

Apprenticeships in Illinois: Bondage of the Young

Just as it had employed the euphemism of indentured servitude to cloak slavery under another name, Illinois held numerous children and adults in bonded servitude under the euphemism of "apprenticeship." The apprenticeship label not only provided the legal justification for child slavery, it offered a cloak of beneficence until the eve of the Civil War for respectable families to hold bonded servants for periods of up to two decades, even as owning slaves and indentured servants became less respectable and even unlawful.

Illinois recorded indentures that referred to the servants as apprentices both before and after the constitution of 1818. The 1818 constitution conferred exceptional status to the apprenticeship of blacks and mulattoes, with no discussion and seemingly little thought to what the exception would

mean in practice.³³

The words “apprentice” or “apprenticeship,” of course, mean learning a skill or trade from a skilled employer. Many of the early “apprenticeship” indentures in Illinois that used the term “apprentice” to characterize the servant or that entitled the indenture as one for “apprenticeship” did not spell out any trade or skills to be taught or learned. In time, it became typical to state that boys would be taught “farming” and girls “housewifery.” That learning and those duties, of course, did not distinguish these “apprentices” from hundreds of thousands if not millions of slave children who had been taught those same “skills” as their regular work for two centuries in the slave states. Household slaves, whether male or female, learned housewifery—to sew, cook, and clean house. Farm and field workers, male or female, learned the “skills” of farming. Boys and sometimes girls were employed in manufacturing, foundries, smithing, or other service.

In the years after 1818, their mothers’ masters entered many young black and mulatto children in Illinois into service contracts called apprenticeships that bound them to serve into adulthood. The beneficent gloss of apprenticeship on the indentures of children, made without their consent, did not alter the nature of their work or the lack of freedom of their bound service.

The apprenticeship status was defined in detail in December 1826, when the Illinois General Assembly passed the state's first “Act Respecting Apprentices.”³⁴ The act specified that a child could be “bound by an indenture of *his or her own free will and accord*” (emphasis added), and with the consent of a parent or guardian, “to serve as a clerk,

apprentice, or servant in any art or mystery, service, trade, employment, manual occupation or labor" until age twenty-one for males or eighteen for females. The act set out in sixteen detailed sections rules to govern the behavior of such servants and the conduct of county officials and courts in dealing with them.³⁵

While the act applied to white children as well as to blacks, it made a significant distinction between them. The law stated that all indentures made for binding out any child were to include a clause specifying what they would be taught, which was to state, "That the master or mistress, to whom such child shall be bound as aforesaid, shall cause such child to be taught to read and write, and the ground rules of arithmetic; and shall also give unto such apprentice, a new bible, and two new suits of clothes, suitable to his or her condition, at the expiration of his or her term of service."³⁶

Significantly, however, the teaching requirement specified that indentures for black or mulatto children need not say that they should be taught to write or to do arithmetic. These skills were considered dangerous for young blacks or mulattos; freed from indentures at age eighteen or twenty-one without knowing how to write or to add and subtract left them less independent.³⁷

From the 1820s until well into the 1840s, many masters were able to procure the services of their female servants' children as apprentices for decades into the future, even as the mothers were freed by emancipation or their terms of servitude were fulfilled. On June 24, 1839, for example, Henry Cook emancipated his black slave Hariot and her seven slave children, whom he had brought to Pope County from

Alabama. The same day Cook indentured to himself as apprentices, with Hariot's consent, all seven children, the males until they reached twenty-one and the females until age eighteen. Ranging in age from a boy of fifteen down to a one-year-old girl, the children faced bonded servitude that in some cases would last until the late 1850s. Cook then freed Hariot "as a reward for faithful service."³⁸ The effect of this practice was to bind minor children to serve, potentially for decades, on the enticement or promise of freedom for their mother.

The practice of bonding young children to years of service under the beneficent label of apprenticeship was widespread among well-to-do and prominent citizens even as limitations of court cases and growing public sentiment against bonded servitude eroded the extent and use of indentures. Nowhere was this demonstrated more than among the leading citizens of Sangamon County. Locus of the capital at Springfield from 1839, and described as one of the more enlightened counties in the state, Sangamon sat in the growing mid-center belt of counties being settled by northerners and immigrants with antislavery sentiments. The 1845 state census reported, however, that Sangamon County, with seventy-five slaves and servants, was second in numbers of slaves only to the eighty slaves of Randolph County, locus of Kaskaskia and many of the early settlers and political leaders and their families. These two were far ahead of all other counties in numbers of slaves and bound servants.³⁹

The passage from infant slave to lengthy bondage as an "apprentice" was exemplified by one black house servant who came to be celebrated in the press because of her service to

the Ninian Edwards and Ninian Wirt Edwards families, and to Mary Todd and Abraham Lincoln. In 1827, a black child named Epsy Smith, born on the plantation of Arnold Spear in Kentucky, was brought by Mrs. Spear to Illinois as a maid when she visited old friends, Governor Ninian Edwards's family. The governor apparently took a liking to Epsy, said to be a bright and active child seven or eight years old. Before Mrs. Spear returned to Kentucky, she made a gift to the governor of the child, who remained in the Edwards household as a maid.⁴⁰

Epsy's legal status in Governor Edwards's household is not clear. There is no evidence that she was registered as an indentured servant or apprentice, as required by the Act on Apprentices that went into force on June 1, 1827, while Edwards was governor. From the time Edwards completed his term in December 1830, he resided in Belleville until his death in 1833. There is no inventory of servants or apprentices in his probate file. However, by the fall of 1835, it appears Epsy was a servant living in the Springfield household of the governor's son, Ninian Wirt Edwards, and his wife, Elizabeth Todd Edwards. On October 19, 1835, Ninian W. Edwards signed an indenture of apprenticeship for "a mulatto girl aged eleven years" named Hepsy Smith to serve as an apprentice for seven years, until her eighteenth birthday.⁴¹

By her accounts to her own family later in life, Epsy Smith, born a slave in Kentucky, was the black servant girl in the Springfield home of Ninian W. Edwards. There she met Mary Todd, sister of Elizabeth Edwards, when Mary visited for several months in 1837. There, Epsy related, she also knew Abraham Lincoln, opening the door for him during his

courtship of Mary, working in the household the evening of November 4, 1842, when Lincoln wed Mary Todd in the Edwards home, and, later, loaned out for a period of time to work in the Lincoln home. The spelling of Hepsey in the contract may have been a phonetic spelling or a common misusage of her name. Describing her age as eleven, when she likely was fourteen or fifteen, was a misjudgment or, perhaps, an intentional misstatement. Children born in slavery often had no idea of their birth dates, and masters signing indenture contracts often lied or "misjudged" the child's age.⁴²

The Edwards family was only one of many Springfield families that held indentured blacks and mulattoes as household help, often under apprenticeship indentures made in the period 1835 to 1845 that bound blacks to service to the late 1850s. Mary Todd Lincoln's uncle, Dr. John Todd, listed in the 1830 census as owning five slaves, entered into an indenture on April 18, 1836, binding Elizabeth, an eight-year-old black girl, to serve until she reached age eighteen in 1846, with the consent of her mother, one of Todd's slaves. The Rev. Charles Dresser, who moved to Springfield in April 1838, entered into an indenture a month later for the labor of Rhoda Jane, a fifteen-year-old black girl. In 1839 Dresser constructed the house at Eighth and Jackson Streets that Lincoln purchased six years later. Meanwhile, in 1842 Dresser performed the Lincoln/Todd marriage ceremony.⁴³

Ninian W. Edwards signed another black child to an indenture on March 19, 1840. Sidney McInstry, an eight-year-old mulatto girl, was bound to serve ten years as an apprentice, until age eighteen. Edwards executed the

indenture before a justice of the peace of Sangamon County, who signed on behalf of the girl, indicating that she could not read or sign her own mark or name and that she did not have a parent to consent. Edwards apparently transferred ownership of McInstry in less than a year. On March 3, 1841, she was indentured to Nathaniel A. Rankin, again in Sangamon County.⁴⁴

Years later, in 1884, Ninian Wirt Edwards, editing his father's papers, offered a description of Illinois in the 1820s that applies also to his own ownership of "apprentices" in the 1840s. Thus, he referred to "strange times in Illinois, when colored persons were held to service, and those services subject to transfer. It was a qualified condition of slavery, which was put an end to in 1845 by a decision of the Supreme court in the case of Jarrot v. Jarrot."⁴⁵



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By Frank Cicero Jr.

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By JON NORTON • FEB 28, 2018



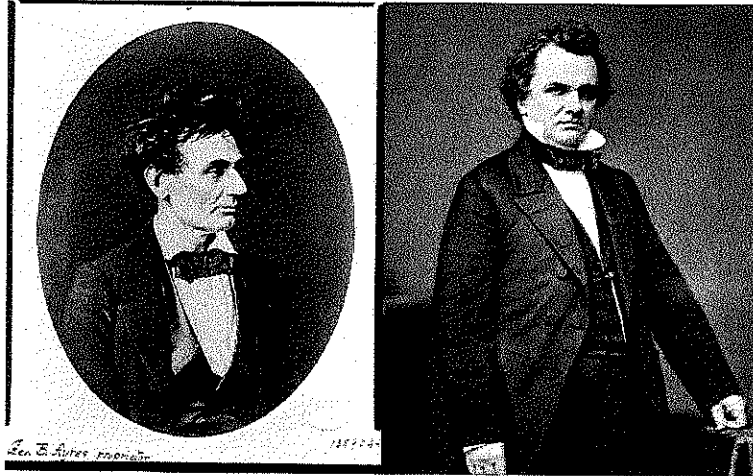
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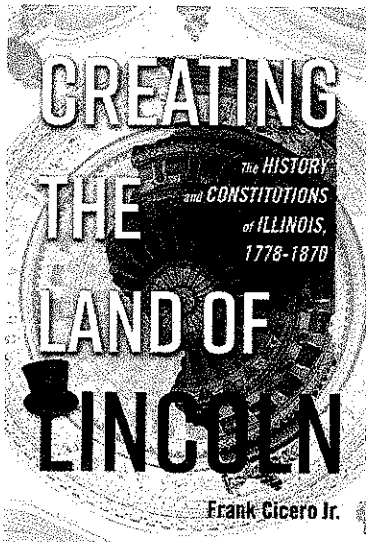


Famous "tousled hair" photograph of Abraham Lincoln and his political rival Stephen Douglas.

ABE LINCOLN (BY ALEXANDER HESLER) AND STEPHEN DOUGLASS (LIBRARY OF CONGRESS)

For all practical purposes Illinois embraced slavery at its founding in 1818, despite entering the Union as a non-slave state. For example, Illinois' first governor, first lieutenant governor, and president of the state's first constitutional convention were all slaveholders.

Frank Cicero Jr. is the author of "Creating the Land of Lincoln: The History and Constitutions of Illinois, 1778-1870." He said slavery in the state was a legacy of the French inhabitants of the 1600s and Anglos and Americans of the 1700s. And many came to Illinois from or through Kentucky.



Cover of Frank Cicero's new book "Creating the Land of Lincoln"

CREDIT: UNIVERSITY OF ILLINOIS PRESS

"Many in the north don't realize Illinois is bordered by Kentucky (and quite close to Tennessee)," said Cicero. "A lot of slaveholders had come across from Kentucky and Tennessee, and also from other places in the east."

As Cicero writes in his new book on the history of Illinois as expressed by the state's constitutions—and the conventions that led to each one—it wasn't out of the question that Illinois would enter the Union as a slave state 200 years ago.

"There were a lot of people who thought Illinois should come in as a slave state," said Cicero. "And that the constitution should permit outright chattel slavery. In

fact two years after the constitution was adopted, an effort was undertaken to revise the constitution in order to explicitly allow chattel slavery rather than the contrived devices that 1818 constitutional convention created.”

Implicit slavery was ubiquitous at Illinois founding and lasted many decades. Cicero pointed out the Illinois constitution flat out prohibited slavery. But paragraphs that followed outlined exceptions, including “voluntary” indentured servants. Indentured servitude wasn’t a new concept, but Cicero said Illinois version was different from, for example, how English settlers defined and lived the idea. Color was the difference.

“Many of them were blacks brought in from other states, and the provision said if they don’t agree to a ‘voluntary’ agreement, they could be shipped back to a slave state within 60 days,” said Cicero.

Not much of a choice.

“Many of the contracts were for 20, 30, 50 years. 99 years in some cases. And it was slavery for all practical purposes,” said Cicero.

Defining Borders

Defining Illinois northern border is another development Cicero writes about at length in “Creating the Land of Lincoln.” It’s a development that had huge implications on the state’s political makeup, and among other things, hastened the demise of defacto slavery.

“The Northwest Ordinance, which governed the old Northwest Territory, was intended to allow five states,” said Cicero. “There would be three on the lower tier, which turned out to be Ohio, Indiana, and Illinois; then upper tier states.”

Where the politics gets interesting is that the northern boundary of what would become those southern states was



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Where the politics gets interesting is that the northern boundary of what would become those southern states was supposed to run east-west from the southernmost tip of Lake Michigan. That would mean no shoreline for Illinois. When the act to enable Illinois to form a constitution came before Congress, the lone non-voting delegate from the Territory of Illinois introduced an amendment that would extend the border 60 miles from the bottom tip of the lake.

"That included (what would become) Chicago, which would not have been in the state originally. It also included what would be the mouth of the Illinois-Michigan canal, which opened commerce down through northern Illinois to the Illinois River to the Mississippi and on to the Gulf of Mexico," said Cicero.

That delegate was Nathaniel Pope. It was a huge change that has altered Illinois politics to this day. Pope understood the enormity of having a commercial waterway extending from Lake Michigan to the Gulf. But he also understood that without the boundary extension, Illinois would essentially be a southern state settled from the south.

"Pope said confederacies like the United States were prone to disunion, and in the event this disunion happened, Illinois would be a southern state. On the other hand, he said opening up the northern area will open up commerce to the north and east, resulting in commercial development and ensuring Illinois would be a northern state with the hopes of preventing a southern breakup," said Cicero.

Unlike the southern part of the state which was founded by settlers from Kentucky, Tennessee and other southern states, the area that became northern Illinois because of the boundary change was settled by Europeans and New Englanders. And unlike their southern neighbors, they were not fond of slavery.

"That's where all these votes came from to enable the Republican party, and in later years by Democrats. But at that time, it enabled the Republican party to carry elections, instead of the Democratic slaveholders from the southern part of the state," said Cicero.