

317

EDMUND O. LUTHY,
P.O.Box 232,
Cincinnati, Ohio.

January 8, 1914.

Mr. Wm. S. Lodge,
91 N. Pearl St.,
Albany, N.Y.

Dear Sir:-

I enclose you copy of an extract of a letter received from Abe Moore. This corroborates statement that Mr. Newton made to Pond.

It is obvious that Mr. McKim or some one connected with the Conservation Commission through Mr. McKim, encouraged Mr. Newton to demolish the old dam. According to Abe Moore's letter, Newton seems to be inclined toward replacing the dam and bringing the waters of the Lake back to the old level. I believe if Mr. Newton were threatened with reports that the property owners intended to enter suit against him for damage done to their boat houses and property, the matter of restoration of the dam would be hurried.

Had a long letter from Mr. Fitzgerald, who seems greatly agitated at the destruction of the dam; said his boat house cost him nearly \$1000.00, and with the water of the Lake lowered as it now is, it would be absolutely useless and in fact, his entire camp would be ruined, because he could neither get to it or away from it. Can you not approach Mr. McKim with the accusation that he or the Commission encouraged the destruction of the dam by their statement to Newton that the dam was unsafe? We must either force Newton or force the Commission, through Newton, to replace the dam.

If the dam is built of concrete it would be better and more permanent than built of wood and I would suggest that in replacing it, to build of concrete or stone and that each property owner contribute the \$10.00 assessment paid in toward the extra cost of this concrete construction. Nearly all the members have paid the assessment of \$10.00 and with their consent this amount could be contributed. I have \$100.00 now in my hands as Treasurer.

Have you found out what is the legal status of the property owners, their right regarding the level of the Lake and who has legal control of the Lake? ^{not} If Mr. Wicks is the legal councillor or the Ti Paper & Pulp Co. I do believe he would or should take up the defense of our interests, unless he figures his interest in the Eagle Lake Improvement Co., to be paramount. In fact, the grantees who purchased from the Eagle Lake Improvement Co., and from Houghtaling from the Moores', Hunters' and from original land owners, should be most interested in getting the old level of the Lake established, as they insured the grantors or purchasers of land the quiet enjoyment of the riparian rights as they existed when they bought. It seems to me the purchasers can actually look to them for the restoration of the old level of the water. If then it should necessitate legal/

action

for damage to the property, I would advise that suits be entered by these original land owners first. It will then still be possible for the individual owners to reserve the right to sue separately for individual damage done.

Please advise me of the latest developments in the case. Mr. Fitzgerald is awaiting with great impatience to hear how matters now stand.

With regards, I am,

Yours very truly,

Edmund O. Lusk, Secy Treas.
E. O. Lusk

EOI/HJ

Incl. Letter Peter Flint Jan. 3/14.
Extract letter Abe Moore Dec. '13.

P.S.

Since writing this letter I received letter from Mr. Flint, which I enclose herewith. Please read and return same to me for my files.

EXTRACT FROM LETTER OF ABE MOORE.

"I was at the pulp mill the other day and saw Mr. Newton, who, of his own free will, said he wanted to tell about the dam question of Eagle Lake. He said they all blamed him for it and, if as he said, I do not blame him. He said Mr. McKim or the Commission wrote him the dam was unsafe and he was responsible for all the damage done by the water if it went out; he told me he did not do it to harm any of the people on the Lake. The way he spoke to me I do not think you will have any trouble with him about it. He would like to take out all of the old stumps in front of his land and make a nice place of it when the water is low and then raise the water as it was before. I do not think Mr. Newton has done this for any graft. I have known him all my life and he has been straight with me."

Signed Abe Moore.

314
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Send copy Flint, letter to Commissioner

Dear Mr. ...

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