

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1957-58

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Fairchild, Broadfoot, Martin, Hallows	1	<i>Brunner v. Van Hoof</i>
Wingert, Brown, Broadfoot, Martin	1	<i>Burg v. Burg</i>
Brown, Broadfoot, Martin, Steinle	1	<i>Hartung v. County of Milwaukee</i>
Wingert, Fairchild, Brown, Martin	1	<i>R. B. General Trucking, Inc. v. Auto Parts &amp; Service, Inc.</i>
Wingert, Fairchild, Broadfoot, Martin	1	<i>United States Plywood Corp. v. Algoma</i>

4-3 Membership in the Majority

Justice	Votes
Wingert	3
Fairchild	3
Currie	0
Brown	3
Broadfoot	4
Martin	5
Steinle	1
Hallows	1

4-3 Majority Opinions Authored

	Opinions
Wingert	1
Fairchild	1
Currie	0
Brown	0
Broadfoot	0
Martin	2
Steinle	0
Hallows	1
<b>Total</b>	<b>5</b>

Decisions by Vote Split<sup>1</sup>

<b>7-0 (or 6-0, 5-0)</b>	<b>6-1 (or 5-1)</b>	<b>5-2 (or 4-2)</b>	<b>4-3</b>
<b>219/258 (85%)</b>	<b>18/258 (7%)</b>	<b>16/258 (6%)</b>	<b>5/258 (2%)</b>
<i>Albrent v. Spencer</i>	<i>Burmek v. Miller Brewing Co.</i>	<i>Danielson v. Industrial Comm'n</i>	<i>Brunner v. Van Hoof</i>
<i>Allen v. Allen</i>	<i>General Electric Co. v. Wisconsin Employment Relations Board</i>	<i>Darling v. Industrial Comm'n</i>	<i>Burg v. Burg</i>
<i>American Fidelity &amp; Casualty Co. v. Travelers Indem. Co.</i>	<i>Hehl v. Chippewa &amp; Red Cedar Valley Carpenters' Dist. Council</i>	<i>Hobart v. Collier</i>	<i>Hartung v. County of Milwaukee</i>
<i>Andraski v. Gormley</i>	<i>In re Estate of Rule</i>	<i>In re Estate of Scheffler</i>	<i>R. B. General Trucking, Inc. v. Auto Parts &amp; Service, Inc.</i>
<i>Atkins v. Diggles</i>	<i>Johnston v. Industrial Com.</i>	<i>Marshall v. Colburn</i>	<i>United States Plywood Corp. v. Algoma</i>
<i>Baumgart v. Spierings</i>	<i>Joint School Dist. v. Security State Bank</i>	<i>Millar v. Joint School Dist.</i>	
<i>Bensend v. Harper</i>	<i>Olson v. Lindberg</i>	<i>Mitler v. Associated Contractors</i> [4 Wis. 2d 568]	
<i>Black Eagle Oil Co. v. Globe Oil &amp; Refining Co.</i>	<i>Papacosta v. Papacosta</i>	<i>State ex rel. City Bank &amp; Trust Co. v. Marshall &amp; Ilsley Bank</i>	
<i>Blooming Grove, v. Madison</i>	<i>Speelmon Elevated Tank Service v. Industrial Com.</i>	<i>State v. Barthuly</i>	
<i>Bolssen v. Heenan</i>	<i>Steinfeldt v. Pierce</i>	<i>State v. Jelco, Inc.</i>	
<i>Bratonja v. Milwaukee</i>	<i>County of Door v. Plumbers, Steamfitters, etc.</i> (5-1)	<i>Thomas v. Industrial Com.</i>	
<i>Braun v. Brown</i>	<i>In re Estate of Joslin</i> (5-1)	<i>Tracy v. Johnson</i>	
<i>Braun v. Jewett</i>	<i>Lee v. National League Baseball Club</i> (5-1)	<i>Genrich v. Medford Fur Foods</i> (4-2)	
<i>Britz v. American Ins. Co.</i>	<i>Mellon v. Ohio Cas. Ins. Co.</i> (5-1)	<i>Henschel v. Rural Mut. Casualty Ins. Co.</i> (4-2)	
<i>Brown Deer v. Milwaukee</i>	<i>Seifert v. Milwaukee &amp; Suburban Transport Corp.</i> (5-1)	<i>Kovarik v. Vesely</i> (4-2)	
<i>Christenson v. Klitzke</i>	<i>Sprague v. Hauck</i> (5-1)	<i>Metz v. Medford Fur Foods, Inc.</i> (4-2)	
<i>Cincoski v. Rogers</i>	<i>Stobbe v. Atkinson</i> (5-1)		
<i>Corrao v. Mortier</i>	<i>Wisconsin Employment Relations Board v. Lucas</i> (5-1)		
<i>Cuskey v. McShane</i>			
<i>Dairyland Co-op. Cheese Ass'n v. Briggs Transfer Co.</i>			
<i>Davies v. J. D. Wilson Co.</i>			

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<sup>1</sup> 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>Deignan v. New Amsterdam Casualty Co.</i>			
<i>Doyle v. Allstate Ins. Co.</i>			
<i>Ellis v. Hansen</i>			
<i>Essock v. Mawhinney</i>			
<i>Feldstein v. Harrington</i>			
<i>Firemen's Ins. Co. v. Washburn County</i>			
<i>Foscato v. Byrne</i>			
<i>Frankenthal v. Wisconsin Real Estate Brokers' Board</i>			
<i>Fredricks v. Industrial Comm'n</i>			
<i>Friedman v. Insurance Co. of North America</i>			
<i>Gandt v. Joint School Dist.</i>			
<i>Gladfelter v. Doemel</i>			
<i>Green County v. Monroe</i>			
<i>Hadjenian v. Sears, Roebuck &amp; Co.</i>			
<i>Hardee v. Metropolitan Casualty Ins. Co.</i>			
<i>Harlfinger v. Mueller</i>			
<i>Hasselmann v. Zimmerman</i>			
<i>Hennepin Transp. Co. v. Schirmers</i>			
<i>Henrikson v. Maryland Casualty Co.</i>			
<i>In re Estate of Ansell</i>			
<i>In re Estate of Barnhart</i>			
<i>In re Estate of Bloomer</i>			
<i>In re Estate of Budney</i>			
<i>In re Estate of Eberhardt</i>			
<i>In re Estate of Esch</i>			
<i>In re Estate of Heuel</i>			
<i>In re Estate of Hocking</i>			
<i>In re Estate of Niesen</i>			
<i>In re Estate of Pfeifer</i>			
<i>In re Estate of Schalla</i>			
<i>In re Estate of Seefeldt</i>			
<i>In re Estate of Strange</i>			
<i>In re Guardianship of Bemowski</i>			
<i>In re La Crosse Sand &amp; Gravel Co.</i>			
<i>In re Will of Bowman</i>			
<i>In re Will of Riemer</i>			
<i>James Employees Credit Union v. Hawley</i>			
<i>Joint School Dist. v. Sosalla</i>			
<i>Konrad v. State</i>			
<i>Kowalke v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Kozlik v. Streit</i>			
<i>Krause v. Western Casualty &amp; Surety Co.</i>			
<i>Kultgen v. Mueller</i>			
<i>L. G. Arnold, Inc. v. Industrial Com.</i>			
<i>L. Rosenheimer Malt &amp; Grain Co. v. Kewaskum</i>			

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<i>Laundry, Dry Cleaning, Dye House Workers Union, v. Laundry Workers Internationalnation</i>			
<i>Laur v. Chicago &amp; N. W. R. Co.</i>			
<i>Laur v. Milwaukee</i>			
<i>Le May v. Marks</i>			
<i>Lewis v. Leiterman</i>			
<i>Long Inv. Co. v. O'Donnell</i>			
<i>Lounsbury v. Eberlein</i>			
<i>Lundt v. School Board of Joint School Dist.</i>			
<i>MacCaux v. Princl</i>			
<i>Madison v. Chicago, M., S. P. &amp; P. R. Co.</i>			
<i>Matke v. Beilke</i>			
<i>McCourt v. Algiers</i>			
<i>Mentzel v. Mentzel</i>			
<i>Meyer v. Fronimades</i>			
<i>Milaeger Well Drilling Co. v. Muskego Rendering Co.</i>			
<i>Milwaukee Auto. Mut. Ins. Co. v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Milwaukee Cold Storage Co. v. York Corp.</i>			
<i>Mitler v. Associated Contractors, Inc. [3 Wis. 2d 331]</i>			
<i>Mittelstadt v. Hartford Acci. &amp; Indem. Co.</i>			
<i>Monart Motors Co. v. Home Indem. Co.</i>			
<i>National Surety Corp. v. Wymore</i>			
<i>Niedbalski v. Cuchna</i>			
<i>Northland Bottling Co. v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Novick v. Becker</i>			
<i>Oehler v. Allstate Ins. Co.</i>			
<i>Onderdonk v. Onderdonk</i>			
<i>Ondrejka v. Ondrejka</i>			
<i>Padek v. Thornton</i>			
<i>Padgham v. Wilson Music Co.</i>			
<i>Palmisano v. Gagliano</i>			
<i>Paluch v. Baldwin Plywood &amp; Veneer Co.</i>			
<i>Paulson v. Hardware Mut. Casualty Co.</i>			
<i>Peppas v. Marshall &amp; Ilsley Bank</i>			
<i>Perry v. Riske</i>			
<i>Petlock v. Kickhafer</i>			
<i>Plog v. Zolper</i>			
<i>Polzin v. Industrial Com.</i>			
<i>Powers v. Joint School Dist.</i>			
<i>Prime Mfg. Co. v. Kelly</i>			
<i>Quality Outfitters v. Risko</i>			
<i>Quante v. Erickson</i>			
<i>Red Star Yeast &amp; Products Co. v. Merchandising Corp.</i>			
<i>Rehse v. Indus. Com</i>			
<i>Roberts v. Industrial Comm'n</i>			

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<i>Rode v. Sealtite Insulation Mfg. Corp.</i>			
<i>Ross v. Faber</i>			
<i>Rottman v. Bluebird Bakery, Inc.</i>			
<i>Rude v. Algiers</i>			
<i>Rusch v. Korth</i>			
<i>Sachse v. Mayer</i>			
<i>Sawdey v. Schwenk</i>			
<i>Schafer v. Schafer</i>			
<i>Schneider v. Neuman</i>			
<i>Schreiber v. Schreiber</i>			
<i>Schubert v. Midwest Broadcasting Co.</i>			
<i>Scott v. Gilbertson</i>			
<i>Security Nat'l Bank v. Plymouth Cheese Co.</i>			
<i>State ex rel. Dane County Title Co. v. Board of Review</i>			
<i>State ex rel. Grant School Dist. v. School Board of Jefferson Joint School Dist.</i>			
<i>State ex rel. Hein v. Barron</i>			
<i>State ex rel. Kiekhaefer v. Anderson</i>			
<i>State ex rel. Krueger v. Michalski</i>			
<i>State ex rel. MacNaughton v. New Amsterdam Casualty Co.</i>			
<i>State ex rel. Miller v. Manders</i>			
<i>State ex rel. National Dairy Products Corp.-Sealtest Cent. Div. v. Piasecki</i>			
<i>State ex rel. Pierce v. Kundert</i>			
<i>State v. Bednarski</i>			
<i>State v. Hochman</i>			
<i>State v. Industrial Com.</i>			
<i>Steffen v. Little</i>			
<i>Sulk v. Sulk</i>			
<i>Suskey v. Davidoff</i>			
<i>Sutherland v. State</i>			
<i>Taus v. Taus</i>			
<i>Taylor v. Hardware Mut. Ins. Co.</i>			
<i>Tesch v. Wisconsin Public Service Corp.</i>			
<i>Uebele v. Rosen</i>			
<i>Uhrman v. Cutler-Hammer, Inc.</i>			
<i>Urban v. Chars</i>			
<i>Venden v. Meisel</i>			
<i>Veverka v. Metropolitan Casualty Ins. Co.</i>			
<i>Wall v. Wisconsin Real Estate Brokers' Board</i>			
<i>Welfare Bldg. &amp; Loan Asso. v. Hennessey</i>			
<i>Werren v. Allied American Mut. Fire Ins. Co.</i>			
<i>Wiley v. Fidelity &amp; Cas. Co.</i>			
<i>Wingad v. Wingad</i>			
<i>Winston v. Weiner</i>			

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<i>Wisconsin Power &amp; Light Co. v. Columbia County</i>			
<i>Wisconsin Tel. Co. v. Reynolds</i>			
<i>Woodward v. Vegetable Packing House, Inc.</i>			
<i>Yorkville v. Fonk</i>			
<i>Zarling v. La Salle Coca-Cola Bottling Co.</i>			
<i>Zenou v. State</i>			
<i>Milwaukee v. Reilly (7-0 per curiam)</i>			
<i>Bannach v. State Farm Mut. Auto. Ins. Co. (6-0)</i>			
<i>Batavian Nat'l Bank v. S &amp; H, Inc. (6-0)</i>			
<i>Brunke v. Pharo (6-0)</i>			
<i>Candell v. Skaar (6-0)</i>			
<i>Chapman v. Chapman (6-0)</i>			
<i>Colla v. Mandella (6-0)</i>			
<i>Dostal v. St. Paul-Mercury Indem. Co. (6-0)</i>			
<i>Edwards v. Gross (6-0)</i>			
<i>Findorff v. Findorff (6-0)</i>			
<i>Frey v. Geuder, Paeschke &amp; Frey Co. (6-0)</i>			
<i>Gordon S. Stark &amp; Co. v. Roets (6-0)</i>			
<i>Grand View School Dist. v. Milwaukee (6-0)</i>			
<i>Haas v. Integrity Mut. Ins. Co. (6-0)</i>			
<i>Hall v. Church of Open Bible (6-0)</i>			
<i>Herman Andrae Electrical Co. v. Grossman (6-0)</i>			
<i>Huck v. Chicago, S. P., M. &amp; O. R. Co. (6-0)</i>			
<i>Illinois C. R. Co. v. Blaha (6-0)</i>			
<i>In re Adoption of Shields (6-0)</i>			
<i>In re Estate of Traver (6-0)</i>			
<i>In re Frost's Will (6-0)</i>			
<i>In re Supreme Tool &amp; Mfg. Co. (6-0)</i>			
<i>In re Will of Barnes (6-0)</i>			
<i>Joint Common School Dist. v. Milwaukee (6-0)</i>			
<i>Karl M Elbinger Co. v. George J. Meyer Mfg. Co. (6-0)</i>			
<i>Kietlinski v. Interstate Transport Lines (6-0)</i>			
<i>Korpela v. Redlin (6-0)</i>			
<i>Kudella v. Newark Ins. Co. (6-0)</i>			
<i>La Fave v. Lemke (6-0)</i>			
<i>Laffey v. Milwaukee (6-0)</i>			
<i>Leiske v. Baudhuin Yacht Harbor (6-0)</i>			
<i>Marathon County v. Eau Claire County (6-0)</i>			

*(continued on following page)*

<i>Marathon Electric Mfg. Corp. v. Industrial Com.</i> (6-0)			
<i>Massino v. Smaglick</i> (6-0)			
<i>Moore v. Industrial Com.</i> (6-0)			
<i>Nagel v. Philipsen</i> (6-0)			
<i>Nelsen v. Farmers Mut. Auto. Ins. Co.</i> (6-0)			
<i>Nelson Motors, Inc. v. Industrial Com.</i> (6-0)			
<i>Nolan v. Wisconsin Real Estate Brokers' Board</i> (6-0)			
<i>Nothem v. Berenschot</i> (6-0)			
<i>Ody v. Quade</i> (6-0)			
<i>Orlandini v. Gunsburg</i> (6-0)			
<i>Schroeder v. Chapman</i> (6-0)			
<i>Schuh v. Industrial Com.</i> (6-0)			
<i>Smuda v. County of Milwaukee</i> (6-0)			
<i>State ex rel. James L. Callan, Inc., v. Barg</i> (6-0)			
<i>State v. Carli</i> (6-0)			
<i>State v. Cooper</i> (6-0)			
<i>Syver v. Hahn</i> (6-0)			
<i>Topel v. Correz</i> (6-0)			
<i>Wagner Iron Works v. Wagner</i> (6-0)			
<i>Wiegman v. Alexander</i> (6-0)			
<i>Zum Brunnen v. Niebuhr</i> (6-0)			
<i>Borden Co. v. Industrial Com.</i> (5-0)			
<i>Callahan v. Van Galder</i> (5-0)			
<i>Fall River Canning Co. v. Wisconsin Dep't of Taxation</i> (5-0)			
<i>Fire Ins. Rating Bureau v. Rogan</i> (5-0)			
<i>Gridley v. Cardenas</i> (5-0)			
<i>International Union United Auto., etc., Workers v. Schulze</i> (5-0)			
<i>Miller v. Kujak</i> (5-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1957-58 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
Wingert	246	252	<b>98%</b>
Fairchild	232	248	<b>94%</b>
Currie	242	257	<b>94%</b>
Brown	253	258	<b>98%</b>
Broadfoot	245	258	<b>95%</b>
Martin	253	256	<b>99%</b>
Steinle	147	154	<b>95%</b>
Hallows	45	45	<b>100%</b>

## Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wingert	33	39	<b>85%</b>
Fairchild	21	37	<b>57%</b>
Currie	24	39	<b>62%</b>
Brown	34	39	<b>87%</b>
Broadfoot	26	39	<b>67%</b>
Martin	36	39	<b>92%</b>
Steinle	13	20	<b>65%</b>
Hallows	9	9	<b>100%</b>



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)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
Wingert	33	2	2	1
Fairchild	32	2	2	1
Currie	33	3	4	0
Brown	35	1	3	0
Broadfoot	33	2	1	0
Martin	33	3	1	2
Steinle	15	3	3	0
Hallows	4	2	0	1

Opinion Author	Concurring Opinions	Dissenting Opinions
Wingert	0	0
Fairchild	3	10
Currie	2	7
Brown	0	3
Broadfoot	2	4
Martin	0	1
Steinle	0	3
Hallows	0	0



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.

	<b>Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument</b>	<b>Ave. No. of Days From Oral Argument to Opinion Filing</b>
Wingert	37	31
Fairchild	37	28
Currie	38	28
Brown	39	28
Broadfoot	36	28
Martin	38	28
Steinle	21	27
Hallows	7	26