

PROPERTY OWNERS ORGANIZE

Eagle Lake Property Owners Association Elects Officers

A meeting of the property owners on Eagle Lake was held at the summer cottage of Mr. Edmund O. Luthy, 'Ednet Lodge,' on Friday, September 13th, 1907, and a permanent association was organized under the name of the 'Eagle (Ohlson) Lake Property Owners Association.'

Twelve of the property owners were present and were enrolled as members of the Association and the following officers were elected:

President—Alex. H. Weed.
Vice presidents—William Lodge, Edward Runge.

Secretary and treasurer—Edmund Luthy.

Advisory committee—Peter Flint, William Lodge, William H. P. Conklin, George A. Houghtaling.

Committee on fisheries—William Lodge, Peter Flint, George A. Houghtaling, Alonson Moore.

The object of this Association is the protection of the mutual interests and property of the members, the protection of the fish supply, the re-stocking of the lake from the State hatcheries, the regulation of a uniform water level in the lake, the protection of the spawning beds and the maintainance of a "dam" at the outlet of Eagle Lake.

It is to be hoped that by means of the above Association much good can be accomplished.

The spillway was taken from the center of the dam on the defendants' property and it is claimed that its removal lowered the lake level two and one-half feet.

Mr. Runge showed that the spillway had been used for more than forty years, and that he had built docks and boathouses relying on the water level and that he had acquired a prescriptive right to have it maintained. Messrs. Newton and Ferris owned property below the dam. It was located on their land and had always been maintained by them and preceding owners and by its removal the water of the lake was restored to its natural level. F. W. Dudley appeared for the respondent and Peter Flint for the appellant.

Handwritten note: The dam was built by the State in 1850. It was destroyed by fire in 1890. The dam was rebuilt by the State in 1890. The dam was destroyed by fire in 1890. The dam was rebuilt by the State in 1890.

THAT EAGLE LAKE DAM

Appellate Division Decides in Favor of Newton and Ferris

In the action brought by Edward Runge against Irvin C. Newton and Mortimer Y. Ferris, the Appellate Division, Third Department, of the Supreme Court has handed down a decision affirming the judgment of the lower court that the complaint does not state facts sufficient to constitute a cause of action.

The case, which has excited considerable local interest, grew out of the following facts:

The defendants, Newton and Ferris, own a lot of land at the outlet of Eagle Lake, upon which there was a dam, the effect of which was to raise the waters of Eagle Lake about two feet above the natural level. This dam was a wooden structure, and the Conservation commission notified the owners, Newton and Ferris, that it was unsafe. Thereupon, they removed the dam or so much thereof as to relieve the pressure of water and restore the lake to its natural level. Mr. Runge, who owns lands bordering upon the lake, brought this action to compel the defendants to construct and maintain upon their own land, at their own cost, and at their own risk, a dam for the purpose of maintaining an artificial level of the waters of Eagle Lake for his benefit.

Plaintiff's application for an injunction was denied, and the defendants demurred to his original complaint was sustained by Justice McLaughlin at a special term held at Fort Henry in the summer of 1914. The plaintiff then amended his complaint, to which the defendants again demurred, and the demurrer was sustained by Justice Henry T. Kellogg. From the judgment sustaining the demurrer the plaintiff appealed to the Appellate Division with the result as above stated.

This decision is, in effect, a determination that the defendants had a perfect right to tear down their dam and that the plaintiff cannot compel them to build a new dam in place of the old one.

AGED HOTEL MAN FOUND DEAD

George Houghtaling of Eagle Lake Found Frozen in His Hotel

George Houghtaling, aged seventy-six years, for many years proprietor of the Eagle Lake hotel at Eagle Lake, between Ticonderoga and Schroon Lake, was found dead in his hotel early Friday evening.

Mr. Houghtaling had been living alone in the hotel for the past few weeks, and this notwithstanding the fact that his physician had told him that, on account of a heart trouble of a very grave nature, he must not stay alone. He was last seen alive on Wednesday morning of last week, when the Ticonderoga-Schroon Lake stage driver saw him about the hotel. He did not see him when he drove past the hotel the next day, and on Friday afternoon when the driver, A. J. Wilson, stopped and knocked at the door without receiving any response he suspected that something must have happened to the aged and infirm man. Reaching Schroon Lake early in the evening, Mr. Wilson telephoned to Herbert and Alanson Moore, who live nearest the hotel, and suggested that they see if anything was wrong. They immediately went to the hotel and, breaking in, they found Mr. Houghtaling dead on the floor near the stove. The body was frozen stiff and it is thought his heart trouble brought about his sudden death on the previous Wednesday, the day he was last seen alive.

In the pocket of the dead man was found \$500 in money, which has been deposited in the Ticonderoga bank. That he should have such a sum of his money is not surprising.

The Eagle Lake Dam
Editor of The Sentinel,
Ticonderoga, N. Y.

Dear Sir: Your first page story "That Eagle Lake Dam," in this week's issue, while in the main correct, contained several mistakes as to facts which you were, doubtless, led to make by not having access to Mr. Runge's original amended complaint, on file in Essex county clerk's office. In the first place the dam is of stone, rock and earth and not of "wood" as stated, and for 100 feet along its crest run the Eagle Lake-Pyramid Lake club highway.

Further, as original letters in a friend's possession show, Messrs. Newton and Ferris were repeatedly notified by the Conservation commission before this suit was brought, that a suitable dam should be built at Eagle Lake and before they tore out the log crib in the middle of the dam, and Mr. Runge did not bring this action, as the article states, "to compel the defendants to construct and maintain upon their own land, at their own cost and at their own risk, a dam."

The amended complaint, which is the best evidence, asks (Folio 49) that during the pending of this action and before the entry of final judgment, the defendants, Messrs. Newton and Ferris, be compelled by a mandatory injunction forthwith and at their own expense "to restore" this log crib: about 15 feet wide in said dam, "taken out by them," which is a very different proposition from constructing and maintaining a large dam "at their own cost and at their own risk" as stated in your article.

Handwritten note: 18 years

