

Servants' Ordinance (1703)

Abstract

The relationship between servants and their employer (or “master”) was legally codified in regulations such as this one. It was a relationship characterized by inequality in every respect. While masters had the right to dismiss their servants at any time without notice, servants usually had to give several months’ notice. Many regulations also allowed employers to punish their servants physically and send the police after them if they did not report for work. This 1703 regulation comes from Schwäbisch Hall and illustrates the attitude of the authorities towards the lower classes, who are characterized here as generally unreliable and work-shy. The text also reveals how little agency servants had over their own lives as authorities limited their mobility and employment choices in order to ensure the availability of low-cost domestic labor for the upper classes.

Source

Although all servants, especially farmhands, maids and servants, should be diligent, faithful, obedient and humble to their masters and mistresses, it is unfortunately known that for a long time there have been complaints about the disobedient, undiligent, unfaithful and negligent, defiant and arrogant servants.

To counteract such mischief and evil, the servants in general are earnestly reminded of obedient diligence, loyalty, and careful discretion; as well as to avoid the slandering, wearing of furs, and gossiping, loud knocking, snoring, backtalking. No doubt those of honest and honorable character will moderate themselves. However, those who ignore such well-meaning reminders shall be punished at any time, either by the fools’ cage, other imprisonment, or money, according to the findings, but never with less than half a guilder, and it shall be increased and sharpened according to the circumstances.

In order that the unbridled servants, as they have been until now, may no longer be strengthened in their willfulness, no citizen, subject, or anyone residing in our territory shall dangerously deprive another of their servants or woo them away by sending for them, approaching them, making promises, gifts, paying large wages or God’s pennies; anyone who allows themselves to be lured away as a servants as well as those who use them in this way will be fined 4 florins or will have to spend 2 nights in prison.

The same applies if someone hires a servant or a maid or hires themselves out before they have been in service for half a year, unless they have permission to do so or arrived here from abroad or if they are local children first entering service.

And in order that masters and mistresses of our town will suffer fewer disadvantages, servants who intend to go elsewhere shall be obliged, in the city and in the country, and under penalty of punishment, to give notice of their intention a quarter of a year before they leave. Since, as experience has shown, and often happens, a servant may enter into a new service, but subsequently change their mind and undertake to remain in the old service, to the not inconsiderable detriment of those to whom they have entered into a new service, such a servant shall be obliged to notify the person with whom they have entered into a new service that they wish to remain in the old service within 14 days after the new service has begun, and to return the contract; Yet they have no authority to change their minds and remain in the old service, but are obliged to take up the new service position subject to penalty. Unemployed servants who accept a contract for work are, by virtue of this, barred from making any change, so that, unless sufficiently serious causes can be shown, they are to take up the service without fail. Should the

case arise that someone attempted to delay dangerously, and to lure away servants from another and persuade them to come to him, the same measures shall be taken against him in accordance with this decree.

The masters and mistresses have the authority to give their servants and maidservants leave of absence each quarter, but they are required to serve fully for half a year. If, however, manservants and maidservants have cause for their intended departure, they shall state their cause to the proper person and they will be treated justly. In this case, too, the penalty for violations, as stated above, is 4 guilders. And this penalty shall be doubled if a servant or maidservant refuses to work out of petulance, and all cases of refusal to work shall be punished by prison or another form of punishment.

Those servants or maidservants who do not enter service at the right time after receiving a contract and also do not bring their trunks or boxes, together with their clothes, but leave their belongings elsewhere (except for the things some local children leave with their parents or guardians if they do not need them), will be punished on a case basis; but not less than half a guilder after a complaint. Those who abscond again may be fined up to 1, 2 or more guilders. And because experience has also shown that many daughters of burghers, although they could well take up honest work and service, still indulge in irresponsible idleness: Therefore, parents of such children, especially poor widows who have idle daughters, are hereby earnestly admonished to train their daughters to earn a living, otherwise the authorities reserve the right to punish both the idle parents and such idlers.

Source of original German text: *Erneuerte Policey-Ordnung, Des Heil. Reichs-Stadt Schwäbisch Hall*, Verlag Mayer: Schwäbisch Hall, 1703, pp. 17-21. Available online: <http://resolver.sub.uni-goettingen.de/purl?PPN666386021>

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