

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1958-59

Four-to-Three Decisions¹

4-3 Alignments

Justices	Total	Case Names
Hallows, Brown, Broadfoot, Martin	1	<i>Boehringer v. Continental Casualty Co.</i>
Fairchild, Currie, Broadfoot, Dieterich	1	<i>Diedrich v. Lukasavitz</i>
Hallows, Fairchild, Currie, Dieterich	1	<i>State ex rel. Ball v. McPhee</i>

4-3 Membership in the Majority

Justice	Votes
Hallows	2
Fairchild	2
Currie	2
Brown	1
Broadfoot	2
Martin	1
Dieterich	2
Wingert	--

4-3 Majority Opinions Authored

	Opinions
Hallows	0
Fairchild	0
Currie	1
Brown	0
Broadfoot	0
Martin	1
Dieterich	1
Wingert	--
Total	3

¹ Justice Wingert did not participate in any of the 4-3 decisions.

Decisions by Vote Split²

7-0 (or 6-0, 5-0, 4-0)	6-1 (or 5-1, 4-1)	5-2 (or 4-2)	4-3
229/251 (91%)	15/251 (6%)	4/251 (2%)	3/251 (1%)
<i>Christensen v. Tollison</i>	<i>In re ESTATE OF GROVE</i>	<i>Poole v. State Farm Mut. Auto. Ins. Co.</i>	<i>Boehringer v. Continental Casualty Co.</i>
<i>Crye v. Mueller</i>	<i>State ex rel. Albert Realty Co. v. Village Bd. of Brown Deer</i>	<i>Citizens State Bank v. Travelers Indem. Co. (4-2)</i>	<i>Diedrich v. Lukasavitz</i>
<i>David A. Ulrich, Inc. v. Saukville</i>	<i>Albert v. Regal Ware, Inc.</i>	<i>Grimh v. Western Fire Ins. Co. (4-2)</i>	<i>State ex rel. Ball v. McPhee</i>
<i>De Bonville v. Travelers Ins. Co.</i>	<i>Gennrich v. Schrank</i>	<i>In re Will of Wilson (4-2)</i>	
<i>Hanz v. Industrial Comm.</i>	<i>Powless v. Milwaukee County</i>		
<i>Harley v. Town Board of Delafield</i>	<i>Boughton v. State Farm Mut. Auto. Ins. Co. (5-1)</i>		
<i>Heuer v. Heuer</i>	<i>State v. Bronston (5-1)</i>		
<i>Houston v. State</i>	<i>Bauman v. Gilbertson (5-1)</i>		
<i>In re Estate of Knippel</i>	<i>Johnson v. Industrial Com. of Wisconsin (5-1)</i>		
<i>In re Estate of Larsen</i>	<i>Offerdahl v. Glasser (5-1)</i>		
<i>Joyce v. Conway</i>	<i>In re Estate of Gehl (5-1)</i>		
<i>Lauterbach v. Brown</i>	<i>Kennedy-Ingalls Corp. v. Meissner (5-1)</i>		
<i>Maslowski v. Bitter</i>	<i>Harvey v. County of Brown (4-1)</i>		
<i>Mathews v. Big Foot Country Club</i>	<i>Helen v. BODENHAGEN (4-1)</i>		
<i>McChain v. Fond Du Lac</i>	<i>McNally v. Goodenough (4-1)</i>		
<i>Molinaro v. Industrial Com.</i>			
<i>Oosterwyk v. Milwaukee</i>			
<i>REIMER v. REIMER</i>			
<i>Schwartz v. Handorf</i>			
<i>Simon v. Wesenberg</i>			
<i>State ex rel. Covenant Harbor Bible Camp v. Steinke</i>			
<i>State Highway Com. v. Grant</i>			
<i>Steffes v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Tri City Fur Foods, Inc. v. Ammerman</i>			
<i>Haumschild v. Cont'l Casualty Co.</i>			
<i>Bembinster v. Aero Auto Parts, Inc.</i>			
<i>Blumenfeld v. Eichenbaum</i>			

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² In few instances, a justice authored a separate opinion that concurred in part and dissented in part. For this and other tables, each such vote has been categorized as either a dissent or a concurrence according to the following guidelines. If a justice's opinion dissented from the result on one or more issues, it was classified as a dissent. If the opinion concurred with the result on all issues but disputed the majority's reasoning on one or more issues, it was classified as a concurrence.

<i>Cushing v. Meehan</i>			
<i>Dettman v. Nelson Tester Co.</i>			
<i>Gerrits v. Blow</i>			
<i>Highway 100 Auto Wreckers, Inc. v. West Allis</i>			
<i>In re Will of Solbrig</i>			
<i>Kunz v. Wauwatosa</i>			
<i>Leipske v. Guenther</i>			
<i>Lewandowski v. Boynton Cab Co.</i>			
<i>Mudroch v. New Amsterdam Casualty Co.</i>			
<i>Nehls v. Meyer</i>			
<i>Petlock v. Kickhafer</i>			
<i>Rasmussen v. Richards</i>			
<i>Reque v. Milwaukee & Suburban Transport Corp.</i>			
<i>State v. Nichols</i>			
<i>Supreme Constr. Co. v. Olympic Recreation, Inc.</i>			
<i>Universal Underwriters v. Rogan</i>			
<i>Vaicelunas v. Fechner</i>			
<i>Wisconsin Valley Improv. Co. v. Public Service Com.</i>			
<i>Zahn v. Taylor</i>			
<i>Antholt v. Antholt</i>			
<i>Bedno v. Fast</i>			
<i>Behringer v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Grether v. Derzon</i>			
<i>Haag v. General Acci. Fire & Life Assurance Corp.</i>			
<i>Hardware Mut. Casualty Co. v. Hartford Acci. & Indum. Co.</i>			
<i>Hoffman v. Buggs</i>			
<i>In re Estate of Christl</i>			
<i>Krause v. Menzner Lumber & Supply Co.</i>			
<i>Kurz v. Collins</i>			
<i>Lampertius v. Chmielewski</i>			
<i>Lontkowski v. Ignarski</i>			
<i>Manske v. Manske</i>			
<i>Markman v. Becker</i>			
<i>Peterson v. Industrial Com.</i>			
<i>Ruplinger v. Theiler</i>			
<i>Sennott v. Seeber</i>			
<i>Theisen v. Bock</i>			
<i>Tomchek v. Mutual Auto. Ins. Co.</i>			
<i>Tonn v. Reuter</i>			
<i>Tullgren v. School Dist.</i>			
<i>Visser v. Koenders</i>			
<i>Wauwatosa v. Strudell</i>			
<i>Zimmer v. Zimmer</i>			
<i>Zimmerman v. Dornbrook</i>			
<i>Ahola v. Sincock</i>			
<i>Braun v. Wisconsin Electric Power Co.</i>			

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<i>Builder's Lumber Co. v. Stuart</i>			
<i>Challoner v. Pennings</i>			
<i>Dressler v. Wisconsin Employment Relations Board</i>			
<i>Greef v. Greef</i>			
<i>Harding v. Janicek</i>			
<i>Hardware Mut. Cas. Co. v. Harry Crow & Son, Inc.</i>			
<i>Joint School Dist. v. Walworth County School Committee</i>			
<i>Kosnar v. J. C. Penney Co.</i>			
<i>Miller v. Koebernick</i>			
<i>Milwaukee v. Milwaukee & Suburban Transport Corp.</i>			
<i>Murray v. Dewar</i>			
<i>Northern Discount Co. v. Luebke</i>			
<i>Paul v. CARPENTER</i>			
<i>Richardson v. County of Green</i>			
<i>Rottman v. Endejan</i>			
<i>Sadler v. Western Moulding Co.</i>			
<i>Sager v. Hannemann</i>			
<i>Schaal v. Great Lakes Mut. Fire & Marine Ins. Co.</i>			
<i>Smith v. Atco Co.</i>			
<i>State ex rel. Brill v. Mortenson</i>			
<i>Vandenack v. Crosby</i>			
<i>Wauwatosa Realty Co. v. Bishop</i>			
<i>Zawerschnik v. Bell</i>			
<i>Blumer v. Wisconsin River Power Co.</i>			
<i>Borum v. Industrial Com.</i>			
<i>Breeden v. Breeden</i>			
<i>Degner v. Moncel</i>			
<i>Hoesley v. Fowler</i>			
<i>In re Estate of Hahn</i>			
<i>In re Estate of Hulett</i>			
<i>In re Estate of Riley</i>			
<i>In re Estate of Vickman</i>			
<i>In re Will of Allis</i>			
<i>Kempf v. Joint School Dist.</i>			
<i>Kopp v. Home Mut. Ins. Co.</i>			
<i>Le Mere v. Le Mere</i>			
<i>McLuckie v. Chicago, M., S. P. & P. R. Co.</i>			
<i>Mix v. Farmers Mut. Auto. Ins. Co.</i>			
<i>New Amsterdam Casualty Co. v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Olson v. Northwestern Furniture Co.</i>			
<i>Rudolph v. Curren</i>			
<i>Schwenkhoff v. Farmers Mut. Auto. Ins. Co.</i>			
<i>State v. Schweider</i>			
<i>Syver v. Hahn</i>			
<i>Vanderhei v. Carlson</i>			

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<i>Wintersberger v. Pioneer Iron & Metal Co.</i>			
<i>Ermis v. Federal Windows Mfg. Co. (6-0)</i>			
<i>Graff v. Roop (6-0)</i>			
<i>Handlos v. Missman (6-0)</i>			
<i>In re Estate of Ferdinand (6-0)</i>			
<i>L. L. Richards Machinery Co. v. McNamara Motor Express, Inc. (6-0)</i>			
<i>Lewis v. Bradley (6-0)</i>			
<i>Luczyk v. Shaw (6-0)</i>			
<i>Madison v. Tolzmann (6-0)</i>			
<i>Milwaukee v. Hurless (6-0)</i>			
<i>Redevelopment Authority of Madison v. Canepa (6-0)</i>			
<i>Schiro v. Oriental Realty Co. (6-0)</i>			
<i>State ex rel. Milwaukee County v. Schmidt (6-0)</i>			
<i>State ex rel. Racine County v. Schmidt (6-0)</i>			
<i>Zuehlsdorf v. Nelson (6-0)</i>			
<i>Chequamegon Forest Products, Inc. v. Industrial Com. (6-0)</i>			
<i>Clausen v. Eckstein (6-0)</i>			
<i>Corrao v. Mortier (6-0)</i>			
<i>Harris v. Richland Motors, Inc. (6-0)</i>			
<i>In re Estate of Breese (6-0)</i>			
<i>In re Estate of Gibson (6-0)</i>			
<i>In re Estate of Harris (6-0)</i>			
<i>In re Estate of Strange (6-0)</i>			
<i>In re Incorporation of Oconomowoc Lake (6-0)</i>			
<i>Kading v. Roark (6-0)</i>			
<i>Nelson v. Boos (6-0)</i>			
<i>Newell v. Kenosha (6-0)</i>			
<i>Nolop v. Skemp (6-0)</i>			
<i>Palmer v. Sawyer County School Committee (6-0)</i>			
<i>Polar Mfg. Co. v. Integrity Mut. Ins. Co. (6-0)</i>			
<i>Red Cedar Lodge, I.O.O.F. Bldg. Ass'n v. Trustees of Grand Lodge of I. O. O. F. (6-0)</i>			
<i>Rohm v. Rohm (6-0)</i>			
<i>Schmidt v. C. Schlei Dray Line, Inc. (6-0)</i>			
<i>Spohn, Ross, Stevens, Lamb & Pick v. Norden (6-0)</i>			
<i>Vanderbloemen v. Suchosky (6-0)</i>			
<i>Weisensel v. Covey (6-0)</i>			
<i>Krause v. Western Casualty & Surety Co. (6-0)</i>			
<i>Weber v. Kole (6-0)</i>			
<i>In re Estate of Mahnke (6-0)</i>			

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<i>Druml Co. v. Knapp</i> (6-0)			
<i>Connor Lumber & Land Co. v. Industrial Com.</i> (6-0)			
<i>Lewis Realty, Inc. v. Wisconsin Real Estate Brokers' Bd.</i> (6-0)			
<i>Bullis v. Schmidt</i> (6-0)			
<i>Eule v. Eule</i> (6-0)			
<i>Ferguson v. Kenosha</i> (6-0)			
<i>Greene v. Farmers Mut. Auto. Ins. Co.</i> (6-0)			
<i>Heims v. Hanke</i> (6-0)			
<i>Herman v. Kennard Buick Co.</i> (6-0)			
<i>Law v. De Normandie</i> (6-0)			
<i>Matthews v. Schuh</i> (6-0)			
<i>McFarlin v. Hewitt</i> (6-0)			
<i>Ohio Casualty Ins. Co. v. Nauth</i> (6-0)			
<i>Peterson v. Western Casualty & Surety Co.</i> (6-0)			
<i>Springer v. Chafee</i> (6-0)			
<i>State ex rel. Kurtz v. Knutson</i> (6-0)			
<i>State v. Carlson</i> (6-0)			
<i>Van Erem v. Dairyland Mut. Ins. Co.</i> (6-0)			
<i>Weggeman v. Seven-Up Bottling Co.</i> (6-0)			
<i>Witzel v. Madison Metropolitan Sewerage Dist.</i> (6-0)			
<i>Blooming Grove v. Madison</i> (6-0)			
<i>Bohlman v. Nelson</i> (6-0)			
<i>Bruun v. Bruun</i> (6-0)			
<i>Bryan v. Noble</i> (6-0)			
<i>Caldwell v. Caldwell</i> (6-0)			
<i>Heidersdorf v. State</i> (6-0)			
<i>Home Sav. Bank v. Bentley</i> (6-0)			
<i>Huck v. Chicago, S. P., M. & O. R. Co.</i> [5 Wis. 2d 130] (6-0)			
<i>Huck v. Chicago, S. P., M. & O. R. Co.</i> [5 Wis. 2d 124] (6-0)			
<i>In re Estate of Argue</i> (6-0)			
<i>Nyman v. Nyman</i> (6-0)			
<i>Pinkerton v. United Services Auto. Ass'n</i> (6-0)			
<i>Rudy v. Chicago, M., S. P. & P. R. Co.</i> (6-0)			
<i>Sigman v. General Drivers & Dairy Employees Union</i> (6-0)			
<i>Stafford v. General Supply Co.</i> (6-0)			
<i>State ex rel. Gregersen v. Board of Review</i> (6-0)			
<i>State ex rel. Miller v. Joint School Dist.</i> (6-0)			
<i>State v. Grayson</i> (6-0)			
<i>State v. Russell</i> (6-0)			

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<i>State v. Sutter</i> (6-0)			
<i>Whaling v. Stone Constr. Co.</i> (6-0)			
<i>Wisconsin Power & Light Co. v. Public Service Com.</i> (6-0)			
<i>State ex rel. Casper v. Burke</i> (6-0, <i>per curiam</i>)			
<i>State ex rel. Gegenfurtner v. Burke</i> (6-0, <i>per curiam</i>)			
<i>Wilson v. Kunstmann</i> (5-0)			
<i>Soper v. Industrial Com.</i> (5-0)			
<i>Tuohy v. Industrial Com.</i> (5-0)			
<i>United Auto., etc., Workers v. Woychik</i> (5-0)			
<i>In re Adoption of Brown</i> (5-0)			
<i>BELLMANN v. NATIONAL CONTAINER CORP.</i> (5-0)			
<i>Bowers v. Treuthardt</i> (5-0)			
<i>Brazy v. Brazy</i> (5-0)			
<i>Gillard v. Aaberg</i> (5-0)			
<i>Haile v. Ellis</i> (5-0)			
<i>Heinen v. Home Mut. Casualty Co.</i> (5-0)			
<i>In re Estate of Wieboldt</i> (5-0)			
<i>Larsen v. Chairman & Supervisors</i> (5-0)			
<i>Limberg v. Limberg</i> (5-0)			
<i>Luhman v. Evergreen Cemetery Asso.</i> (5-0)			
<i>Matayo v. Industrial Com.</i> (5-0)			
<i>Sailer v. Wisconsin Real Estate Brokers' Board</i> (5-0)			
<i>Schultz v. Hastings</i> (5-0)			
<i>United States by Barnes v. Klebe Tool & Die Co.</i> (5-0)			
<i>Ven Rooy v. Farmers Mut. Auto. Ins. Co.</i> (5-0)			
<i>Wesolowski v. Erickson</i> (5-0)			
<i>Wiedenhaupt v. Van Der Loop</i> (5-0)			
<i>Kovachik v. American Auto. Asso.</i> (5-0)			
<i>Boles v. Industrial Com.</i> (4-0)			
<i>Chamberlain v. Industrial Com.</i> (4-0)			
<i>Cutler-Hammer, Inc. v. Industrial Com.</i> (4-0)			
<i>Kincannon v. National Indem. Co.</i> (4-0)			
<i>Van Roy v. Industrial Com.</i> (4-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1958-59 term. The first table includes all cases in which a justice voted, while the second table includes only cases decided by split votes.

All Cases

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Hallows	246	249	99%
Fairchild	231	242	95%
Currie	242	247	98%
Brown	200	204	98%
Broadfoot	246	251	98%
Martin	153	155	99%
Dieterich	147	148	99%
Wingert	101	102	99%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Hallows	19	22	86%
Fairchild	11	22	50%
Currie	17	22	77%
Brown	13	17	76%
Broadfoot	17	22	77%
Martin	9	11	82%
Dieterich	10	11	91%
Wingert	10	11	91%

Opinions Authored

The first table indicates how many majority opinions a justice authored in cases decided by each of the four possible majority vote totals. The second table shows how many concurrences and dissents each justice wrote.

Opinion Author	7-0 (or 6-0, 5-0, 4-0)	6-1 (or 5-1, 4-1)	5-2 (or 4-2)	4-3
Hallows	29	3	0	0
Fairchild	40	1	2	0
Currie	36	4	2	1
Brown	32	0	0	0
Broadfoot	36	4	0	0
Martin	19	2	0	1
Dieterich	19	0	0	1
Wingert	16	1	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Hallows	0	2
Fairchild	5	9
Currie	1	3
Brown	0	1
Broadfoot	0	1
Martin	0	1
Dieterich	0	0
Wingert	0	1

Days Between Oral Argument and Opinion Filing

This table shows the average number of days between oral argument and the filing of majority (or lead) opinions authored by each of the justices. Given that a variety of factors could influence the length of time between oral argument and the filing of an opinion in a particular case—including the time taken by other justices to write concurring or dissenting opinions—averages for individual justices should be compared over an extended period.

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Hallows	32	28
Fairchild	43	29
Currie	43	28
Brown	32	30
Broadfoot	40	29
Martin	21	29
Dieterich	20	29
Wingert	17	28