory of Iowa,* That any person bound by indenture of his or her own free will, and with the consent of his or her father (or, he being dead, of the mother or guardian) to be expressed in such indenture, and signified by such parent or guardian sealing and signing the same indenture, and not otherwise, or by any two justices of the peace of the county as hereinafter directed, to serve as a clerk, apprentice, or servant, in any profession, trade, or employment, until the age of twenty-one years, or for any shorter time, although such clerk, apprentice, or servant, shall be within the age of twenty-one years at the making of any such indenture, shall be bounden to serve for the term in the indenture specified as fully as if the same clerk, apprentice, or servant, was of full age at the making of the same: *Provided, always,* that it shall be lawful for any male infant under the age of twenty-one years, or any female infant under the age of eighteen years, and who shall have no parent living, nor any guardian, by and with the approbation of two justices of the peace of the county in which he or she may reside, to bind himself or herself apprentice as aforesaid, until such infant or male shall arrive at the age of twenty-one years, and if a female to the age of eighteen years, which approbation shall be endorsed on the indenture, and every such indenture shall be valid and binding.

Infants, hav-  
ing no parent  
or guardian,  
may bind  
themselves  
with the ap-  
probation of  
justices.

If the father be  
incapacitated,  
the mother  
may give con-  
sent.

SEC. 2. That when the father of any child is not in legal capacity to give the consent aforesaid, the mother of such child shall have the same power to give such consent as if the father was dead.

Complaint to  
be made to a  
justice of the  
peace by mas-  
ter or mistress.

SEC. 3. That if any person who shall be bound as aforesaid, shall refuse to serve as an apprentice or servant, according to the terms of indenture made as aforesaid, then upon the complaint of the master or mistress, to whom such servant or apprentice shall be bound, to any justice of the peace of the county wherein the said refusal shall be made, said justice of the peace shall have power and authority by this act, by warrant under his hand, or otherwise, to send

for the person so refusing, and if the said person refuse to serve as an apprentice or servant, to 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. And to the end that the time of the continuance of the service of such apprentice or servant may the more plainly and certainly appear, the age of every such infant so to be bound apprentice or servant shall be inserted in his or her indenture, and the age of such infant, so inserted in the said indenture (in relation to the continuance of his or her services) shall be taken to be *prima facie* evidence of his or her true age.

SEC. 4. That it shall and may be lawful for any two or more justices of the peace in any county, upon any complaint or application by any apprentice or servant touching or concerning any misusage, refusal of any necessary provisions or clothing, cruelty, or other ill-treatment of or towards such apprentice or servant, by his or her master or mistress, by precept under their hands, to summon such master or mistress to appear before such justices, at a reasonable time and place to be named in such summons, and such justices shall and may examine into the matter of such complaint, and upon proof thereof made upon oath to their satisfaction (whether the master or mistress be present or not, if service of the summons be also upon oath proved) the said justices may discharge such apprentice or servant by warrant or certificate under their hands, for which warrant or certificate no fees shall be paid.

SEC. 5. That if any person shall think himself aggrieved by such determination, order, or warrant of such justices as aforesaid, (except an order of commitment) such person may appeal to the next district court, to be holden in and for the county where such determination or order shall be made, such person giving six days notice of his intention of bringing such appeal, and of the cause and matter thereof, to such justices of the peace and the parties concerned, and entering into recognizance within three days after such notice before some justice of the peace of such county, with sufficient surety, conditioned to try such appeal at, and abide the order and judgment of, and pay such costs as shall be awarded by the judge of, said district court; which said court, upon due proof, upon oath, of such notice

Apprentice may be committed to jail.

Age to be inserted in the indenture.

Complaint to be made to two justices by apprentice.

Master or mistress to appear before them.

If the facts stated in the complaint be proved, apprentice may be discharged.

Party aggrieved may appeal to the district court.

Notice and  
recognizance.  
Court to hear  
and determine  
the matter, and  
award costs.

Its judgment to  
be final.  
If apprentice  
be delinquent,  
court to extend  
the term of ser-  
vice.

being given, and of entering into such recognizance as aforesaid, shall and are hereby directed to proceed in, and hear, and finally determine the causes and matters of all such appeals, and give and award such costs to any of the respective parties as they in their discretion shall judge proper and reasonable, not exceeding twelve dollars; the same to be levied by distress and sale of the goods and chattels of such person against whom such determination shall be made, and that their judgments therein shall be final and conclusive to all parties concerned; and if the servant or apprentice shall be found to be delinquent, he or she shall be sentenced by the said court to serve, at its discretion, so much longer time as the court shall deem proper.

APPROVED, January 18, 1839.

## ARBITRATORS AND REFEREES.

AN ACT concerning reference to Arbitration, by agreement before a Justice of the Peace; or to Referees, by agreement before the District Court.

Controversies  
may be submit-  
ted to arbitra-  
tion.

Parties to sign  
an agreement  
before a justice  
of the peace.  
Form of the  
agreement.

SEC. 1. All controversies which might be the subject of a personal action at law, or of a suit in equity, may be submitted to the decision of one or more arbitrators in the manner provided in this act.

SEC. 2. The parties shall appear in person, or by their lawful agents or attornies, before any justice of the peace, and shall there sign and acknowledge an agreement, in substance as follows: Know all men, that \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ have agreed to submit the demand, a statement whereof is hereto annexed, [and all other demands between them, as the case may be,] to the determination of \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, the award of whom, or the greater part of whom, being made and reported within one year from this day to the district court for the county of \_\_\_\_\_, the judgment thereon shall be final; and if either of the parties shall neglect to appear before the arbitrators, after due notice given them of the time and place appointed for hearing the parties, the arbitrators may proceed in his absence. Dated this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_. And the justice shall subjoin to the said agreement his certificate, in substance as follows:

Justices certi-  
ficate.

\_\_\_\_\_ ss \_\_\_\_\_, \_\_\_\_\_ Then the above named \_\_\_\_\_ and \_\_\_\_\_ personally appeared (or the above named