

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1948-49

Four-to-Three Decisions

4-3 Alignments

Justices	Total	Case Names
Martin, Fairchild, Fritz, Rosenberry	1	<i>Dinger v. McCoy Transp. Co.</i>
Hughes, Broadfoot, Martin, Fritz	1	<i>Kenosha Motor Coach Lines v. Public Service Com.</i>
Hughes, Wickhem, Broadfoot, Rosenberry	1	<i>Mueller v. Silver Fleet Trucking Co.</i>
Broadfoot, Fairchild, Fritz, Rosenberry	1	<i>State v. Cardinal Lines</i>

4-3 Membership in the Majority

Justice	Votes
Hughes	2
Wickhem	1
Broadfoot	3
Martin	2
Fairchild	2
Fritz	3
Rosenberry	3

4-3 Majority Opinions Authored

	Opinions
Hughes	0
Wickhem	0
Broadfoot	1
Martin	0
Fairchild	0
Fritz	0
Rosenberry	3
Total	4

Decisions by Vote Split¹

7-0 (or 6-0, 5-0)	6-1 (or 5-1)	5-2	4-3
201/221 (91%)	12/221 (5%)	4/221 (2%)	4/221 (2%)
<i>A B C Auto Sales v. Marcus</i>	<i>McCoy v. May</i>	<i>Mueller v. Milwaukee</i>	<i>Dinger v. McCoy Transp. Co.</i>
<i>Amalgamated Ass'n of Street, etc., Employees v. Milwaukee E. R. & T. Co.</i>	<i>Smith v. Smith</i>	<i>Miles v. General Casualty Co.</i>	<i>Kenosha Motor Coach Lines v. Public Service Com.</i>
<i>Baker v. Baker Mfg. Co.</i>	<i>Welch v. Corrigan</i>	<i>State ex rel. Johnson v. Buchanan</i>	<i>Mueller v. Silver Fleet Trucking Co.</i>
<i>Bank of California v. Hoffmann</i>	<i>State ex rel. Kowaleski v. District Court of Milwaukee County</i>	<i>Combustion Engineering Co. v. Industrial Com.</i>	<i>State v. Cardinal Lines</i>
<i>Barr v. Granahan</i>	<i>State ex rel. Schaech v. Sheridan</i>		
<i>Budke v. Holvick</i>	<i>State ex rel. Sullivan v. Hauerwas</i>		
<i>Calhoun v. Lasinski</i>	<i>In re Vacating Plat of Chiwaukee</i>		
<i>Ermis v. Ermis</i>	<i>Papenfus v. Shell Oil Co.</i>		
<i>Evjue v. Howell</i>	<i>Ainsworth v. Berg</i> [February 15, 1949]		
<i>Foemmel v. Mueller</i>	<i>Faultersack v. Clintonville Sales Corp.</i> (5-1)		
<i>Franzen v. Fred Rueping Leather Co.</i>	<i>Frye v. Theige</i> (5-1)		
<i>In re Diederichs' Estate</i>	<i>Crawley v. Hill</i> (5-1)		
<i>Janisch v. Smith</i>			
<i>Kempfer v. Bois</i>			
<i>Kirchen v. Tisler</i>			
<i>Kirchoff v. Janesville</i>			
<i>Lupinski v. Fischer</i>			
<i>Munninghoff v. Wisconsin Conservation Com.</i>			
<i>Pietsch v. Groholski</i>			
<i>Pleau v. State</i>			
<i>Pressed Steel Tank Co. v. Industrial Com.</i>			
<i>Razall v. Razall</i>			
<i>Riley v. Chicago & N. W. R. Co.</i>			
<i>Schlewitz v. London & Lancashire Indem. Co.</i>			
<i>Sonnenberg v. Hardware Mut. Casualty Co.</i>			
<i>State ex rel. Arthur v. Proctor</i>			
<i>State ex rel. Distenfeld v. Neelen</i>			
<i>State ex rel. Evjue v. Weatherly</i>			
<i>State ex rel. Kohl v. Kubiak</i>			
<i>State v. Turpin</i>			

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¹ 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>State v. Winkler</i>			
<i>United Gas, Coke & Chemical Workers v. Wisconsin Employment Relations Board</i>			
<i>Vick v. Brown</i>			
<i>Waseka v. Industrial Com.</i>			
<i>Winslow v. Winslow</i>			
<i>Wisconsin Employment Relations Board v. Gilson Bros.</i>			
<i>Wisconsin Employment Relations Board v. Plankinton Packing Co.</i>			
<i>Bauhs v. St. James Congregation</i>			
<i>Business Brokers Ass'n v. McCauley</i>			
<i>Gallagher v. Chicago & N. W. R. Co.</i>			
<i>Garrity v. Davis</i>			
<i>Gronowicz v. State</i>			
<i>Gvora v. Carlson</i>			
<i>Hauer v. Niedfeldt</i>			
<i>Herro v. Steidl</i>			
<i>Lauren v. Calvetti</i>			
<i>Leuch v. Egelhoff</i>			
<i>Mississippi Valley Public Service Co. v. Larson</i>			
<i>Moe v. Krupke</i>			
<i>Pouwels v. Cheese Makers Mut. Casualty Co.</i>			
<i>Spangler v. Wisconsin Dep't of Taxation</i>			
<i>Stein v. Soref</i>			
<i>Stevens v. Berger</i>			
<i>Waukesha v. Stathas</i>			
<i>Wauwatosa v. Union Free High School Dist.</i>			
<i>Allis-Chalmers Mfg. Co. v. Wisconsin Employment Relations Board</i>			
<i>Chicago & M. E. R. Co. v. Public Service Com.</i>			
<i>Conrad v. Industrial Com.</i>			
<i>Daanen v. MacDonald</i>			
<i>Davies v. Meisenheimer</i>			
<i>Frawley v. Kittel</i>			
<i>Garfield Inv. Co. v. Oconomowoc</i>			
<i>In re Anderson's Guardianship</i>			
<i>In re Bodus' Will</i>			
<i>In re Schultz' Will</i>			
<i>Journal Co. v. Bundy</i>			
<i>Kucksdorf v. Industrial Com.</i>			
<i>Maitland v. Twin City Aviation Corp.</i>			
<i>Mazomanie v. Mazomanie</i>			
<i>McGuinness v. New York Life Ins. Co.</i>			

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<i>Melchert v. Van Handel</i>			
<i>Motor Castings Co. v. Milwaukee County Bank</i>			
<i>Nelson v. La Crosse Trailer Corp.</i>			
<i>O'Neill v. Jessen</i>			
<i>Piehl v. Marino</i>			
<i>Schulz v. Indus. Com</i>			
<i>Sharkey v. Michels</i>			
<i>Spote v. Aliota</i>			
<i>State v. Roberson</i>			
<i>Suennen v. Evrard</i>			
<i>Treptow v. Ruffedt</i>			
<i>Wisconsin Tel. Co. v. Central Contracting Co.</i>			
<i>Meyers v. Sohrweide</i>			
<i>Belanger v. Amalgamated Ass'n of Street, etc.</i>			
<i>Servi v. Draheim</i>			
<i>Bokelkamp v. Olson</i>			
<i>Bristol v. Eckhardt</i>			
<i>Columbia Casualty Co. v. Industrial Com.</i>			
<i>Dobbin v. Costello</i>			
<i>Dolata v. Berthelet Fuel & Supply Co.</i>			
<i>Ebben v. Farmers Mut. Auto. Ins. Co.</i>			
<i>Harvey v. Wisconsin Dep't of Taxation</i>			
<i>Hertz Drivurself Stations v. Industrial Com.</i>			
<i>Hiddessen v. Kuehn</i>			
<i>In re Kramer's Will</i>			
<i>In re Paulson's Will</i>			
<i>Inda v. Chicago & N. W. R. Co.</i>			
<i>Pacific Nat'l Fire Ins. Co. v. Irmiger</i>			
<i>Sampson v. Andrews</i>			
<i>Skelly v. Industrial Com.</i>			
<i>State v. McEwen</i>			
<i>Armstrong v. Industrial Com.</i>			
<i>Cassian v. Nokomis</i>			
<i>Christenson v. Wikan</i>			
<i>Dentice v. Industrial Com.</i>			
<i>Donny v. Chain of Lakes Cheese Co.</i>			
<i>Eleason v. Western Casualty & Surety Co.</i>			
<i>Ellison v. National Casualty Co.</i>			
<i>Freudenwald v. Christensen</i>			
<i>Glojek v. Glojek</i>			
<i>Hegge v. Hartford Acci. & Indem. Co.</i>			
<i>In re Szperka's Will</i>			
<i>Kaestner v. Milwaukee Auto. Ins. Co.</i>			
<i>Lentz v. Lentz</i>			

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<i>Malinowski v. Elliott</i>			
<i>Meier v. Smith</i>			
<i>Minneapolis Sec. Corp. v. Silvera</i>			
<i>Morrison v. Steinfort</i>			
<i>O'Hare v. Fink</i>			
<i>Olson v. Stella Cheese Co.</i>			
<i>Piek v. Knitter</i>			
<i>Ratcliff v. Aspros</i>			
<i>State ex rel. Schleck v. Zoning Board of Appeals</i>			
<i>State v. Mier</i>			
<i>Stiles v. Dahlke</i>			
<i>Templeton v. Templeton</i>			
<i>Townsend v. La Crosse Trailer Corp.</i>			
<i>Van Galder v. Snyder</i>			
<i>Vollmer v. Industrial Comm'n</i>			
<i>Weinfurther v. Princl</i>			
<i>Wiedenhaupt v. Hoelzel</i>			
<i>McCann v. Personnel Board of Wisconsin (6-0)</i>			
<i>Calvert Distillers Corp. v. Goldman (6-0)</i>			
<i>Engel v. Van Den Boogart (6-0)</i>			
<i>Fisher v. Industrial Com. (6-0)</i>			
<i>Patefield v. Fidelity & Casualty Co. (6-0)</i>			
<i>Zemel v. Industrial Com. (6-0)</i>			
<i>State ex rel. Frederick v. Zimmerman (6-0)</i>			
<i>State ex rel. Zimmerman v. Carpenter (6-0)</i>			
<i>State ex rel. Fairchild v. Wisconsin Auto. Trades Ass'n (6-0)</i>			
<i>Teichmüller v. Du Frane Moving Co. (6-0)</i>			
<i>Borchers v. Borchers (6-0)</i>			
<i>Johnson v. State (6-0)</i>			
<i>Peters v. Personnel Board (6-0)</i>			
<i>Thorp v. Landsaw (6-0)</i>			
<i>Bentley v. Fayas (6-0)</i>			
<i>Bliss v. Griffiths (6-0)</i>			
<i>Boehmke v. Industrial Com. (6-0)</i>			
<i>Bovi v. Mellor (6-0)</i>			
<i>Estate of Burmania (6-0)</i>			
<i>Estate of Treat (6-0)</i>			
<i>Estate of Witwer (6-0)</i>			
<i>Fox Wisconsin Theatres v. Waukesha (6-0)</i>			
<i>Fulkerson v. Risberg (6-0)</i>			
<i>Hafemann v. Milwaukee Auto. Ins. Co. (6-0)</i>			

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<i>Harms v. John Hancock Mut. Life Ins. Co.</i> (6-0)			
<i>Harnischfeger Corp. v. Industrial Com.</i> (6-0)			
<i>In re Baksic's Will</i> (6-0)			
<i>In re Bernhard's Will</i> (6-0)			
<i>In re Cooper's Will</i> (6-0)			
<i>Kloss v. American Indem. Co.</i> (6-0)			
<i>Kuenzi v. Radloff</i> (6-0)			
<i>Lempke v. Cummings</i> (6-0)			
<i>Motor Transport Co. v. Public Service Com.</i> (6-0)			
<i>Nash-Kelvinator Corp. v. Industrial Com.</i> (6-0)			
<i>Netzer v. Belongia</i> (6-0)			
<i>Piper v. Strohn</i> (6-0)			
<i>Reinhold v. Industrial Com.</i> (6-0)			
<i>Schuffletowski v. Allen</i> (6-0)			
<i>State v. Mitchell</i> (6-0)			
<i>Tait v. Pixley</i> (6-0)			
<i>Verbeten v. Huettl</i> (6-0)			
<i>Wisconsin Tel. Co. v. Wisconsin Employment Relations Board</i> (6-0)			
<i>Yaun v. Allis-Chalmers Mfg. Co.</i> (6-0)			
<i>Adams v. Quality Service Laundry & Dry Cleaners</i> (6-0)			
<i>Angelo v. Angelo</i> (6-0)			
<i>Estate of Boldt</i> (6-0)			
<i>Estate of Phephles</i> (6-0)			
<i>Feirn v. Shorewood Hills</i> (6-0)			
<i>Gateway City Transfer Co. v. Public Service Com.</i> (6-0)			
<i>Hartman v. Hartman</i> (6-0)			
<i>In re Solveson's Will</i> (6-0)			
<i>Johnson v. Armitage</i> (6-0)			
<i>Loehe v. Fox Point</i> (6-0)			
<i>Mineral Point v. Davis</i> (6-0)			
<i>Nimits v. Motor Transp. Co.</i> (6-0)			
<i>Parker v. Motor Transport Co.</i> (6-0)			
<i>Parr v. Douglas</i> (6-0)			
<i>Pelon v. Becco</i> (6-0)			
<i>Peterson v. Eberl</i> (6-0)			
<i>Roberts v. Roberts</i> (6-0)			
<i>State ex rel. Sippy v. Nee</i> (6-0)			
<i>State ex rel. Tilkens v. Board of Trustees</i> (6-0)			
<i>Wilcox v. Pethke</i> (6-0)			
<i>Ainsworth v. Berg</i> (6-0) [November 16, 1948]			
<i>State v. Evjue</i> (5-0)			
<i>Estate of Miller v. Treichler</i> (5-0)			

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WISCONSIN SUPREME COURT DECISIONS, 1948-49

<i>Dunham v. Howard Industries</i> (5-0)			
<i>Immega v. Elkhorn</i> (5-0)			
<i>Palmer v. State</i> (5-0)			
<i>Petition of Knuth</i> (5-0)			

Frequency in the Majority

These tables display how frequently each justice voted in the majority. 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	211	218	97%
Wickhem	215	221	97%
Broadfoot	155	157	99%
Martin	210	213	99%
Fairchild	211	218	97%
Fritz	214	220	97%
Rosenberry	220	221	99.5%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Hughes	13	20	65%
Wickhem	14	20	70%
Broadfoot	15	17	88%
Martin	17	20	85%
Fairchild	13	20	65%
Fritz	14	20	70%
Rosenberry	19	20	95%

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. If a justice concurred or dissented without authoring an opinion, he is not credited.

Opinion Author	7-0 (or 6-0, 5-0)	6-1 (or 5-1)	5-2	4-3
Hughes	30	3	0	0
Wickhem	27	2	1	0
Broadfoot	22	2	1	1
Martin	30	2	0	0
Fairchild	28	2	1	0
Fritz	33	0	0	0
Rosenberry	31	1	1	3

Opinion Author	Concurring Opinions	Dissenting Opinions
Hughes	1	5
Wickhem	1	2
Broadfoot	0	1
Martin	0	0
Fairchild	0	6
Fritz	0	1
Rosenberry	0	1

