

# INFORMATICS/DATA SCIENCE IN HISTORY

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## WHAT DATA DO HISTORIANS USE?

Primary Sources = Evidence = Data

Material Generated in the Historic Era Being Studied

Documents: Correspondence, Speeches, Newspapers, Legal Records, Census & Vital Statistics Records, Literature, Maps

Materials: Built & Natural Environment, Artifacts, Photographs, Paintings

# HOW DO WE COLLECT/ORGANIZE OUR DATA?

Archival Collection: Manual & OneDrive Scans

Indexing: Google Sheets

Encoding: xml & csv

Analysis: SQL & TEI



## WHAT DOES HISTORICAL DATA ANALYSIS LOOK LIKE?

Field Specific: Environmental, Religious, Gender/Sexuality, Race/Ethnicity, 19<sup>th</sup>-c Studies, Global Capitalism, Slavery, Indigenous, Foreign Relations, etc.

Legal Historian + Gender, Race, Class + CRT & CLS

TYPICAL LEGAL  
HISTORY DATA  
STRUCTURE: WHAT'S  
MISSING?

Party Names

Case Type (Civil,  
Criminal, Cause)

Year

County/State

PETITIONING  
FOR FREEDOM:  
HABEAS CORPUS  
& LIBERTY IN THE  
AMERICAN WEST,  
1812-1924

Comparative Study of Habeas Petitioners,  
1812-1924

Arizona, New Mexico, Washington,  
Oregon, Kansas, Nebraska, Missouri, Iowa

Black, Indigenous, Immigrant, Family, &  
Institutional Petitioners

Database of More than 8,000 Petitions



## MY PRIMARY CATEGORIES OF DATA

Habeas Corpus Petitions = 1000s of Petitions  
Ranging 2-100 pages each

State & Federal Habeas Statutes = Dozens of  
Statutes Defining Habeas Procedure

Newspaper Accounts = 100s of Articles &  
Editorials Covering Habeas Reform & Habeas  
Proceedings

Census & Vital Statistics Records =  
Demographic Data for the 100s of Petitioners  
Featured in the Project

criminal offense, or ought not to be discharged, such court or judge, although the charge be defectively or unsubstantially set forth in such process or warrant of commitment, shall cause the complainant, or other necessary witnesses, to be subpoenaed to attend at such time as shall be ordered, to testify before such court or judge; and upon the examination he shall discharge such prisoner, let him to bail if the offense be bailable, or commit him to custody, as may be just and legal.

(2222) SEC. 23. Whenever any person may be imprisoned or detained in custody on any criminal charge for want of bail, such person shall be entitled to a writ of *habeas corpus* for the purpose of giving bail, upon averring that fact in his petition, without alleging that he is illegally confined.

(2223) SEC. 24. Any judge before whom any person who has been committed on a criminal charge may be brought on a writ of *habeas corpus*, if the same be bailable, may take a recognizance from such person as in other cases, and shall file the same in the proper court without delay.

(2224) SEC. 25. If any party brought before the court or judge, on the return of the writ, be not entitled to his discharge, and be not bailed, where such bail is allowable, such court or judge shall remand him to the custody or place him under the restraint from which he was taken, if the person under whose custody or restraint he was be legally entitled thereto.

(2225) SEC. 26. In cases where any party is held under illegal restraint or custody, or any other person is entitled to the restraint or custody of such party, such judge or court may order such party to be committed to the restraint or custody of such person as is by law entitled thereto.

(2226) SEC. 27. Until judgment be given on the return, the court or



(3272) SECTION 1. The father, mother, children, and brothers and sisters, being of sufficient ability, of any poor person who is blind, old, lame, impotent or decrepit, so as to be unable to maintain himself, shall, at their own charge, relieve and maintain such poor person, in such manner as shall be approved by the directors of the poor of the precinct where such poor person may be.

(3273) SEC. 2. Upon the failure of any relative to relieve and maintain any such poor person, it shall be the duty of a justice of the peace of the precinct where such poor person may be to apply to the probate court for the county where such relative may dwell for an order to compel such relief; of which application at least fourteen days' notice in writing shall be given, by serving the same personally, or by leaving the same at the dwelling place of the person to whom it may be directed, in case of his absence therefrom, with some person of sufficient age.

(3274) SEC. 3. The court to which such application may be made shall proceed in a summary way to hear the proofs and allegations of the parties, and shall order such of the relatives aforesaid of such poor person, as appear to be of sufficient ability, to relieve and maintain such poor person, and shall therein specify the sum which will be sufficient for the support of such poor person, to be paid weekly.

(3275) SEC. 4. The said court shall also in such orders direct the relative or relatives who shall perform that duty, in the following order: the father shall be first required to maintain such poor person, if of sufficient ability; if there be no father, or he be not of sufficient ability, then the children of such poor person: if there be no such children, or they be not of sufficient

## CHALLENGING INTERPERSONAL CHILD REMOVAL: LUCIA MARTINEZ IN AZ

1864: Act Of the Support of Poor Persons & Orphan Children of Indians

1864: Habeas Law Allowing Judges to Reassign Custody

1871: Lucia's Petition

dominant and will probably forsake his standard within the next few months.  
 The agency school.—At the beginning of the school year, September 1, 1899, we were able to open the school with an enrollment of 33 pupils, which, during a few months immediately following, was increased to 50, and we had good prospects of a further increase to 65, or perhaps more, which I believe would have been realized but for the mischievous work of outside intermeddlers.  
 Instigated by certain parties living in Toledo and Montour, Iowa, suit was instituted for the release of a certain Indian girl who was enrolled as a pupil at the school on the 1st of September, 1899, but who was alleged to have been married on a subsequent date while thus enrolled and in attendance at the school, and on the 9th of December, 1899, a decision was obtained in the United States district court at Cedar Rapids, Iowa, to the effect that these children could not be retained at the school without the consent of their parents or guardians. Upon the promulgation of this edict, influence was brought to bear upon several of those who were children in the school, and by this means all but 23 left the school within a few days after the said decision was made known, some of whom were carried away by main force while protesting vigorously that they wanted to remain in the school. This number was continued until the close of the school term, but the ways were frequent, and the school was not so successful as it otherwise would have been, although the children remaining in the school made very satisfactory progress.

I am still of the opinion that the highest state of efficiency will not be attained in this school until authority is conferred and orders issued to place these children in the school and keep them there, and notice is served upon these mischief makers who are outside parties, to keep hands off and cease their meddling in matters which they have no legitimate interest.

Instigated by these same parties, who are the real fountain head from which flows the stream of discord among the Indians, suit has been brought against myself and superintendent of the school, Mr. George W. Nellis, for alleged damages resulting to the complainant, James Peters (Indian), in consequence of his arrest or violation of law; and the case is set for the September term of the United States district court, which convenes in Cedar Rapids, Iowa.

# INDIANS GET NO RELIEF

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## Judge Burnham Refuses to Interfere in the Musquakie Reservation Controversy.

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## Expresses Doubt Whether the Court Has Jurisdiction in This Particular Case.

IN THE UNITED STATES *Circuit* DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF IOWA.

Lelah-Puc-Ka-Chee and Ta-Ta-Pi-Cha, )  
 Plaintiffs )  
 VS )  
 W. G. Malin, Agent of said Sac and )  
 Fox Indians and G.N. Nellis Superintendent )  
 of U.S. Indian School at Toledo Iowa )  
 Defendants )

TO HIS HONOR O'F P. Shiras OF THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF IOWA,;

GREETING,;-

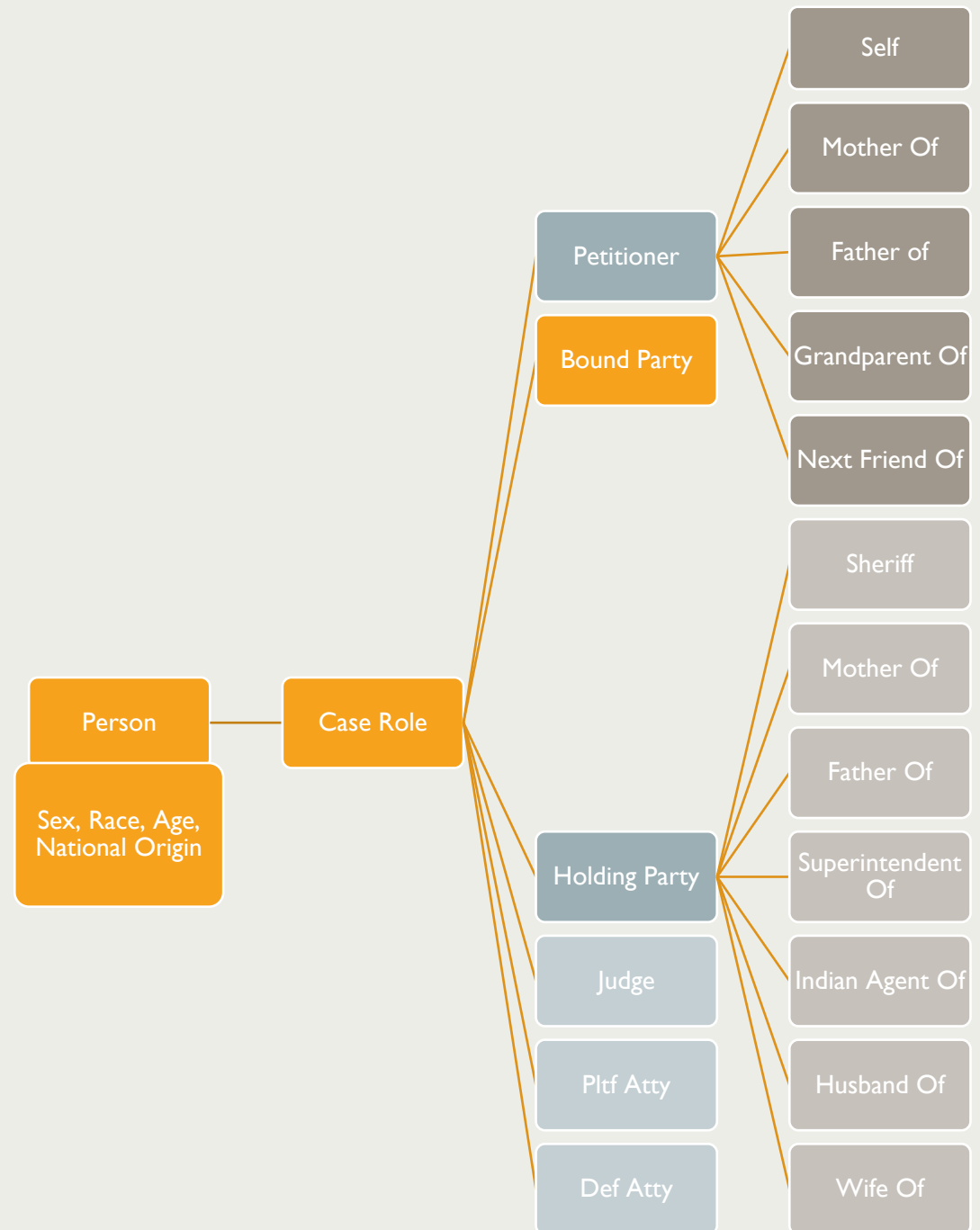
FIRST COUNT,;-

Your petitioners in the above entitled matter and cause ; respectfully aver and allege in reply to the answer and return of said defendants filed to the petition for a writ of habeas- Corpus

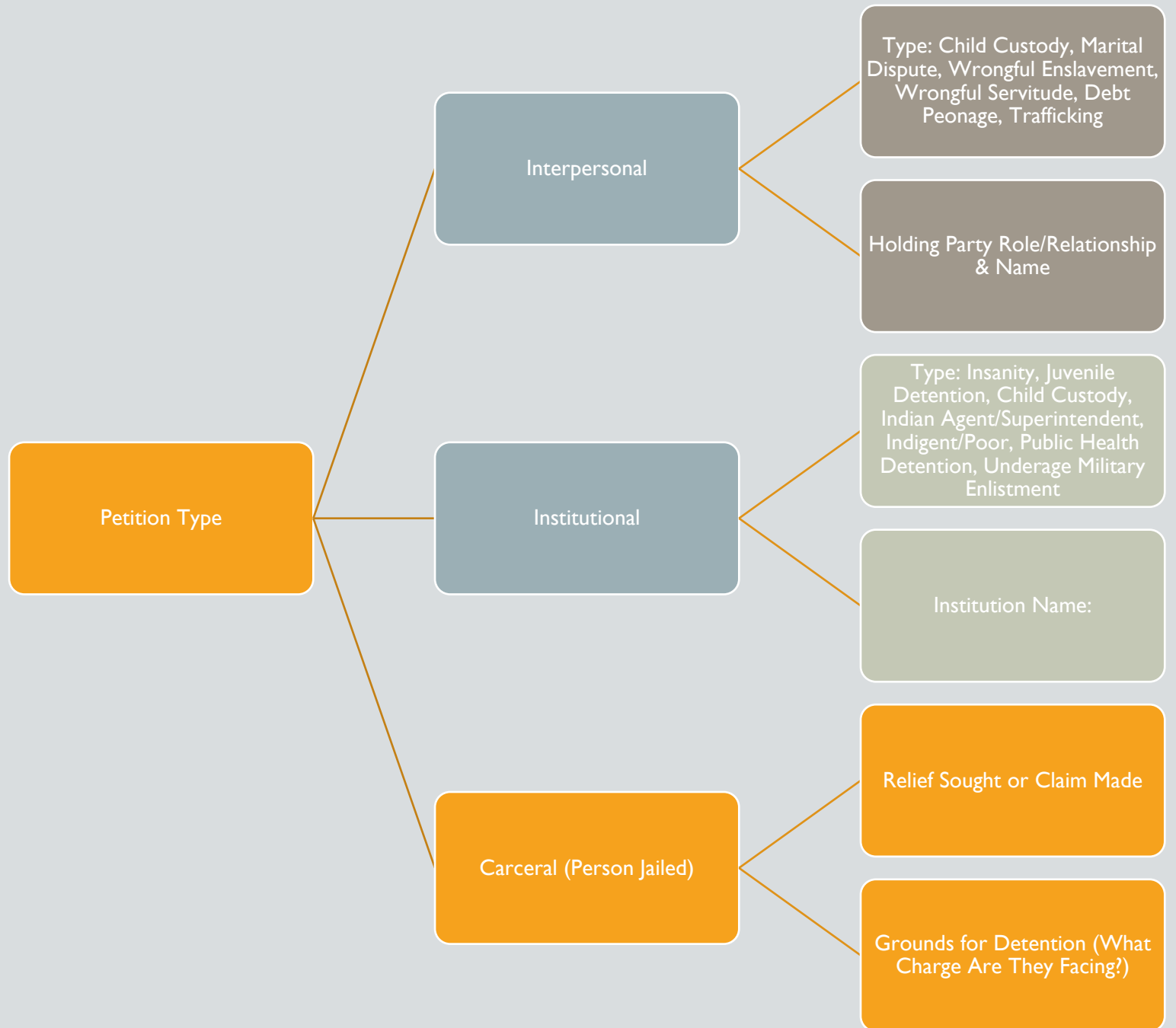
## CHALLENGING BOARDING SCHOOL CONFINEMENT: LELAH PEKACHUK IN IA

- 1899-1900: Lelah Pekachuk's Petition
- Reveals Sensational Fascination & Settler Tensions Over Native Parenting & Sovereignty
- OIA Response = Villainize Native Families & Make Abuse Charges

# PROPOSED LEGAL HISTORY DATA STRUCTURE: PARTIES



# PROPOSED LEGAL HISTORY DATA STRUCTURE: CASE TYPE



## CHALLENGES POSED BY THE DATA

Unstable Categories: What is a Case/Petition?

Unreliable Data: How Do We Determine Race? Age?

Unreliable Records: Recorders/Clerks Did Not Include All/Accurate Information

Unreliable Archiving: A Complete Dataset is Impossible to Achieve

# YOUR QUESTIONS?



HIST 291: LEGAL HISTORY RESEARCH METHODS  
JAN 3-14, 2022  
WEB CONFERENCE 10-12:30 M-F

Develop legal history research skills essential for fields focused on analyzing and deploying the law, including criminal justice, history, political science, psychology, pre-law, and sociology. Hands on training in legal analysis and research in digital databases will focus on themes of race, gender, and coercion. Students will develop a draft poster on a theme of their choosing in preparation for the Spring Research Fair.

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