

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1952-53

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Currie, Martin, Fairchild, Fritz	4	<i>In re Greiling's Will; Miller v. Green; State v. Surma; Wegner v. Chicago & N. W. R. Co.</i>
Brown, Broadfoot, Martin, Gehl	1	<i>Lake to Lake Dairy Co-op. v. Andrews</i>
Brown, Broadfoot, Gehl, Fritz	1	<i>Selmer Co. v. Industrial Com.</i>
Currie, Brown, Martin, Fairchild	1	<i>Churchill v. Brock</i>
Brown, Martin, Fairchild, Gehl	1	<i>Powless v. Powless</i>
Broadfoot, Martin, Gehl, Fritz	1	<i>Ullman v. Freye</i>
Currie, Brown, Broadfoot, Martin	1	<i>Gant v. Industrial Com.</i>

4-3 Membership in the Majority

Justice	Votes
Currie	6
Brown	5
Broadfoot	4
Martin	9
Fairchild	6
Gehl	4
Fritz	6

4-3 Majority Opinions Authored

	Opinions
Currie	3
Brown	0
Broadfoot	1
Martin	2
Fairchild	1
Gehl	2
Fritz	1
Total	10

Decisions by Vote Split¹

7-0 (or 6-0) 203/230 (88%)	6-1 (or 5-1) 12/230 (5%)	5-2 5/230 (2%)	4-3 10/230 (4%)
<i>A. O. Smith Corp. v. Industrial Com.</i>	<i>Flesch v. Lancaster</i>	<i>Emmco Ins. Co. v. Palatine Ins. Co.</i>	<i>Churchill v. Brock</i>
<i>Albrent Freight & Storage Co. v. Public Service Com.</i>	<i>Hardware Mut. Cas. Co. v. St. Paul Mercury Indem. Co.</i>	<i>In re Jefferson County Farm Drainage</i>	<i>Gant v. Industrial Com.</i>
<i>Baehmann v. Baehmann</i>	<i>Heinecke v. Hardware Mut. Cas. Co.</i>	<i>Webster v. Frawley</i>	<i>In re Greiling's Will</i>
<i>Beck v. Hamann</i>	<i>Lange v. Rancher</i>	<i>Wisconsin Employment Relations Board v. Retail Clerks International Union</i>	<i>Lake to Lake Dairy Co-op. v. Andrews</i>
<i>Bergren v. Staples</i>	<i>Lodi Tel. Co. v. Public Service Com.</i>	<i>Zabkowicz v. Industrial Com.</i>	<i>Miller v. Green</i>
<i>Beyer v. Schuett</i>	<i>Miller Rasmussen Ice & Coal Co. v. Industrial Com.</i>		<i>Powless v. Powless</i>
<i>Boehmer v. Boehmer</i>	<i>Miller v. Keller</i>		<i>Selmer Co. v. Industrial Com.</i>
<i>Brackob v. Brackob</i>	<i>Schwartz v. Syver</i>		<i>State v. Surma</i>
<i>Brenneman v. Reddick</i>	<i>State ex rel. Grosvold v. Board of Sup'rs</i>		<i>Ullman v. Freye</i>
<i>Briggson v. Viroqua</i> (264 Wis. 47)	<i>Tribolini v. Federal Business Appraisers Co.</i>		<i>Wegner v. Chicago & N. W. R. Co.</i>
<i>Briggson v. Viroqua</i> (264 Wis. 40)	<i>Cash Crops Co-op. v. Green Giant Co.</i> [5-1]		
<i>Buettner v. Industrial Com.</i>	<i>Valentine v. Patrick Warren Const. Co.</i> [5-1]		
<i>Bunde v. Badger Carpet Dyers, Inc.</i>			
<i>C. F. Trantow Co. v. Industrial Com.</i>			
<i>Caesar v. Wegner</i>			
<i>Carlson v. Marinette County</i>			
<i>Carney-Rutter Agency v. Central Office Bldgs.</i>			
<i>Carroll v. Richland County</i>			
<i>Chicago, N. S. & M. R. Co. v. Greeley</i>			
<i>Clocherez v. Miller</i>			
<i>Connecticut Indem. Co. v. Prunty</i>			
<i>Connell v. Luck</i>			
<i>Conway v. Marachowsky</i>			
<i>Cook v. Wisconsin Tel. Co.</i>			
<i>Dahl v. Harwood</i>			
<i>Dairy Employees Independent Union v. Wisconsin Employment Relations Board</i>			
<i>De Keuster v. Green Bay & W. R. Co.</i>			

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¹ Due to rounding, the percentages at the top of the table do not add up to 100. 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>Dentici v. Industrial Com.</i>			
<i>Derouin v. State Dep't of Public Welfare</i>			
<i>Diemel v. Weirich</i>			
<i>Dombrowski v. Albrent Freight & Storage Corp.</i>			
<i>Eliason v. Northland Greyhound Bus Lines</i>			
<i>Erickson v. Westfield Milling & Electric Light Co.</i>			
<i>Estate of Bauer</i>			
<i>Estate of Beilke v. Estate of Beilke</i>			
<i>Estate of Beyer</i>			
<i>Estate of Feiereisen v. Steier</i>			
<i>Estate of Landauer</i>			
<i>Estate of Marotz</i>			
<i>Estate of Michel v. Department of Taxation</i>			
<i>Estate of Smith v. Fairchild</i>			
<i>Estate of Teasdale</i>			
<i>Firemen's Underwriters Dep't of Firemen's Ins. Co. v. Nieman</i>			
<i>First Nat'l Bank & Trust Co. v. S. C. Johnson & Sons, Inc.</i>			
<i>Flamingo v. Waukesha</i>			
<i>Flatley v. American Auto. Ins. Co.</i>			
<i>Fondow v. Milwaukee E. R. & T. Co.</i>			
<i>Frangesch v. Kamp</i>			
<i>Fredrickson v. Kabat</i>			
<i>Frei v. Frei</i>			
<i>Fruit Boat Market v. Industrial Com.</i>			
<i>Funk v. Woyak</i>			
<i>Gauger v. Hintz</i>			
<i>Gauthier v. Braun</i>			
<i>Gear v. General Casualty Ins. Co.</i>			
<i>Gray Well Drilling Co. v. Wisconsin State Board of Health</i>			
<i>Groshek v. Groshek</i>			
<i>Hansen v. State</i>			
<i>Harnischfeger Corp. v. Industrial Com.</i>			
<i>Hendricks v. Rowan</i>			
<i>Hensle v. Carter</i>			
<i>Herbert v. Richland Center</i>			
<i>Herman v. United Auto., etc., Implement Workers</i>			
<i>Herzing v. Hess</i>			
<i>Hiller v. Perssion</i>			
<i>In re Aronson</i>			
<i>In re Block's Will</i>			
<i>In re Incorporation of Oconomowoc Lake</i>			
<i>In re Klagstad's Will</i>			
<i>In re Uihlein's Will</i>			
<i>Jacobson v. Milwaukee</i>			
<i>Jankovich v. Arens</i>			
<i>Jankowski v. Komisarek</i>			

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<i>Johann v. Milwaukee Electric Tool Corp.</i>			
<i>Johnsen v. Pierce</i>			
<i>Johnson v. Firemen's Fund Indem. Co.</i>			
<i>Johnson v. Pofahl</i>			
<i>Johnson v. Sipe</i>			
<i>Johnson v. Viebrock</i>			
<i>Johnston v. Eschrich</i>			
<i>Jonas Co. v. Electrical Workers Union</i>			
<i>Klein v. Montgomery Ward & Co.</i>			
<i>Kovacs v. Hoag</i>			
<i>Kurth v. Hauser</i>			
<i>La Violette v. Milligan</i>			
<i>Lake Mills v. Veldhuizen</i>			
<i>Langer v. Stegerwald Lumber Co.</i>			
<i>Lawrence Inv. Co. v. Wenzel & Henoeh Co.</i>			
<i>London & Lancashire Indem. Co. v. Phoenix Indem. Co.</i>			
<i>Macpherson v. Strand</i>			
<i>Madison Bus Co. v. Public Service Com.</i>			
<i>Madison v. State Dep't of Public Welfare</i>			
<i>Makal v. Industrial Com.</i>			
<i>Maxwell v. Fink</i>			
<i>McGaw v. Wassmann</i>			
<i>Miller v. Joannes</i>			
<i>Milton Junction v. Milton</i>			
<i>Milwaukee v. Stanki</i>			
<i>Minkel v. Bibbey</i>			
<i>Mitchell v. Horicon</i>			
<i>Motor Transport Co. v. Public Service Com.</i>			
<i>Mueller v. Mercy Home & Hospital Ass'n</i>			
<i>Muench v. Public Service Com.</i>			
<i>Nelson v. American Employers' Ins. Co.</i>			
<i>Nelson v. Preston</i>			
<i>Northern Light Co. v. Industrial Com.</i>			
<i>Olander v. Klapprote</i>			
<i>Olsen v. Ortell</i>			
<i>Paepcke v. Sears, Roebuck & Co.</i>			
<i>Pargeter v. Chicago & N. W. R. Co.</i>			
<i>Pautsch v. Clark Oil Co.</i>			
<i>Perkins v. Peacock</i>			
<i>Perry v. Labor Temple Ass'n</i>			
<i>Peters v. Hall</i>			
<i>Peterson v. Wisconsin River Power Co.</i>			
<i>Pfeifer v. Standard Gateway Theater</i>			
<i>Phaneuf v. Industrial Com.</i>			
<i>Pias v. Racine</i>			

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<i>Pick Foundry, Inc. v. General Door Mfg. Co.</i>			
<i>Pick Industries, Inc. v. Gebhard-Berghammer, Inc.</i> (264 Wis. 353)			
<i>Plainse v. Engle</i>			
<i>Platon v. Wisconsin Dep't of Taxation</i>			
<i>Plovey v. Vogele</i>			
<i>Rambow v. Wilkins</i>			
<i>Rasmussen v. Metropolitan Casualty Ins. Co.</i>			
<i>Raymond v. Century Indem. Co.</i>			
<i>Revor v. Revor</i>			
<i>Riepl v. Sardino</i>			
<i>Rogers v. Valley Outdoor Theater Co.</i>			
<i>Rude v. Lehman</i>			
<i>Scholberg v. Itmyre</i>			
<i>School Dist. v. Burnett County School Committee</i>			
<i>Schroeder v. Kuntz</i>			
<i>Schwellenbach v. Wagner</i>			
<i>Shy v. Industrial Salvage Material Co.</i>			
<i>Siblik v. Motor Transport Co.</i>			
<i>Simons v. Industrial Com.</i>			
<i>Smith v. Wisconsin Dep't of Taxation</i>			
<i>Sparling v. Thomas</i>			
<i>St. Joseph's Hospital v. Wisconsin Employment Relations Board</i>			
<i>Stammer v. Mulvaney</i>			
<i>Standard Dewing Equipment Corp. v. Motor Specialty, Inc.</i>			
<i>Starzinski v. Starzinski</i>			
<i>State ex rel. Hermann v. Madison Gas & Electric Co.</i>			
<i>State ex rel. Kojis v. Barczak</i>			
<i>State ex rel. Morse v. Christianson</i>			
<i>State ex rel. School Dist. v. Burnett County School Committee</i>			
<i>State ex rel. Volden v. Haas</i>			
<i>State Farm Mut. Auto. Ins. Co. v. Continental Cas. Co.</i>			
<i>State v. Biller</i>			
<i>State v. Coates</i>			
<i>State v. Driscoll</i>			
<i>State v. Eisbach</i>			
<i>State v. Helwig</i>			
<i>State v. Hibicke</i>			
<i>State v. Jensen</i>			
<i>State v. Ketchum</i>			
<i>State v. Peckham</i>			
<i>State v. Phillips</i>			
<i>State v. Resler</i>			
<i>State v. Sawyer</i>			
<i>State v. Schlueter</i>			
<i>State v. Schmack</i>			

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<i>State v. Stang Tank Line</i>			
<i>State v. Stehlek</i>			
<i>State v. Wakeen</i>			
<i>Stokely Foods v. Industrial Com.</i>			
<i>Superior v. Committee v Water Pollution</i>			
<i>Swanson v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Taylor v. Bricker</i>			
<i>Thoms v. Gunnelson</i>			
<i>Thoresen v. Grything</i>			
<i>Thorp Finance Corp. v. Le Mire</i>			
<i>Tillman v. Michigan-Wisconsin Pipe Line Co.</i>			
<i>Topham v. Casey</i>			
<i>Touchett v. E. Z. Paintr Corp.</i>			
<i>Veitch v. Schlepp</i>			
<i>Voight v. Walters</i>			
<i>Wagner v. Home Mut. Cas. Co.</i>			
<i>Walter v. Industrial Com.</i>			
<i>Wannmacher v. Baldauf Corp.</i>			
<i>Western Condensing Co. v. Industrial Com.</i>			
<i>Whirry v. State Farm Mut. Auto. Ins. Co.</i>			
<i>Wisconsin Axle Div. v. Industrial Com.</i>			
<i>Wisconsin Natural Gas Co. v. Employers Mut. Liability Ins. Co.</i>			
<i>Wisconsin Pharmaceutical Ass'n v. Lee</i>			
<i>Wisconsin Tel. Co. v. Industrial Com.</i>			
<i>Ylen v. Mutual Service Cas. Ins. Co.</i>			
<i>Zang v. Schumann</i>			
<i>Zenner v. Fischer</i>			
<i>Zippel v. Country Gardens, Inc.</i>			
<i>Zuhak v. Rose</i>			
<i>Christenson & Arndt, Inc. v. Wisconsin Tel. Co. [6-0]</i>			
<i>Doyle v. Teasdale [6-0]</i>			
<i>Estate of Jussen v. Department of Taxation [6-0]</i>			
<i>Fiore v. Madison [6-0]</i>			
<i>Fitzgerald v. Buffalo County [6-0]</i>			
<i>Iverson v. Schnack [6-0]</i>			
<i>Karsten v. Meis [6-0]</i>			
<i>Pick Industries, Inc. v. Gebhard-Berghammer, Inc. (262 Wis. 498) [6-0]</i>			
<i>State ex rel. Stock v. Kubiak [6-0]</i>			
<i>West Shore Express v. Public Service Com. [6-0]</i>			
<i>Zinzow Const. Co. v. Giovannoni [6-0]</i>			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1952-53 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
Currie	220	229	96%
Brown	220	228	96%
Broadfoot	216	229	94%
Martin	226	229	99%
Fairchild	221	225	98%
Gehl	219	227	96%
Fritz	223	230	97%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Currie	18	27	67%
Brown	18	26	69%
Broadfoot	14	27	52%
Martin	24	27	89%
Fairchild	22	26	85%
Gehl	19	27	70%
Fritz	20	27	74%

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)	6-1 (or 5-1)	5-2	4-3
Currie	33	3	1	3
Brown	30	2	0	0
Broadfoot	30	4	0	1
Martin	30	0	0	2
Fairchild	28	2	3	1
Gehl	28	0	1	2
Fritz	24	1	0	1

Opinion Author	Concurring Opinions	Dissenting Opinions
Currie	4	7
Brown	0	2
Broadfoot	0	3
Martin	0	0
Fairchild	0	1
Gehl	0	6
Fritz	0	3

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
Currie	40	30
Brown	32	30
Broadfoot	35	30
Martin	32	28
Fairchild	34	29
Gehl	31	28
Fritz	26	29