

STATISTICS ON WISCONSIN SUPREME COURT DECISIONS, 1947-48

Four-to-Three Decisions

Not a single case was decided by a 4-3 (or 3-2) margin.

Decisions by Vote Split

7-0 (or 6-0, 5-0)	6-1 (or 5-1, 4-1)	5-2	4-3
198/207 (96%)	7/207 (3%)	2/207 (1%)	0/207 (0%)
<i>Barutha v. Chicago, N. S. & M. R. Co.</i>	<i>Collar v. Meyer</i>	<i>Ische v. Ische</i>	
<i>Bauch v. State Farm Mut. Auto. Ins. Co.</i>	<i>Czerniakowski v. National Ice & Coal Co.</i>	<i>State v. Industrial Com.</i>	
<i>Brophy v. Milwaukee E. R. & T. Co.</i>	<i>Estate of Bitker</i>		
<i>Brumer v. United States</i>	<i>Buss v. Buss (5-1)</i>		
<i>Buschman v. Olson</i>	<i>In re Klofanda's Will (5-1)</i>		
<i>Byers v. Rumppe</i>	<i>Uren v. Purity Dairy Co. (5-1)</i>		
<i>Coryell v. Bluett</i>	<i>State ex rel. Lawrence v. Burke (4-1)</i>		
<i>Courtney v. Courtney</i>			
<i>Delaney v. Supreme Inv. Co.</i>			
<i>Dinger v. McCoy Transp. Co.</i>			
<i>Duda v. Beben</i>			
<i>Eaton v. State</i>			
<i>Ebner v. Industrial Com.</i>			
<i>Elkhorn Production Credit Ass'n v. Johnson</i>			
<i>Elkhorn v. Industrial Com.</i>			
<i>Estate of Benson v. Alm</i>			
<i>Estate of Callahan</i>			
<i>Estate of Doherty</i>			
<i>Estate of Filzen</i>			
<i>Estate of Hounsell</i>			
<i>Estate of Lambert v. John</i>			
<i>Estate of Petit</i>			
<i>Estate of Schultz</i>			
<i>Evans v. La Crosse Laundry & Cleaning Co.</i>			
<i>Fontaine v. Brown County Motors Co.</i>			
<i>Gale v. Consol. Bus & Equipment Co.</i>			
<i>Garlock v. Chicago, M., S. P. & P. R. Co.</i>			
<i>Gertz v. Gertz</i>			
<i>Gilbertson v. Gmeinder</i>			
<i>Gillespie v. Sykes</i>			
<i>Globe Steel Tubes Co. v. Industrial Comm'n</i>			
<i>Grohusky v. Ferry</i>			
<i>Hagen v. Thompson</i>			
<i>Hansen v. Hansen</i>			
<i>Hoehne v. Mittelstadt</i>			
<i>Huerth v. Prairie Du Sac</i>			
<i>Hynek v. Kewaunee, G. B. & W. R. Co.</i>			
<i>In re Brand</i>			
<i>In re King's Will</i>			
<i>In re Paulson's Will</i>			

(continued on following page)

<i>In re Schaech's Will</i>			
<i>International Union, United Auto. etc. v. Gooding</i>			
<i>J. W. Cartage Co. v. Laufenberg</i>			
<i>Jones v. Wisconsin Michigan Power Co.</i>			
<i>Kemps v. Wendt</i>			
<i>Kimball v. Mathey</i>			
<i>Kling v. Sommers</i>			
<i>Kowalsky v. General Industrial Sales</i>			
<i>La Crosse Tel. Corp. v. Wisconsin Employment Relations Board</i>			
<i>Lambie v. Vandenberg</i>			
<i>Lerner v. Lerner</i>			
<i>Mandella v. State</i>			
<i>Martin v. Weber</i>			
<i>McCoy v. Hoff</i>			
<i>McKenzie v. Clear Lake Union Free High School Dist.</i>			
<i>Meyers v. Wells</i>			
<i>Mickoleski v. Becker</i>			
<i>Miller v. Tainter</i>			
<i>Milwaukee v. Public Service Com.</i>			
<i>Mitchell v. Lewensohn</i>			
<i>Nemeth v. Farmers Co-op. Elevator Co.</i>			
<i>North End Foundry Co. v. Industrial Com.</i>			
<i>Pabst Brewing Co. v. Wisconsin Employment Relations Board</i>			
<i>Parish v. Awschu Properties</i>			
<i>Penokee Veneer Co. v. Industrial Com.</i>			
<i>Peterson v. Kemling</i>			
<i>Petre v. Slowinski</i>			
<i>Racine v. Woiteshek</i>			
<i>Rahn v. Co-operative Ins. Mut.</i>			
<i>Richartz v. Martin</i>			
<i>Riebs v. Milwaukee County Park Comm'n</i>			
<i>Ruffalo v. Savage</i>			
<i>Saxhaug v. Forsyth Leather Co.</i>			
<i>Schemm v. Bruch</i>			
<i>Schrank v. Philibeck</i>			
<i>Schultz v. Brogan</i>			
<i>Scipior v. Shea</i>			
<i>Serkowski v. Wolf</i>			
<i>Setzer v. Setzer</i>			
<i>Skalitsky v. Consolidated Badger Co-operative</i>			
<i>Smith v. Vogt</i>			
<i>Smith v. Whitewater</i> [251 Wis. 306]			
<i>Smith v. Whitewater</i> [251 Wis. 313]			
<i>Sorenson v. Stowers</i>			

(continued on following page)

<i>South Side Roofing & Material Co. v. Industrial Com.</i>			
<i>State ex rel. Baranowski v. Koszewski</i>			
<i>State ex rel. Borgen v. Nitz</i>			
<i>State ex rel. Buse v. Drewniak</i>			
<i>State ex rel. Martin v. Giessel</i>			
<i>State ex rel. McStroul v. Lucas</i>			
<i>State ex rel. Prahlow v. Milwaukee</i>			
<i>State v. Flanagan</i>			
<i>State v. Gibbs</i>			
<i>State v. Hanks</i>			
<i>State v. Kuick</i> [252 Wis. 236]			
<i>State v. Mier</i>			
<i>Storlie v. Hartford Acci. & Indem. Co.</i>			
<i>Suburban Inv. Co. v. Milwaukee County</i>			
<i>Sunderman v. Warnken</i>			
<i>Tupitza v. Tupitza</i>			
<i>Van Ness v. Rindle</i>			
<i>Vorvilas v. Vorvilas</i>			
<i>Wall v. Wall</i>			
<i>Wallin v. Sutherland</i>			
<i>Wausau Theatres Co. v. Genrich</i>			
<i>Welch v. Chippewa Sales Co.</i>			
<i>Welsh v. Mulligan</i>			
<i>Wenneman v. Royal Indem. Co.</i>			
<i>Wenzel v. Meske</i>			
<i>Werner v. Milwaukee Solvay Coke Co.</i>			
<i>Woods on behalf of United States v. Winter</i>			
<i>Wussow v. Gaida</i>			
<i>Zeinemann v. Gasser</i>			
<i>Zeise v. Deprey</i>			
<i>In re Estate of Lindh (per curiam, 7-0)</i>			
<i>Andersen v. Meyer (6-0)</i>			
<i>Application of Sherper's, Inc. (6-0)</i>			
<i>Armour & Co. v. Wisconsin Dep't of Taxation (6-0)</i>			
<i>Baldwin v. Baldwin (6-0)</i>			
<i>Berlowitz v. Roach (6-0)</i>			
<i>Bextel v. Franks (6-0)</i>			
<i>Burt v. Meunier (6-0)</i>			
<i>Coffey v. Oscar Mayer & Co. (6-0)</i>			
<i>Commonwealth Tel. Co. v. Public Service Com. (6-0)</i>			
<i>Estate of Boyle (6-0)</i>			
<i>Estate of Brust (6-0)</i>			
<i>Estate of Feeley (6-0)</i>			
<i>Estate of Wheeler (6-0)</i>			
<i>Fidelity Sav. Bank v. Aulik (6-0)</i>			
<i>In re Hickey's Will (6-0)</i>			
<i>Kelly v. Sullivan (6-0)</i>			

(continued on following page)

<i>Krueger v. Shufeldt</i> (6-0)			
<i>Lewis v. Lewis</i> (6-0)			
<i>Morris v. Kallas</i> (6-0)			
<i>Nelson v. Chicago, M., S. P. & P. R. Co.</i> (6-0)			
<i>Nickel v. Salen</i> (6-0)			
<i>Northern State Power Co. v. Industrial Com.</i> (6-0)			
<i>Olson v. State Farm Mut. Auto. Ins. Co.</i> (6-0)			
<i>Pelikan v. Spheeris</i> (6-0)			
<i>Reinke v. Chicago, M., S. P. & P. R. Co.</i> (6-0)			
<i>Roush v. Battin</i> (6-0)			
<i>Seibert v. Morris</i> (6-0)			
<i>Shawano Finance Corp. v. Haase</i> (6-0)			
<i>Skrzypczak v. Skrzypczak</i> (6-0)			
<i>State ex rel. Happel v. Schmidt</i> (6-0)			
<i>State ex rel. Week v. Wisconsin State Board of Examiners</i> (6-0)			
<i>State v. Goyins</i> (6-0)			
<i>State v. Kuick</i> (6-0) [252 Wis. 595]			
<i>Thiel v. Jahns</i> (6-0)			
<i>Thurner Heat Treating Co. v. Memco, Inc.</i> (6-0)			
<i>Trempealeau County v. Marsh</i> (6-0)			
<i>Van Rooy Printing Co. v. Harvey Pierre Post of V. F. W.</i> (6-0)			
<i>Volkman v. Fidelity & Casualty Co.</i> (6-0)			
<i>Washington Homes Ass'n v. Wanecek</i> (6-0)			
<i>Wiley v. Grindey</i> (6-0)			
<i>Wisconsin Electric Power Co. v. Wisconsin Dep't of Taxation</i> (6-0)			
<i>Wisconsin Employment Relations Bd. v. Algoma Plywood & Veneer Co.</i> (6-0)			
<i>Wisconsin Employment Relations Board v. Allis-Chalmers Workers' Union</i> (6-0) [252 Wis. 436]			
<i>Wisconsin Liquor Co. v. Peckarsky</i> (6-0)			
<i>Woodcock v. Home Mut. Casualty Co.</i> (6-0)			
<i>Zlindra v. Zlindra</i> (6-0)			
<i>Blooming Grove v. Madison</i> (per curiam, 6-0)			
<i>Gateway City Transfer Co. v. Public Service Com.</i> (per curiam, 6-0)			
<i>Biever v. Szultek</i> (5-0)			
<i>Buetow v. Hietpas</i> (5-0)			
<i>Dabareiner v. Weisflog</i> (5-0)			

(continued on following page)

<i>Darling v. Commercial & Sav. Bank</i> (5-0)			
<i>Estate of Boston: Warner v. Boston</i> (5-0)			
<i>Estate of Curtis v. Curtis</i> (5-0)			
<i>Friess v. Clark Super Gas Co.</i> (5-0)			
<i>Helms v. Fox Badger Theatres Corp.</i> (5-0)			
<i>Hudson v. Graff</i> (5-0)			
<i>In re Colman's Will</i> (5-0)			
<i>In re Incorporation of Hallie</i> (5-0)			
<i>In re Schultz' Will</i> (5-0)			
<i>In re Smith's Will</i> (5-0)			
<i>In re Volkering's Will</i> (5-0)			
<i>Liquor Salesmen, etc. v. Yahr-Lange Liquor, Inc.</i> (5-0)			
<i>McGeoch Bldg. Co. v. Dick & Reuteman Co.</i> (5-0)			
<i>Minton v. Minton</i> (5-0)			
<i>Richter v. Fassett</i> (5-0)			
<i>Sheldon v. Nick & Sons, Inc.</i> (5-0)			
<i>Shewalter v. Shewalter</i> (5-0)			
<i>Smith v. Hardware Dealers Mut. Fire Ins. Co.</i> (5-0)			
<i>State ex rel. Moon v. Annear</i> (5-0)			
<i>State v. Evjue</i> (5-0)			
<i>State v. Grengs</i> (5-0)			
<i>State v. Raines</i> (5-0)			
<i>Sterba v. Klevisha</i> (5-0)			
<i>Todorovich v. Kinnickinnic Federal Sav. & Loan Asso.</i> (5-0)			
<i>Wallner v. Fidelity & Deposit Co.</i> (5-0)			
<i>Wisconsin Employment Relations Board v. Allis-Chalmers Workers' Union</i> (5-0) [252 Wis. 43]			
<i>Zech v. Accola</i> (5-0)			
<i>Bula v. Oneida Farms (per curiam)</i> , 5-0)			
<i>Hall v. Walton (per curiam)</i> , 5-0)			
<i>Jazwinski v. Milwaukee (per curiam)</i> , 5-0)			
<i>Kadow v. Aluminum Specialty Co. (per curiam)</i> , 5-0)			
<i>Wisconsin Employment Relations Board v. J. P. Cullen & Son (per curiam)</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
Wickhem	206	207	99.5%
Fairchild	206	206	100%
Fritz	200	206	97.1%
Rosenberry	207	207	100%
Barlow	162	163	99.4%
Fowler	122	122	100%
Rector	79	80	98.8%
Martin	8	8	100%
Hughes	125	127	98.4%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Wickhem	8	9	89%
Fairchild	9	9	100%
Fritz	3	9	33%
Rosenberry	9	9	100%
Barlow	7	8	88%
Fowler	5	5	100%
Rector	1	2	50%
Martin	0	0	--%
Hughes	5	7	71%

Opinions Authored¹

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, 4-1)	5-2	4-3
Wickhem	33	1	0	0
Fairchild	32	2	1	0
Fritz	31	0	1	0
Rosenberry	30	2	0	0
Barlow	24	1	0	0
Fowler	6	0	0	0
Rector	15	0	0	0
Martin	1	0	0	0
Hughes	18	1	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Wickhem	1	1
Fairchild	1	0
Fritz	0	0
Rosenberry	0	0
Barlow	0	1
Fowler	0	0
Rector	0	1
Martin	0	0
Hughes	0	0

¹ *Per curiam* decisions are, of course, omitted.

