

Mr. Lodge
Albany, N.Y.

My dear Mr. Lodge. Your letter of 21st rec'd this morning & contents
fully noted. I shall await your further report from Mr. Wickes.
I express that no one is positive that the dam was cut out by
Mr. Newton. Mr. McKim wrote me that he had corresponded with Mr.
Newton regarding the dam at the time we spoke of reconstruction during
it, in fact it was through Mr. McKim that I learned that
Mr. J. Newton bought the property at the end of the lake from
the Harris estate. If Mr. Newton perceived the matter of repairing
the dam, it ~~was~~ ^{must have come} through correspondence between Mr. McKim
& him, for I have never written or spoken to Mr. Newton, in fact do not know
him. Mr. Livingston proposes to bring the opinion that the State
could compel the owner of the land
while as Mr. McKim states that there is no law to compel the owner
of the land on which the dam is located to maintain the
same, I believe that the C.C. can compel Mr. Newton, the owner
of the land to repair & restore this dam at his expense, ~~and~~ if
he destroyed it.

It would be impossible & impracticable to construct a concrete
dam at this time of the year & ~~the~~ ^{the} same opinion as you
& Mr. Wickes that in case the C.C. cannot compel Mr. Newton
to restore the dam, ~~that~~ it ought to be rebuilt immediately
of wood, provided the C.C. will approve that construction.

But in the event we should rebuild it with assurance
or protection would we have ~~any~~ in the event it should
again be demolished? If the C.C. can stand back of
us ~~that~~ we will you ascertain that, if ~~we~~
other ~~proposals~~ ^{proposals} repairs this dam whether the C.C. will
protect & safeguard it against further demolition?

I have in my hands as Deas. now \$90⁰⁰ (ten of which
was remitted yesterday by Miss Graham when she heard of the trouble
with the dam) ~~if this is sufficient to repair the dam in~~
In the event only after the C.C. will not compel Newton to
repair ~~the~~ ^{or} construct it themselves & assess the cost to.

