

Edmund C. Luthy,
P.O. Box 232,
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June the twenty-third,
Nineteen-fourteen.

My dear Fitzgerald:-

I received your two letters dated June 3d & June 6th, together and was pleased to hear from you.

We are sorry to learn that you will not get to the Lake this summer and we shall miss you both.

If you are in Switzerland and the Austrian Tyrol this summer, I am sure you could not find a finer place and I envy you.

In your letter of the 3d inst., I recognize your reply to my long, explanative letters written you in re- "Eagle Lake Dam". We tried every means to bring about an amicable adjustment of the matter with Newton, Mr. Lodge made one or two trips to Ticonderoga to see Newton personally without success. The last scheme Newton advanced was that we should buy the lot on which the dam is located and he wanted something over \$1000.00 for the lot in fact would not sell at that price (which was way out of consideration with the dam destroyed) and would not name a figure at which he would sell. While I and many others were opposed to buying the lot at all after his act of destruction we tried, for a purpose, to ascertain what he really wanted for his lot.

After finding we could not get Newton to adjust with us we had to resort in bringing the matter up to the Supreme Court, to make him show cause why he should not be compelled to repair the dam and bring the level of the lake back to its former place. This suit is now pending and I believe a hearing will be had on July 1st. I trust we may win out and that Newton will be made to repair the dam &c.

The cost of this action which Peter Flint has brought in the name of Edward Runge, Plaintiff vs Newton, Defendant, is \$100.00, and has been taken up as a personal and not an Association matter, and the expense will be borne by such landowners as will contribute toward the \$100.00. Even the Farmer's Loan & Trust Co., who do not belong to our Association and who are Trustees of the Harris Estate and who sold this lot to Newton, have contributed \$25.00; and it was for this purpose I wrote you asking your contribution, as you well realize that the "Chilsonites or north-shore owners cannot be depended upon for contributions and even Lodge refused to contribute when I wrote him, though he was in accord with our plan of taking legal action.

The reason we did not take Wickes as counsellor is because we did not know whether he might be a lawyer for Newton, as they are fellow-townsmen and besides I felt that as Wickes was more interested in property on the lake than any one else, being President and largest owner in the Eagle Lake Land Co., he should have himself attempted to bring about a settlement with Newton, or file action, being an attorney himself or at least suggest to the rest of us to join him in an action. ~~Since~~ ^{Since} who is also an attorney, could have done the same and for that reason we did not consider him.

No one has ever been able to find out why Newton destroyed the dam or what purpose or object he had in view; the only thing we can figure out is that he must have done it with the view of holding up the land owners by forcing them to buy his lot at a prohibitive price.

As soon as I can send you further information in the mat-

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ter and report to you the result of the suit, I will gladly write you full particulars.

You can rest easy that I will keep in view your interests at the lake and guard them with the same vigilance as if they were my own and the same as I would expect you to do for me in my absence. As soon as I get to the lake, shortly after July 1st? I will go down to your place and thoroughly examine your boat-house and take measurements as you suggest; I may get Herbert Moore to go with me. I will then write you in detail.

The work and correspondence that I had to do since this "dam" matter has come up is something enormous and I presume there will be a great deal more of it to be done, however, when we all get together at the lake we can more easily get together in conference and determine what would be best to do.

I agree with you that the \$100.00 which we put up for the suit ought to be paid by the Association, as all members are interested and I will at our first meeting offer such a resolution.

There is no justice in three or four of us putting up the money for an action in which all are interested.

In order that we can have a quorum at our meetings, of which there will undoubtedly be several, this summer, I am inclosing you several blank proxies all of which please sign and send to me immediately as we will in all probability call a meeting soon after July 1st.

You can address me at Eagle Lake from now until Oct 1st and prevent the delay of reforwarding my letters from Cinti.

To show how much support and co-operation can be depended upon from Dodge I inclose copy of his last letter to me in reply to a letter I wrote him asking his co-operation in the legal action we decided to take and which he assented to in a previous letter.

With reference to your contribution of \$25.00 offered toward the suit, do not send it to me until you hear later as we may get the association to put up the \$100.00 from the assessment fund or IMA in the event they will not, I may be able to get some further contributions when I see the land owners personally and thereby be able to reduce your contribution, as the expense should be equally distributed among the contributors.

With my assurance that I will watch and guard your interests you need not worry on your pleasure trip and I trust you may thoroughly enjoy every minute of your summer the same as you always did while at the lake.

Mrs Luthy joins me in sending our best regards and we will both be pleased to have a card from you now and then.

Awaiting the return of the proxies, signed and wishing you a jolly, pleasant time in Switzerland, I am,

sincerely yours,