

SUGGESTS STATE BUY LAKE COUNTY LAKES

Judge Edwards Tells Waukegan Paper His Opinion in Controversy

Declaring, despite the opinion by Attorney General Oscar Carlstrom in the Diamond lake case, that his opinion is that there is no legal basis for an injunction in the Lake Zurich case unless some new facts are brought out, Judge Claire C. Edwards last week offered a plan of condemnation of lake properties and purchase by the state as the only solution to the recurring difficulties of owners of property surrounding the small lakes in Lake county, according to the Libertyville Independent, which continues:

Fox Lake Movement

While Judge Edwards declined to make any predictions as to the outcome of the petition for injunction in the Lake Zurich case, he said that as far as he has been able to determine, Fox lake is the only lake in the county which is government property, having been meandered in the United States geological survey and is therefore held by the state for the people of the state.

Attorney Arthur Bulkley pointed out that the one Supreme court decision on such controversies is the Wilton vs. Van Hesser case, appealed from the Circuit court of Lake county in 1911 in which the circuit court decision was reversed and the decision was rendered that the lake in question, Fourth lake, was not navigable; had not been meandered in the U. S. survey, and was therefore divided by meets and bounds along the section lines of the land survey and was the private property of the persons holding title to the land and that they owned the lake as well as the land.

Basis of Suits

The Wilton case has been the basis for all suits of a like nature that followed and unless the owners of property around Lake Zurich can prove that it is navigable for commercial uses, or has been meandered by the government survey, it is believed that the grants held by August Froelich and Marguerite Pearce would be valid and that they would be in a position to bar outsiders from the lake and charge the sums set up by them for the use of the lake. It is also believed that despite Carlstrom's opinion, the Diamond lake residents may lose in court action unless they appeal to the Supreme court and a decision reversing the Wilton vs. Van Hesser case is returned.

It is reported that none of the lakes in Lake county, with the single exception of Fox lake, are meandered and if this is true, cottage owners on any of the 52 lakes of the county may be barred from using the lakes unless they own the property on which the lake lies. The owner of the property apparently would be able, at any time, to bar the cottage owners from using the lake.

Suggests State Purchase

Since the original case in the Illinois Supreme court was started in Lake county and since the same trouble may occur time and time again, Judge Edwards suggests that in cases where private owners hold

title to lakes, the state should condemn the property on which the lake lies and purchase the lakes making them available for use by the people of the state. In that case, the lakes would become public property and anyone would be permitted to use any and all parts of the lakes which would eliminate private beaches in front of the summer homes of people who own to the shore line.

In order to uphold an injunction against barring the people to the lake, the complainants must show that the lake is either navigable in law or in fact. If the lake is meandered by the U. S. survey, it is navigable at law and if it is used for commercial transportation, it is navigable in fact.

Flea Doctor

Lincoln, Neb. — Milan Kopack, graduate student at the University of Nebraska, is a flea surgeon. He has invented a delicate instrument to remove a flea's appendix in his search for still smaller "bugs." The operation is invariably successful, but the patient always dies.

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Salo Is Victor in Bunion Derby
Los Angeles, Cal.—John Salo, plodding policeman from Passaic, N. J., won first honors in C. C. Pyle's transcontinental footrace, known as the Bunion Derby, this year. His official time for the transcontinental grind was 525 hours, 57 minutes, 20 seconds.

Pete Gavuzzi, of England, was second in the final standings with 526 hours, no minutes and 8 seconds. Out of the \$60,000 prizes promised, Salo is entitled to \$25,000 and Gavuzzi to \$10,000.

Dies at 120

Bagdad, Irak.—A sheik 120 years

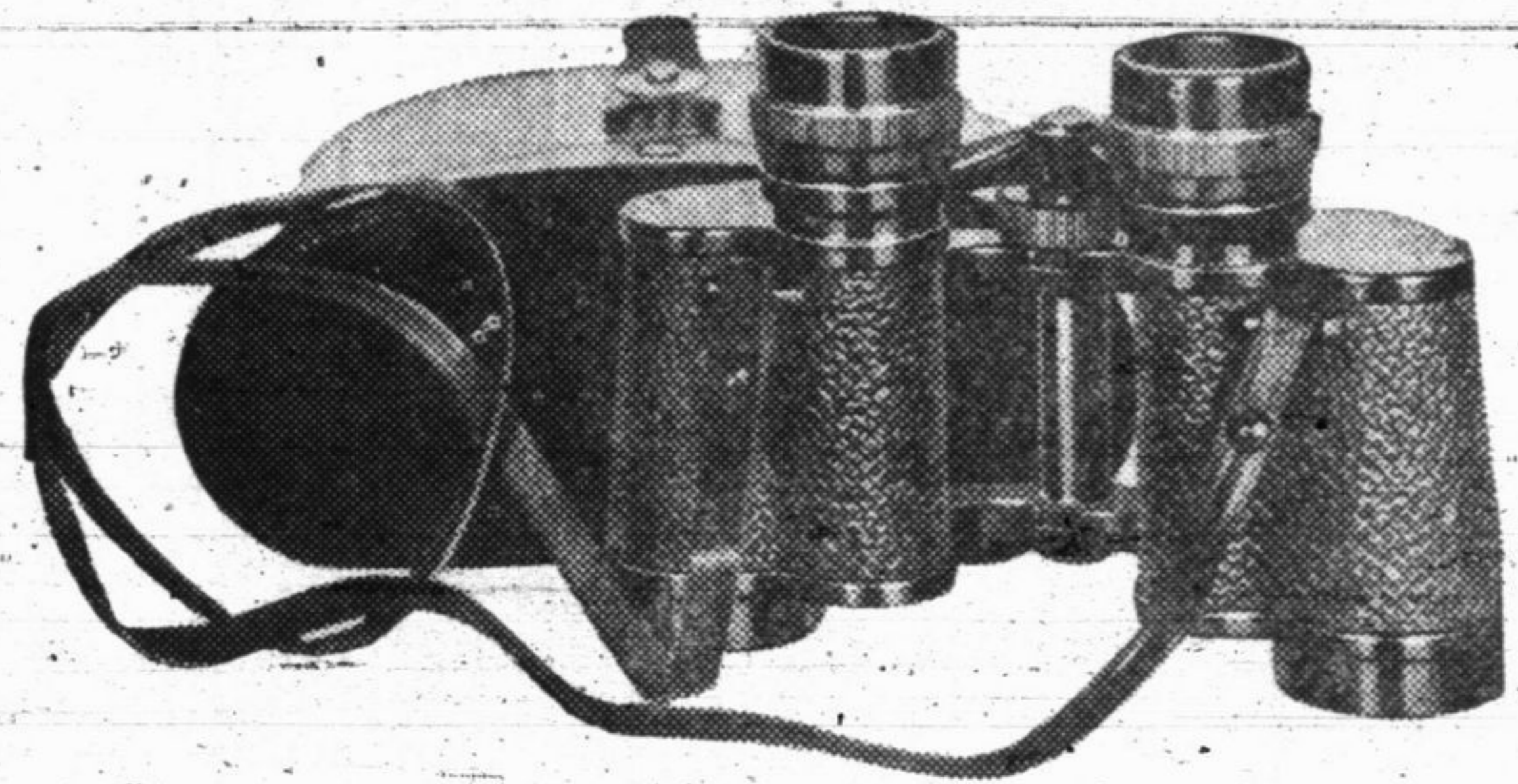
old died, reports a Mosul paper, leaving four wives and over 100 children and grandchildren.

Once More!

Boston, Mass. — Mr. and Mrs. George H. Collins, within the past eight months divorced twice, have again filed intentions of marriage.

Of interest to garden enthusiasts and farmers are exhibits at Field Museum of Natural History of various kinds of soils, showing of what they are composed, what plant foods they contain and other facts about them.

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