

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1950-51

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Hughes, Brown, Broadfoot, Gehl	1	<i>In re Fritsch's Estate</i>
Hughes, Broadfoot, Gehl, Fritz	1	<i>Jens v. Habeck</i>
Brown, Martin, Fairchild, Fritz	1	<i>Dachelet v. Home Mut. Casualty Co.</i>
Hughes, Broadfoot, Martin, Gehl	1	<i>Thurn v. La Crosse Liquor Co.</i>
Brown, Broadfoot, Fairchild, Fritz	1	<i>Schutt v. Kenosha</i>

4-3 Membership in the Majority

Justice	Votes
Hughes	3
Brown	3
Broadfoot	4
Martin	2
Fairchild	2
Gehl	3
Fritz	3

4-3 Majority Opinions Authored

	Opinions
Hughes	1
Brown	0
Broadfoot	0
Martin	0
Fairchild	1
Gehl	1
Fritz	2
Total	5

Decisions by Vote Split¹

7-0 (or 6-0, 5-0)	6-1	5-2	4-3
181/198 (91%)	5/198 (3%)	7/198 (4%)	5/198 (3%)
<i>Jolly v. Greendale Housing Authority</i>	<i>Adams v. Congdon</i>	<i>Marchant v. Franz</i>	<i>In re Fritsch's Estate</i>
<i>Bradstrom v. Lasker Jewelers</i>	<i>Kehl v. Britzman</i>	<i>State v. Ross</i>	<i>Jens v. Habeck</i>
<i>Cascio v. Cascio</i>	<i>Brown v. Sucher</i>	<i>Stanley C. Hanks Co. v. Scherer</i>	<i>Dachelet v. Home Mut. Casualty Co.</i>
<i>Confidential Loan & Mortg. Co. v. Hardgrove</i>	<i>Appeal of Jendrzejewski</i>	<i>State v. Meyer</i>	<i>Thurn v. La Crosse Liquor Co.</i>
<i>Cox v. Cox</i>	<i>In re Bratt</i>	<i>State v. Cox</i>	<i>Schutt v. Kenosha</i>
<i>Greenville Co-operative Gas Co. v. Lodesky</i>		<i>Bailey v. Bach</i>	
<i>Halbach v. Halbach</i>		<i>Weber v. Weber</i>	
<i>In re Bentert's Guardianship</i>			
<i>In re Borchert's Will</i>			
<i>In re Reinke's Will</i>			
<i>In re Yates' Will</i>			
<i>Landrath v. Allstate Ins. Co.</i>			
<i>Larson v. Fisher</i>			
<i>Peterson v. General Cas. Co.</i>			
<i>Pfeifer v. Standard Gateway Theater, Inc.</i>			
<i>Schultz v. Miller</i>			
<i>State v. Raether</i>			
<i>State v. Willing</i>			
<i>Stellmacher v. Wisco Hardware Co.</i>			
<i>Thayer v. Hyne</i>			
<i>Vogel v. Vogel</i>			
<i>American Casualty Co. v. American Auto. Ins. Co.</i>			
<i>Anthony Grignano Co. v. Gooch</i>			
<i>Colton v. Foulkes</i>			
<i>Hagen v. Badger Petroleum Co.</i>			
<i>In re Rade's Estate</i>			
<i>In re Scherer's Trust Estate</i>			
<i>In re Thornton's Estate</i>			
<i>Kryl v. Mecholson</i>			
<i>Langer v. Stegerwald Lumber Co.</i>			
<i>Laridaen v. Ry. Exp. Agency</i>			
<i>Milwaukee County v. Lake</i>			
<i>Potman v. State</i>			
<i>Rasmussen v. Milwaukee E. R. & T. Co.</i>			
<i>Swazee v. Lee</i>			
<i>Torphy v. Continental Cas. Co.</i>			
<i>Tuttle v. State</i>			

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¹ As the result of rounding, the percentages do not add up to one hundred. 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>Widness v. Central States Fire Ins. Co.</i>			
<i>Beck Inv. Co. v. Ganser</i>			
<i>Bourdo v. Preston</i>			
<i>Central Refrigeration, Inc. v. Monroe</i>			
<i>Coulter v. Wisconsin Dep't of Taxation</i>			
<i>Davis v. Davis</i>			
<i>Ernst v. Ernst</i>			
<i>Greenfield v. Milwaukee</i>			
<i>Greenfield v. Milwaukee</i>			
<i>In re Del Marcelle's Estate</i>			
<i>In re Engels' Estate</i>			
<i>In re Vogel's Estate</i>			
<i>Johnson v. Ripon</i>			
<i>Krasno v. Brace</i>			
<i>McMann v. Faulstich</i>			
<i>Pleau v. State</i>			
<i>Skowron v. Skowron</i>			
<i>St. Paul-Mercury Indem. Co. v. State Dep't of Agriculture</i>			
<i>State ex rel. Abbott v. House of Vision-Belgard-Spero, Inc.</i>			
<i>State ex rel. Hall v. Cowie</i>			
<i>State v. Friedl</i>			
<i>Steffenson v. Steffenson</i>			
<i>Wauwatosa v. Milwaukee</i>			
<i>BALZER v. WELSENSEL</i>			
<i>Bank of Mauston v. Marachowsky</i>			
<i>Buck v. Home Mut. Casualty Co.</i>			
<i>Clintonville Transfer Line v. Public Service Com.</i>			
<i>Ellsworth v. State</i>			
<i>Elsinger v. Elsinger</i>			
<i>Ford v. James</i>			
<i>Gerke v. Johnson</i>			
<i>Hansen v. Industrial Com.</i>			
<i>In re Austin's Estate</i>			
<i>In re Dobson's Will</i>			
<i>Janesville v. Chicago & N. W. R. Co.</i>			
<i>Kettner v. Industrial Com.</i>			
<i>La Rosa v. Hess</i>			
<i>Lang v. Chicago & N. W. R. Co.</i>			
<i>Meverden v. State</i>			
<i>Peurala v. Hurley</i>			
<i>Rochester American Ins. Co. v. Plumbers Supply Co.</i>			
<i>Sandstrom v. Estate of Clausen</i>			
<i>Schwellenbach v. Wagner</i>			
<i>Sheehan v. Matthew</i>			
<i>Wisconsin Dep't of Taxation v. Berry</i>			
<i>Zimmers v. St. Sebastian's Congregation</i>			
<i>Arendt v. Kratz</i>			
<i>Batson v. Nichols</i>			

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<i>Brown v. Erb</i>			
<i>Derenne v. Vlies</i>			
<i>Estate of Chapman</i>			
<i>Guentner v. Gnagi</i>			
<i>In re Lenahan's Estate</i>			
<i>In re Weber's Estate</i>			
<i>International Union United Auto. Workers v. Wisconsin Employment Relations Board</i>			
<i>Kampmann v. McInerney</i>			
<i>Miller v. Industrial Com.</i>			
<i>Milwaukee E. R. & T. Co. v. Industrial Com.</i>			
<i>Mitchell v. Williams</i>			
<i>Ninneman v. Schwede</i>			
<i>Palfuss v. Milwaukee</i>			
<i>Popko v. Globe Indem. Co.</i>			
<i>West Shore Transport Co. v. Industrial Com.</i>			
<i>Wilusz v. Witek</i>			
<i>Auer v. Johnson</i>			
<i>Dunn v. Dunn</i>			
<i>Estate of Robbins</i>			
<i>Estate of Stewart v. Chester</i>			
<i>Estate of Yahn</i>			
<i>Fleischman v. Zimmermann</i>			
<i>Gipp v. Gipp</i>			
<i>Heimbecher v. Johnson</i>			
<i>Hessman v. O'Brien</i>			
<i>Hotzel v. Simmons</i>			
<i>In re Suhling's Will</i>			
<i>Mezera v. Pahmeier</i>			
<i>Milwaukee v. Wegner</i>			
<i>Nelson v. American Employers' Ins. Co.</i>			
<i>Schumm v. Milwaukee County</i>			
<i>State v. Babich</i>			
<i>Stollfuss v. Reeck</i>			
<i>Zuelke v. Gergo</i>			
<i>Barrows v. Leath & Co.</i>			
<i>Employers Mut. v. Minneapolis, S. P. & S. S. M. R. Co.</i>			
<i>Falk v. Industrial Com.</i>			
<i>General Motors Acceptance Corp. v. Commissioner of Banks</i>			
<i>Gill Bldg. Co. v. Central Garage Co.</i>			
<i>Huenger v. Door County Mut. Ins. Co.</i>			
<i>In re Walker's Will</i>			
<i>Mader v. Mader</i>			
<i>Milwaukee County v. Carter</i>			
<i>Milwaukee County v. State Dep't of Public Welfare</i>			
<i>Mossak v. Pfost</i>			
<i>O'Leary v. Hannaford</i>			
<i>Polk v. Gilbert</i>			
<i>Schultz v. Weber</i>			

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<i>Shrofe v. Rural Mut. Casualty Ins. Co.</i>			
<i>State v. Decker</i>			
<i>State v. Janasky</i>			
<i>Videkovich v. Valek</i>			
<i>Wisconsin Dep't of Taxation v. Belle City Malleable Iron Co.</i>			
<i>Asplund v. Palmer</i>			
<i>Barrock v. Barrock</i>			
<i>Cash Crops Cooperative v. Minnesota Valley Canning Co.</i>			
<i>Graff v. Hartford Acci. & Indem. Co.</i>			
<i>Halvorson v. Tarnow</i>			
<i>Howard v. Riley</i>			
<i>In re Larson's Estate</i>			
<i>Kiefer v. State</i>			
<i>Kirkpatrick v. Milks</i>			
<i>Kleckner v. Great American Indem. Co.</i>			
<i>Leusink v. O'Donnell</i>			
<i>Martin v. Lindner</i>			
<i>Matosian v. Milwaukee Auto. Ins. Co.</i>			
<i>Shapiro v. Klinker</i>			
<i>South Milwaukee v. Schantzen</i>			
<i>State ex rel. Schmidt v. White</i>			
<i>Stiikl v. De Both</i>			
<i>Wilensky v. Miller</i>			
<i>Zerk v. Zerk</i>			
<i>Bradle v. Juuti</i>			
<i>Estate of Bray</i>			
<i>Fossman v. Industrial Com.</i>			
<i>Implement Dealers Mut. Fire Ins. Co. v. Golden</i>			
<i>In re Repush's Will</i>			
<i>In re Russell's Will</i>			
<i>In re Trimpey's Estate</i>			
<i>Prunty v. Vandenberg</i>			
<i>Reuling v. Chicago, S. P., M. & O. R. Co.</i>			
<i>State ex rel. Wisconsin University Bldg. Corp. v. Bareis</i>			
<i>Stroik v. Kobida</i>			
<i>Yanisch v. American Fidelity & Casualty Co.</i>			
<i>Milwaukee v. Public Service Com. [6-0]</i>			
<i>In re Maxcy's Estate [6-0]</i>			
<i>State ex rel. Leuch v. Hilgen [6-0]</i>			
<i>Nyre v. Joint School Dist. [6-0]</i>			
<i>State ex rel. Marachowsky v. Kerl [6-0]</i>			
<i>BAKER v. LEENHOUTS [6-0]</i>			
<i>Kloppstein v. Fries [6-0]</i>			
<i>Mohs v. Quarton [6-0]</i>			

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<i>Wisconsin Employment Relations Board v. Milwaukee Gas Light Co.</i> [6-0]			
<i>State v. Hartwig</i> [6-0]			
<i>Milwaukee County v. Bayley</i> [5-0]			
<i>Mondovi Co-Op. Equity Ass'n v. State</i> [5-0]			

Frequency in the Majority

These tables display how frequently each justice voted in the majority in decisions filed during the 1950-51 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
Hughes	187	197	95%
Brown	194	196	99%
Broadfoot	190	195	97%
Martin	191	194	98%
Fairchild	194	197	98%
Gehl	187	195	96%
Fritz	195	198	98%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Hughes	7	17	41%
Brown	15	17	88%
Broadfoot	12	17	71%
Martin	14	17	82%
Fairchild	14	17	82%
Gehl	9	17	53%
Fritz	14	17	82%

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	5-2	4-3
Hughes	27	0	0	1
Brown	25	1	1	0
Broadfoot	26	1	0	0
Martin	28	0	1	0
Fairchild	20	3	4	1
Gehl	27	0	0	1
Fritz	28	0	1	2

Opinion Author	Concurring Opinions	Dissenting Opinions
Hughes	2	5
Brown	1	1
Broadfoot	0	0
Martin	0	0
Fairchild	1	2
Gehl	0	6
Fritz	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.

	Number of Majority/Lead Opinions Authored in Cases that Included Oral Argument	Ave. No. of Days From Oral Argument to Opinion Filing
Hughes	28	31
Brown	27	33
Broadfoot	27	32
Martin	29	33
Fairchild	28	34
Gehl	28	31
Fritz	31	31