

REPORT OF THE MLHP FOR 2008

BY

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I. Beginnings

In 2006 I retired to write articles on the legal history of Minnesota, a subject about which very few first rate articles had been published — probably a half dozen at most.¹ I had just written an article on the recent history of employment law that was published in a local law review, and the process from the start of my research to the day of publication was over nine months. I realized that at such a pace, I would publish very few articles before becoming so enfeebled that I could not strike the keyboard. Moreover, there are few journals that have an interest in Minnesota’s legal history, and they preferred articles twenty or thirty pages long.

It occurred to me that there should be a forum for shorter articles on Minnesota’s legal past that met scholarly standards for accuracy and source citations, but which were not suitable for professional journals either because of their length or the seemingly insignificance of their subject matter. The result of all this ruminating was The Minnesota Legal History Project.

It was “launched” in January of this year. Eight-five articles were posted this year—eighty-four had been published previously in newspapers, journals or books; only one was an original. They range in length from one page to several dozen. It is hard to say that the legal history of this state is “rich” but it usually is interesting, frequently *very* interesting. The subject matter of the articles reflects this—some are memorable, others less so.

¹ Sometime in the next year or two, *The History of Minnesota Law* will be published by Ohio University Press. It will be part of a series of books that Press is publishing on “law, society and politics of the Midwest.” Thus far, volumes of essays on the legal histories of Ohio, Indian, Michigan and Nebraska have been published.

II. Statistics

The following “summary” contains gross data on users of the MLHP for the 30 days from November 27 to December 26, 2008. “Hits” are important to commercial websites that sell advertising; for an educational website such as the MLHP their number is meaningless. Moreover, gross numbers such as these are misleading because they include frequent “hits” by commercial searchers such as Yahoo and Google which troll the internet for new postings on websites.² They also include a few people who visit more than once in a single day. Of the following categories, the most important is “Visitors.” Again, the data in this category counts numerous “visits” by the commercial search engines, which we estimate to be about 40%, more or less, of the total. Thus, of the average number of visitors to the MLHP during this 30 day period, only about 30 are actual, living persons.

Summary

Hits	
Total Hits	4,782
Average Hits per Day	159
Average Hits per Visitor	3.25
Cached Requests	715
Failed Requests	703
Page Views	
Total Page Views	2,123
Average Page Views per Day	70
Average Page Views per Visitor	1.44
Visitors	
Total Visitors	1,470
Average Visitors per Day	49
Total Unique IPs	452
Bandwidth	
Total Bandwidth	0 B
Average Bandwidth per Day	0 B
Average Bandwidth per Hit	0 B
Average Bandwidth per Visitor	0 B

² Commercial search engines are now called “bots.” Anyone can read up on them at http://en.wikipedia.org/wiki/Internet_bot if they are so inclined.

The number of visitors to the MLHP has increased since it was launched in January. By the end of April, it had an average of 6 visitors the previous 30 days (all, presumably, the giant commercial search engines). By the end of May, the average was 16; June, 19; July, 26; August, 23; September, 28; October, 37; November, 43; and today, 49. The greatest number of visitors for the previous 30 days occurred on December 16 and 17, when the average was 51, but, again, actual persons are probably only 60% of this. My personal view is that the MLHP will rarely have more than three dozen regular, live visitors each day.

As the following table demonstrates, visitors to the MLHP reside primarily in the United States (again this data includes commercial search engines). It may be assumed that many of the visitors from European countries are genealogists, who have little interest in the legal history of Minnesota.

Most Active Countries

	Country	Hits	Visitors	% of Total Visitors	Bandwidth (KB)
1	United States	4,669	1,411	95.99%	0
2	Russian Federation	33	16	1.09%	0
3	Unknown	23	11	0.75%	0
4	France	10	5	0.34%	0
5	Japan	6	5	0.34%	0
6	Canada	9	4	0.27%	0
7	Ukraine	4	4	0.27%	0
8	Sweden	12	3	0.20%	0
9	United Kingdom	3	3	0.20%	0
10	Netherlands	5	2	0.14%	0
11	Germany	3	1	0.07%	0
12	Vietnam	1	1	0.07%	0
13	Brazil	1	1	0.07%	0
14	Norway	1	1	0.07%	0
15	India	1	1	0.07%	0
16	Spain	1	1	0.07%	0
	Total	4,782	1,470	100.00%	0

The following table lists the states where visitors to the MLHP resided. Obviously the search engines of such companies as Yahoo and Google are located in California. Statistics on most other states are interesting—and baffling.

Most Active US States

	State	Hits	Visitors	Bandwidth (KB)
1	California	2,528	1,062	0
2	Minnesota	308	57	0
3	Colorado	1,015	48	0
4	New Mexico	120	40	0
5	District of Columbia	92	39	0
6	Washington	35	15	0
7	Nebraska	8	8	0
8	New York	19	6	0
9	Texas	14	5	0
10	Iowa	7	4	0
11	Wisconsin	103	4	0
12	Arkansas	6	3	0
13	Florida	109	3	0
14	Ohio	6	3	0
15	New Jersey	4	2	0
16	South Dakota	10	2	0
17	Oregon	9	2	0
18	North Dakota	2	2	0
19	Missouri	2	2	0
20	Connecticut	3	2	0
21	Indiana	3	2	0
22	Michigan	2	2	0
23	Mississippi	5	2	0
24	Utah	1	1	0
25	Tennessee	1	1	0
26	Hawaii	8	1	0
27	Vermont	1	1	0
28	Alabama	1	1	0
29	West Virginia	11	1	0
30	Virginia	1	1	0
31	Kentucky	1	1	0
32	Oklahoma	1	1	0
33	Maryland	1	1	0
34	Louisiana	3	1	0

35	South Carolina	8	1	0
36	Idaho	3	1	0
37	Illinois	4	1	0
38	Pennsylvania	1	1	0
	Total	4,456	1,330	0

The following table lists the cities where visitors to the MLHP during the last 30 days resided.

Most Active Cities

	City	Hits	Visitors	Bandwidth (KB)
1	Sunnyvale, California, United States	1,518	769	0
2	Mountain View, California, United States	976	271	0
3	Denver, Colorado, United States	996	43	0
4	Albuquerque, New Mexico, United States	120	40	0
5	Washington, District of Columbia, United States	92	39	0
6	Oakland, California, United States	25	15	0
7	Saint Paul, Minnesota, United States	81	15	0
8	Moscow, Russian Federation	32	15	0
9	Minneapolis, Minnesota, United States	139	15	0
10	Bellevue, Nebraska, United States	8	8	0
11	Seattle, Washington, United States	13	8	0
12	Paris, France	10	5	0
13	Kiev, Ukraine	4	4	0
14	Redwood City, California, United States	5	4	0
15	Bellevue, Washington, United States	6	3	0
16	Little Rock, Arkansas, United States	4	2	0
17	Littleton, Colorado, United States	15	2	0
18	West Concord, Minnesota, United States	21	2	0
19	Kansas City, Missouri, United States	2	2	0
20	Hastings, Minnesota, United States	12	2	0
21	Stockholm, Sweden	10	2	0
22	New York, New York, United States	9	2	0
23	San Francisco, California, United States	2	2	0
24	Madison, Wisconsin, United States	2	2	0
25	Mankato, Minnesota, United States	9	2	0
26	Tampa, Florida, United States	108	2	0
27	Bismarck, North Dakota, United States	2	2	0
28	Dallas, Texas, United States	2	2	0

29	Des Moines, Iowa, United States	2	2	0
30	Redmond, Washington, United States	3	1	0
31	Biloxi, Mississippi, United States	4	1	0
32	Prior Lake, Minnesota, United States	1	1	0
33	Portland, Oregon, United States	1	1	0
34	Rosemount, Minnesota, United States	1	1	0
35	Saint Cloud, Minnesota, United States	3	1	0
36	Roosevelt, Utah, United States	1	1	0
37	Richardson, Texas, United States	8	1	0
38	Richmond, Virginia, United States	1	1	0
39	Bristol, United Kingdom	1	1	0
40	Niagara Falls, New York, United States	1	1	0
41	New York Mills, Minnesota, United States	1	1	0
42	Neenah, Wisconsin, United States	1	1	0
43	New Delhi, India	1	1	0
44	Nisswa, Minnesota, United States	1	1	0
45	Pennsauken, New Jersey, United States	1	1	0
46	Philadelphia, Pennsylvania, United States	1	1	0
47	Ottawa, Canada	1	1	0
48	Brattleboro, Vermont, United States	1	1	0
49	Oklahoma City, Oklahoma, United States	1	1	0
50	Urbandale, Iowa, United States	4	1	0
	Subtotal	4,263	1,303	0
	Total	4,536	1,370	0

III. The Coming Year

I anticipate posting three or four original articles in 2009. Articles that were previously published in newspapers and journals will be posted and these will include many biographical sketches of long-forgotten lawyers. Because of the restrictions imposed by copyright laws, most of these articles will have been published in the nineteenth century.³

³ Several years ago, I attended the annual meeting of the American Society of Legal Historians in Princeton, New Jersey. The topic of one session was a recently published history of the law of marriage by a preeminent legal historian. After the panel had completed its critique, the author was invited to field questions from the audience. One person noted that most of the book concerned developments in the nineteenth century to the neglect of the twentieth. The author responded—and this is nearly accurate: “You are right and, frankly, once I got into the nineteenth century, I found it so interesting that I had a hard time getting out.” This is a perfect expression of the sentiments of many historians, including amateurs.

The practice of prefacing most articles with a “Foreword” will be continued. And, time permitting, the homepage will be revised.

My grand ambition is that the MLHP will inspire someone, some firm or some law school in every state in the U. S. and in every Canadian province to start a website devoted to its legal history.

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