

MAY IT PLEASE THE COURT:

The committee appointed by the Tri-County Bar Association to present to the <sup>Sircuit</sup> ~~Circuit~~ Court of Buffalo County, Wisconsin, a memorial in honor of the late Martin L. Fugina presents the following, and moves that it be filed as a part of the record of this Court.

Martin L. Fugina was born in the City of Fountain City on the 4th day of February, 1875. His father and mother were pioneer settlers of Fountain City. His father, Joseph Fugina, settled originally at Reeds Landing, Minnesota in 1855 and moved to Fountain City in 1860. His mother, Elizabeth Holzer, was the daughter of an early pioneer family. Joseph Fugina was engaged in the merchantile business at Fountain City, and it was at Fountain City where Martin L. Fugina was born. He was one of a family of 7 and was educated in the schools at Fountain City. He graduated from the local high school and entered the law school of the University of Wisconsin. He graduated from the law school in 1895, too young to be admitted to the practice of the law. Upon his attaining the age of 21 he was admitted to practice and continued uninterruptedly in the practice of the law at Fountain City until the day of his death. On May 12, 1910, he married Miss Emma Schmoker of Fountain City. He is survived by his widow, Emma, and by his son, Marvin L. Fugina, who has been associated with him in the practice of the law since 1935. He is survived also by two grandchildren, David and Faye Fugina, of Fountain City, by a brother, Captain Frank J. Fugina of Winona, Minnesota, a brother, Dr. George Fugina, of Mankato, Minnesota, and sister,

Miss Laura Fugina, of Fountain City, Wisconsin. Three brothers, Allie Fugina of Arcadia and Paul Fugina and Edward Fugina of Fountain City, preceded him in death.

The entire life of Martin L. Fugina is woven into the history of Fountain City and Buffalo County, for it was there that he spent his entire working days. He served his county as district attorney and also as its county judge for some eighteen years. He was active in civic affairs in Fountain City, serving as city attorney during his entire period of practice and serving on the school board for more than thirty years. He was a member of the committee that constructed the auditorium in Fountain City and administered it for many years. He was active in promoting other civic projects for his community and devoted much time to its betterment. A good deal of credit must be given to him for the development of Merrick State Park. It was his influence that prompted the acceptance of the gift of this park by the State of Wisconsin and its subsequent development as one of the beauty spots of this area.

His life was further woven closely with history of the Upper Mississippi River. In his younger days he was associated with his brother, Captain Frank Fugina, in the operation of steam boats and in river development. His interest in the river and in its development continued throughout his life.

He was also interested in the banking business and was one of the organizers of the First State Bank of Fountain City. It was always his pride that this bank was one of the few banks that weathered the financial troubles of the great depression without any difficulty. He was also a director of the Waumandee State Bank and of the American Bank of Alma.

He also served his country to the best of his ability during time of war. In World War I he was the legal adviser of the Buffalo County Draft Board and in World War II and up until the time of his death the government appeal agent for Buffalo County. He gave unselfishly of his time in the faithful performance of this work, often making enemies in carrying out his duty. He, however, placed duty in this service above personal gain.

He also had a lifetime interest in politics and was an active member of the Republican party. He served as chairman of the Buffalo County Republican Committee for many years and was very faithful in attending Republican meetings and conventions.

It was, however, in the practice of the law that he really distinguished himself. From the time of starting practice at a very early age he became involved in important litigation and continued to do so throughout his life. He tried many cases in both state and federal courts and handled numerous appeals to the Wisconsin Supreme Court. One of the most famous cases was the one involving the Delta Fish & Fur Farms of which he was a stockholder and president. This case was prosecuted successfully through the State Supreme Court. Another famous case was a suit against the Chicago and Northwestern Railroad Co. involving the damage to the steamer "Rutledge". This steamer was owned by his brother, Captain Frank Fugina, and was badly damaged by the railroad company's drawbridge at Winona, Minnesota. This case was also successfully prosecuted through the Supreme Court of the State of Wisconsin. He continued to actively try cases down to the time of his death. On the Thursday prior to his death he



personally argued a case before the Supreme Court of the State of Wisconsin. He was an able practitioner and an attorney who felt that his client's rights were sacred. He felt the true measure of duty which an attorney owes to his client. His practice of the law covered a period of almost 57 years and his record was never marred in any way. It was a period of full activity and a practice rich in varied experiences. He was honored by the Tri-County Bar Association by election to the office of president, an office which he held for many years. He voluntarily retired from this office two years ago.

Martin L. Fugina will be remembered among the attorneys of Western Wisconsin and Eastern Minnesota as an able prosecutor, lawyer and jurist. He will be remembered as a student of the law, never failing to study carefully and properly brief any legal question in which he became involved. He was, however, very human and had a profound knowledge of human nature enabling him to act as a successful counselor and adviser. He had a host of friends among judges, lawyers, professional people, laboring people and farmers.

In passing upon his life we cannot forget one other characteristic and that was his love of sports and the outdoors. He was a baseball player in his earlier days and later became a great baseball and football fan. He attended the Wisconsin-Minnesota game every year from the time of his graduation until 1951 and was an ardent follower of the university teams. He was also a member of the Fifty Year Club of the University. In his earlier days he was an ardent fisherman and was recognized as one of the outstanding fly fishermen on the Mississippi. He loved to hunt coon along the bluffs at Fountain City and

pursued this sport for many years, but his greatest love was to be outside and along or upon the river. On a Saturday afternoon when the weather permitted you could almost invariably find him along the banks of the Fountain City Bay in Merrick State Park. He might be sitting in his car watching the scenery, strolling along the bank, visiting with some fisherman, or perhaps doing some casting himself. He very seldom cared to travel from Fountain City in the summer time as it was his boast that he knew of no more pleasant place to be. He knew the Mississippi River and its tributaries, the history thereof and the people who lived along it. He knew a great many things about the Indians who formerly lived and traded at Fountain City. He could tell of the early logging days when the Fountain City Bay and Beef Slough were the centers of the logging drives. He could recount many interesting tales of the days when the lumberjacks came to Fountain City on their spring drives down from the Chippewa. He could tell innumerable tales, anecdotes and stories of the steamboats and river traffic of the early days. It can truly be said that the river and this area became a part of him just as much as he became a part of them. His passing, even though at the end of a full and complete life, leaves a vacancy in the community and in the hearts of its people. Truly he will be remembered as a fine and great lawyer, as a real citizen, and as a true gentleman. He will be remembered with affection and as a credit to a great profession.

Respectfully submitted

E. S. JEDNEY

JAMES J. GLEESON

C. E. FUGINA

IN MEMORIAM

M. L. FUGINA

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Response by the Court to the Memorial presented on behalf of  
the Tri-County Bar Association:

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Martin L. Fugina was a familiar figure in this court room and in every other court room along the Mississippi River, where that river forms the boundary between Wisconsin and Minnesota. He also appeared frequently in the Federal Courts and in the Supreme Court at Madison.

His vast knowledge of trial tactics and techniques, gained through his many years of practice, was the envy of less experienced lawyers. He may be described as a lawyer's lawyer, for everything that he did in the practice of his chosen profession, he did well.

He found in the practice of law the happiness which every human being seeks. It was in the performance of his daily work as a lawyer that he found his greatest joy and satisfaction.

To him the practice of the law operated like a magnet, and drew from him his utmost in strength of mind, character and personality.

He will be greatly missed by his colleagues of the legal profession, and by his many friends in Buffalo County and elsewhere.

He was a good citizen, an able lawyer, and a real friend.

The world is better for his having lived.

The Memorial presented on behalf of the Tri-County Bar Association will be received and filed with the permanent records of this Court.