

Four-to-Three Decisions¹

4-3 Alignments

Justices	Total	Case Names
Crownhart, Fowler, Stevens, Owen	1	<i>Dehmel v. Smith</i>
Crownhart, Rosenberry, Stevens, Owen	1	<i>Schmeider v. McNett</i>

4-3 Membership in the Majority

Justice	Votes
Crownhart	2
Fritz	0
Rosenberry	1
Fowler	1
Stevens	2
Owen	2
Fairchild	--
Eschweiler	0

4-3 Majority Opinions Authored

	Opinions
Crownhart	0
Fritz	0
Rosenberry	1
Fowler	1
Stevens	0
Owen	0
Fairchild	--
Eschweiler	0
Total	2

¹ Both of these decisions were filed on November 5, 1929, nine days before the death of Justice Eschweiler, who wrote dissenting opinions in both. His replacement, Justice Fairchild, did not join the court until April of the following year, as noted in the introduction to this post.

Decisions by Vote Split²

7-0 (or 6-0, 5-0, 4-0) 329/343 (96%)	6-1 (or 5-1) 8/343 (2%)	5-2 (or 4-2) 4/343 (1%)	4-3 2/343 (1%)
<i>Badger Furniture Co. v. Industrial Com.</i>	<i>Vaudreuil Lumber Co. v. Aetna Casualty & Surety Co.</i>	<i>Bashaw Valley Coop. Creamery Co. v. Indus. Comm'n of Wis.</i>	<i>Dehmel v. Smith</i>
<i>Baierl v. Riesenecker</i>	<i>Elliott v. Indemnity Ins. Co.</i>	<i>William H. Schwanke, Inc. v. Wisconsin Tel. Co.</i>	<i>SCHMEIDER v. MCNETT</i>
<i>Britt v. Bauman</i>	<i>Eskelinen v. Northwestern Casualty & Surety Co.</i>	<i>Pederson & Voechting v. Indus. Comm'n of Wis.</i>	
<i>Britt v. Buggs</i>	<i>ESTATE OF SULLIVAN: SCHULTZ v. SULLIVAN</i>	<i>Schabo v. Wolf-Pepper Transp. & Storage Co.</i>	
<i>Brothertown Realty Corp. v. Reedal</i>	<i>Falk v. Wis. Tax Comm'n</i>		
<i>Cable v. Smith</i>	<i>Gerbing v. McDonald</i>		
<i>Carncross v. Treat</i>	<i>Novak v. Zastrow</i>		
<i>Columbia Casualty Co. v. Industrial Com. of Wisconsin</i>	<i>Swanson v. Lake Superior T. & T. R. Co.</i>		
<i>Conklin v. New York Life Ins. Co.</i>			
<i>Conway v. Providence Washington Ins. Co.</i>			
<i>Efaw v. Industrial Com. of Wisconsin</i>			
<i>Ellis v. Chicago, N. S. & M. R. Co.</i>			
<i>Ernest v. Schmidt</i>			
<i>ESTATE OF FISH: HRDLICKA v. FISH</i> [200 Wis. 61]			
<i>ESTATE OF KNUTSON v. KNUTSON</i>			
<i>ESTATE OF KRETCHMER: KLINKER v. FIEWEGER</i>			
<i>ESTATE OF SCHRANCK: SCHRANCK v. STATE</i>			
<i>Farmers & Merchs. Bank of Sun Prairie v. Gordon</i>			
<i>Flambeau River Lumber Co. v. Lake Superior Dist. Power Co.</i>			
<i>Fuchs v. Meyer</i>			
<i>Fuerstenberg v. State</i>			
<i>Genz v. Riddle</i>			
<i>Gilbert v. Hoard</i>			
<i>Gloede v. Socha</i>			
<i>Godwin v. Miller</i>			
<i>Greunke v. North American Airways Co.</i>			
<i>Gutschenritter v. Hosterman</i>			
<i>Heinemann's Will</i>			
<i>Henry v. La Grou</i>			
<i>Hill v. Barrett (In re Estate of Dennett)</i>			
<i>Hinkley Co. v. Pelton</i>			
<i>In re Leonard's Will</i>			
<i>Johnson v. Retzlaff</i>			

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² Occasionally, a justice will author a separate opinion that concurs in part and dissents in part. For SCOWstats tables, each such vote is 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 is 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 is classified as a concurrence.

As explained in this post's introductory comments, certain justices were not on the court for the entire term, and it is not always possible to determine precisely when they began, or ceased, to participate in decisions. Consequently, while the *totals* are accurate for each of the four columns in this table, I have not disaggregated the votes in individual columns (for example, I have not tried to establish how many decisions in the first column were 7-0, how many were 6-0, and so on).

<i>Joslin v. National Reserve Ins. Co.</i>			
<i>Kalbakken v. Kalbakken</i>			
<i>Kealty v. Sponholz</i>			
<i>Keller v. Port Washington</i>			
<i>Krebs v. Industrial Com.</i>			
<i>Lincoln Fireproof Warehouse Co. v. Greusel</i>			
<i>Loveland v. Loyd</i>			
<i>Madison v. Railroad Com. of Wisconsin</i>			
<i>Matson v. Caledonia</i>			
<i>MCGOVERN v. ECKHART</i>			
<i>Michel v. McKenna</i>			
<i>MILWAUKEE CASKET CO. v. INDUSTRIAL COMM'N OF WISCONSIN</i>			
<i>Milwaukee Electric Crane Mfg. Corp. v. Feil Mfg. Co.</i>			
<i>Milwaukee v. Chicago & N. W. R. Co.</i>			
<i>Modern Woodmen of American v. Barber</i>			
<i>MUNRO v. STATE</i>			
<i>Pabst Corp. v. Railroad Com.</i>			
<i>Page v. Page</i>			
<i>Palmissano v. State</i>			
<i>Payne v. State</i>			
<i>Peter v. Hopp</i>			
<i>Piszczek v. Ziolkowski</i>			
<i>Polichinski v. State</i>			
<i>Pritchett v. Herman Farmers' Mut. Ins. Co.</i>			
<i>Rauch v. Bensman</i>			
<i>Rezash v. Bank of Two Rivers</i>			
<i>Rice v. Green</i>			
<i>Sachs v. North American Life Ins. Co.</i>			
<i>Schmidt v. Leuthener</i>			
<i>Shaler Umbrella Co. v. Blow</i>			
<i>Shapiro v. Heller</i>			
<i>Starszak v. Kochanik</i>			
<i>State ex rel. Little Yellow Drainage Dist. v. Jumeau County</i>			
<i>State ex rel. Sheboygan County v. Telgener</i>			
<i>State v. Lewis & Leidersdorf Co.</i>			
<i>Svenson v. Vondrak</i>			
<i>Tom O. Mason Co. v. Lindquist</i>			
<i>United States Fidelity & G. Co. v. Forest County State Bank</i>			
<i>Val Blatz Brewing Co. v. Indus. Comm'n of Wis.</i>			
<i>Varga v. State</i>			
<i>White Eagle Oil & Refining Co. v. Baker</i>			
<i>White Rock Mineral Springs Co. v. Indus. Comm'n</i>			
<i>Wisconsin Gas & E. Co. v. Railroad Com. of Wisconsin</i>			
<i>Wojtzak v. Hartland Farmers' Mut. F. Ins. Co.</i>			
<i>Yawkey-Bissell Lumber Co. v. Wolf</i>			
<i>Zummach v. Polasek</i>			
<i>Albion v. Industrial Com. of Wisconsin</i>			
<i>Allaby v. Industrial Com.</i>			

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<i>Ambrose v. Reichenbach</i>			
<i>Appleton Electric Co. v. Rogers</i>			
<i>Aylward v. Industrial Com.</i> [December 3, 1929]			
<i>Bachhuber v. Boosalis</i>			
<i>Bank of Viroqua v. First Nat'l Bank</i>			
<i>Bell v. State</i>			
<i>Belt Line Realty Co. v. Dick</i>			
<i>Bergsrud v. Maryland Casualty Co.</i>			
<i>Bradley v. Selden</i>			
<i>Bradt v. Beloit Dairy Co.</i>			
<i>Brockhaus v. Neuman</i>			
<i>Burkhart v. Burkhart</i>			
<i>Buske v. Federal Casualty Co.</i>			
<i>Calvetti v. Indus. Comm'n of Wis.</i>			
<i>Caseville Inv. Co. v. Berg</i>			
<i>Chicago & N. W. R. Co. v. Racine</i>			
<i>Christiansen v. Schenkenberg</i>			
<i>COLUMBIA COUNTY HWY. COMM'N v. INDUSTRIAL COMM'N OF WISCONSIN</i>			
<i>Connecticut General Life Ins. Co. v. Johns</i>			
<i>CONVEYORS CORP. OF AMERICA v. INDUSTRIAL COMM'N OF WISCONSIN</i>			
<i>Cotter v. Central Mut. Hail & Cyclone Ins. Co.</i>			
<i>Cox v. Hanson</i>			
<i>Crocker Chair Co. v. Edward Hines Hardwood & Hemlock Co.</i>			
<i>Crombie v. Powers</i>			
<i>Danielson v. Bank of Scandinavia</i>			
<i>David Adler & Sons Co. v. Maglio</i>			
<i>Delfosse v. New Franken Oil Co.</i>			
<i>Donovan v. Barkhausen Oil Co.</i>			
<i>Downs v. Northern States Power Co.</i>			
<i>Durbrow Com. Co. v. Donner</i>			
<i>E. L. Husting Co. v. Milwaukee</i>			
<i>E. W. Hallett Const. Co. v. Industrial Com. of Wisconsin</i>			
<i>Edler v. Algoma Foundry & Machine Co.</i>			
<i>Elkins v. State</i>			
<i>Ellis v. Gordon</i>			
<i>Endlich v. Bank of Black Creek</i>			
<i>ESTATE OF BEYSCHLAG: SJOLANDER v. GORDON</i>			
<i>ESTATE OF FISH: HRDLICKA v. FISH</i> [201 Wis. 593]			
<i>ESTATE OF HIPPE: KIEFER v. GALLET</i>			
<i>ESTATE OF LANGENBACH: LANGENBACH v. BARRETT</i>			
<i>ESTATE OF PATTERSON v. CALDOW</i>			
<i>ESTATE OF SCHAETTLE: SCHAETTLE v. GILMAN</i>			
<i>Ex parte Elliott</i>			
<i>FERM v. MOORE</i>			
<i>Ferring v. Verwey</i>			
<i>Fidelity & Casualty Co. v. Planenscheck</i>			
<i>Fidelity & Deposit Co. v. Madson</i>			
<i>Fitch v. Wisconsin Tax Com.</i>			
<i>Friede v. Mercury Ins. Co.</i>			

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<i>Fritzke v. Public School Teachers' Annuity & Retirement Fund Trustees</i>			
<i>Gavahan v. Shorewood</i>			
<i>Geldnich v. Burg</i>			
<i>Gergen v. West Allis</i>			
<i>Graff v. Tinkham</i>			
<i>Graham v. Perry</i>			
<i>Habrich v. Indus. Comm'n of Wis.</i>			
<i>Hackbarth v. State</i>			
<i>Halbach v. State</i>			
<i>Harvey v. Harvey</i> [201 Wis. 378]			
<i>Hayes v. Ajax Rubber Co.</i>			
<i>Heims v. Bluhm</i>			
<i>Helgoe v. Bade</i>			
<i>Hilker v. Western Auto. Ins. Co.</i>			
<i>Hillside Garage & Transit Co. v. Pflittner</i>			
<i>Hudson v. First Trust Co.</i>			
<i>Huebner v. Advance Refrigerator Co.</i>			
<i>In re Cranberry Creek Drainage Dist.</i>			
<i>In re Estate of Byrne</i>			
<i>In re Heckert's Will</i>			
<i>In re Jackson</i>			
<i>In re Link's Will</i>			
<i>In re Magnetic Mfg. Co.</i>			
<i>In re Miller's Will</i>			
<i>In re Prange's Will</i>			
<i>In re Schattschneider's Will</i>			
<i>In re Wood County Drainage Dist.</i>			
<i>Industrial Heating & Engineering Co. v. Austin</i>			
<i>J. R. WATKINS CO. v. BEYER</i>			
<i>Jensen v. Graham</i>			
<i>Jessner v. State</i>			
<i>John S. Owen Lumber Co. v. Wisconsin Tax Com.</i>			
<i>Johnson v. Westrick</i>			
<i>KIVINIEMI v. AMERICAN MUT. LIAB. INS. CO.</i>			
<i>Knutson v. Fenelon</i>			
<i>Koeppler v. Crocker Chair Co.</i>			
<i>Kraft v. Industrial Com.</i>			
<i>KRUEGER v. OSBORN-MYERS, INC.</i>			
<i>Larson v. State Bank of Ogemā</i>			
<i>Le Renzie v. Eagle River Amusement Co.</i>			
<i>Levine v. Mueller</i>			
<i>Lewis v. Lewis</i>			
<i>Lindoft v. Vandenberg</i>			
<i>Livingston v. Linker Realty Co.</i>			
<i>Lowe v. Laursen</i>			
<i>Madden v. Peart</i>			
<i>Manitowoc v. Board of Education</i>			
<i>Matthews v. Scannell</i>			
<i>McDermott v. O'Neil Oil Co.</i>			
<i>McDonald v. Van Etta</i>			
<i>McGonigle v. Gryphan</i>			
<i>McManus v. Home Ins. Co.</i>			
<i>Merton v. Hansen</i>			
<i>Millard v. North River Ins. Co.</i>			

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<i>Miller v. Paine Lumber Co.</i>			
<i>Milonczyk v. Farmers' Mut. F. Ins. Co.</i>			
<i>Milwaukee v. Boynton Cab Co.</i>			
<i>Milwaukee v. Krupnik</i>			
<i>Monka v. State Conservation Comm'n</i>			
<i>Mularkey v. State</i>			
<i>Muscoda Bridge Co. v. Grant County</i>			
<i>Nekoosa Edwards Paper Co. v. Railroad Com.</i>			
<i>Neugent Garment Co. v. United States Fidelity & Guaranty Co.</i>			
<i>New Dells Lumber Co. v. Wisconsin Tax Com.</i>			
<i>Northern P. R. Co. v. Industrial Com.</i>			
<i>Northwestern Lumber Co. v. Wisconsin Tax Com.</i>			
<i>Northwestern Nat'l Ins. Co. v. Freedy</i>			
<i>O. H. Ingram Co. v. Wisconsin Tax Com.</i>			
<i>Obenberger v. Obenberger</i>			
<i>Peart v. Schwenker</i>			
<i>Piper v. State</i>			
<i>Poneitowcki v. Harres</i>			
<i>Prah v. Ebener</i>			
<i>Prasch v. Prasch</i>			
<i>Pusch v. Pusch</i>			
<i>Reinig v. Nelson</i>			
<i>Riesch v. Degnitz</i>			
<i>Rohlfs v. State</i>			
<i>Rust-Owen Lumber Co. v. Wisconsin Tax Com.</i>			
<i>Schanen v. Industrial Com.</i>			
<i>SCHMIDT v. DUBOIS</i>			
<i>Schmidt v. Heim</i>			
<i>Schneider v. Nedry</i>			
<i>Seaman Body Corp. v. Industrial Com. of Wisconsin</i>			
<i>Selts Inv. Co. v. Baireuther</i>			
<i>Seyfert v. Seyfert</i>			
<i>Shields v. Hansen</i>			
<i>Siegel v. State</i>			
<i>Smith v. Milwaukee Electric R & Light Co.</i>			
<i>State ex rel. Alford v. Thorson</i>			
<i>State ex rel. Allen v. Railroad Com. of Wisconsin</i>			
<i>State ex rel. Baraboo v. Page</i>			
<i>State ex rel. Conners v. Zimmerman</i>			
<i>State ex rel. Guse v. Zubke</i>			
<i>State ex rel. Hammann v. Levitan</i>			
<i>State ex rel. Joyce v. Deneen</i>			
<i>State ex rel. New Strand Theatre Co. v. Common Council of Racine</i>			
<i>State ex rel. Pieritz v. Hartwig</i>			
<i>State ex rel. Progreso Dev. Co. v. Wis. Real Estate Brokers Bd.</i>			
<i>State ex rel. Straus v. Wisconsin Tax Com.</i>			
<i>State ex rel. Strike v. Common Council of Racine</i>			

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<i>State ex rel. Waldheim & Co. v. Wisconsin Tax Com.</i>			
<i>State ex rel. Wasserman v. Cooper</i>			
<i>State ex rel. Wasserman v. O'Brien</i>			
<i>State ex rel. Webster Mfg. Co. v. Risjord</i>			
<i>State ex rel. Wollner v. Schloemer</i>			
<i>State ex rel. Zimmerman v. Dammann</i>			
<i>State v. Becker</i> [201 Wis. 230]			
<i>State v. Bidwell</i>			
<i>State v. Hintz</i>			
<i>State v. Onsgard</i>			
<i>State v. Peterson</i>			
<i>State v. Smith</i>			
<i>State v. Vincent</i>			
<i>Stecher v. State</i>			
<i>Steinbach v. Steinbach</i>			
<i>Stephens v. Chicago, & N. W. R. Co.</i>			
<i>Sterling Shoes Corp. v. Plankinton Bldg. Properties</i>			
<i>Stoflet v. State</i>			
<i>Stone v. Inter-State Exchange</i>			
<i>Stuart v. Collins</i>			
<i>Tesch v. Industrial Com.</i>			
<i>Thomas v. Steppert</i>			
<i>Threshermen's Nat'l Ins. Co. v. Industrial Com. of Wisconsin</i>			
<i>Town of Presque Isle v. Indus. Comm'n of Wis.</i>			
<i>Trautmann v. Charles Schefft & Sons Co.</i>			
<i>United States v. Richards</i>			
<i>Verheyen v. Trettin</i>			
<i>VILAS COUNTY v. INDUSTRIAL COMM'N OF WISCONSIN</i>			
<i>Wallace v. Papke</i>			
<i>WARD v. HAUSMANN</i>			
<i>Ware v. State</i>			
<i>Weinsklar Realty Co. v. Dooley</i>			
<i>Whaley v. State</i>			
<i>Wilder v. Evangelical Lutheran Joint Synod</i>			
<i>Williams v. Jensen</i>			
<i>Wilson v. Evangelical Lutheran Church of Reformation</i>			
<i>Wisconsin Loan & Finance Corp. v. Goodnough</i>			
<i>Wisconsin Ornamental Iron & Bronze Co. v. Wisconsin Tax Com.</i>			
<i>Zutter v. O'Connell</i> [200 Wis. 601]			
<i>Zutter v. O'Connell</i> [200 Wis. 598]			
<i>Brown Deer Lumber Co. v. Campbell-Shirk Co.</i>			
<i>Cullen v. Abbott</i>			
<i>Harvey v. Harvey</i> [202 Wis. 553]			
<i>Janke v. Milwaukee</i>			
<i>Krolikowski v. Mutual Bldg. & Sav. Ass'n</i>			
<i>MENGE v. MANTHEY</i>			
<i>Roeber v. Pandl</i>			
<i>Royston v. Frost</i>			
<i>Rundle-Spence Mfg. Co. v. Jakopichek</i>			

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<i>State v. Rubin</i>			
<i>Thomsen v. Hercules Steel Casting Co.</i>			
<i>Juneau v. Dethgens</i>			
<i>State ex rel. La Follette v. Kohler</i>			
<i>ESTATE OF MEEK: WILCOX v. JONES</i>			
<i>Johnson v. Reinwald</i>			
<i>Lightner v. Jorstad</i>			
<i>Miller v. Hayeland</i>			
<i>Niglis v. Lotz-Rennett Laboratories, Inc.</i>			
<i>O. P. Torgerson v. Jensen</i>			
<i>Stanley Torgerson v. Jensen</i>			
<i>State v. Becker</i> [200 Wis. 151]			
<i>Thomas v. Schrum</i>			
<i>Aylward v. Industrial Com.</i> [June 23, 1930]			
<i>Baker v. Greve</i>			
<i>Chicago & A. R. Co. v. Beyl</i>			
<i>Congdon v. Digman</i>			
<i>Diamond Shoe Co. v. Adams</i>			
<i>Farmers Elevator Co. v. Schultz</i>			
<i>Friedman Mfg. Co. v. Kremer</i>			
<i>Geisert v. Steiner</i>			
<i>Gill v. Janz</i>			
<i>Ginsberg v. Faehling</i>			
<i>Hewitt v. Tracy</i>			
<i>Howard v. Anderholm</i>			
<i>Howell v. Milwaukee E. R. & L. Co.</i>			
<i>In re Estate of Merrill</i>			
<i>In re Estate of Steinhorst</i>			
<i>Miller v. Koerth</i>			
<i>National Biscuit Co. v. Industrial Com.</i>			
<i>National Surety Co. v. Badger Trucking Co.</i>			
<i>Nehls v. Russell</i>			
<i>Newman v. Erchens</i>			
<i>Renteria v. Bachman</i>			
<i>Ryan v. Jones</i>			
<i>Schilling v. Boettcher</i>			
<i>Schopps v. Schopps</i>			
<i>Seefeldt v. Peterson</i>			
<i>Sparks v. First Nat'l Bank</i>			
<i>Treves v. Industrial Com.</i>			
<i>Trzesniewski v. Stowasser</i>			
<i>Wiedner v. Smith</i>			
<i>Wm. Noll Hardware Co. v. Seidl</i>			
<i>Woldt v. Leiterman</i>			
<i>Yochum v. Montgomery</i>			
<i>Goodman v. Fox River Improv. Co.</i>			
<i>In re Will of Eicholz</i>			
<i>In re Will of Robinson</i>			
<i>Zimmerman v. Fox River Improv. Co.</i>			

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
Crownhart	294	299	98%
Fritz	323	330	98%
Rosenberry	339	342	99%
Fowler	331	333	99%
Stevens	341	342	99.7%
Owen	341	343	99%
Fairchild	69	69	100%
Eschweiler	71	73	97%

Non-Unanimous Decisions

Justice	Majority Votes Cast	Total Votes Cast	Percent in Majority
Crownhart	8	13	62%
Fritz	7	14	50%
Rosenberry	11	14	79%
Fowler	12	14	86%
Stevens	13	14	93%
Owen	12	14	86%
Fairchild	2	2	100%
Eschweiler	1	3	33%

Opinions Authored³

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 dissented without authoring an opinion, he is not credited.

Opinion Author	7-0 (or 6-0, 5-0, 4-0)	6-1 (or 5-1)	5-2 (or 4-2)	4-3
Crownhart	38	1	0	0
Fritz	47	0	0	0
Rosenberry	54	2	0	1
Fowler	42	1	0	1
Stevens	48	2	2	0
Owen	47	2	2	0
Fairchild	4	0	0	0
Eschweiler	4	0	0	0

Opinion Author	Concurring Opinions	Dissenting Opinions
Crownhart	1	4
Fritz	0	1
Rosenberry	0	1
Fowler	0	1
Stevens	1	1
Owen	1	2
Fairchild	0	0
Eschweiler	0	2

³ *Per curiam* decisions are omitted.

