

## Who Owns the Lakes, Anyway?

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## WHO OWNS THE LAKES, ANYWAY?

*An Address Before the Des Moines Conopus Club, March 21, 1927*

BY EDGAR R. HARLAN<sup>1</sup>

### THE REALITY OF OUR LOST LAKE SHORES

There are two and one half million of us in Iowa. If one per cent or twenty thousand wish to rest a day or a week on an Iowa lake there is not now a suitable place, nor will private enterprise ever provide one. Since the banks and bodies of all the lakes are the common property of all of us, why are we not entitled to the untrammled use and comfortable enjoyment of the shores of at least one of them? Individuals and the public deserve the enjoyment of these shores because of the scenery, the recreation afforded, and for the uses of history and science.

We all crave scenes that differ from those constantly surrounding us. We enjoy a drive out of our locality, to woodlands and water scenes.

We may have the healthful hobby of study of the land contours, of the color or constituency of soil, of the character of rocks and the existence or absence in them of fossils or other strange forms.

Every one of us, big and little, of both sexes, is greedy for rest and play at least at times. Games, fishing, swimming in Iowa once were richly afforded. These humanity always has had and always will crave. Two and one half million Iowa people ought not forever to be penned like hogs, fenced off like cattle, or else forced to trespass at every turn.

There is apparently in everyone a delight in standing upon grounds where events and episodes in Indian and pioneer life took place. Indian mounds and camp sites, trails, town sites, early mills and the like appeal to us.

The hunger for ample public lands for scenic, scientific, historical and recreational purposes *never* fails. Park values may change as parks are used or neglected. But when parks are neglected the public heart aches.

<sup>1</sup>Mr. Harlan is curator of the Historical, Memorial and Art Department of Iowa, and was a member and secretary of the Iowa State Board of Conservation from 1918 to 1923.

## WHAT IS A PARK?

A park is in part a public area, in part the public passion for it, and in part the public right and means to reach and use it for scenic, historical, scientific and recreational enjoyment.

The auto and good roads put the average Iowa home nearer to an Iowa lake than that home was to a barber shop during the Civil War. Iowa will be in existence when the airplane brings the lakes still closer. In half a million Iowa homes productive industry still stands as the most important interest, with church and school next, yet recreation is at least a close third. There is no conflict in this, nor waste. No lost means nor idle motion. If recreation is looked out for it strengthens church and school. This truth has led the state to establish and sustains it in developing its state parks. It has justified the millions of dollars invested in athletic fields, equipped for and administered in Iowa public schools.

Before state parks, there were no tourists' camping grounds. Now there are hundreds. Then there was little interstate touring. Now tourists throng our best roads every day in the year. Today two and one half million Iowa persons journey by auto out from and into every township in Iowa. Tomorrow they will go by 'plane. So doing improves the mind and rests the body as journeys more costly in time and money may not do. They are not the wasters and idlers among us who are in our state parks and tourists' camps. They are the *Iowa producers*.

## REDISCOVERY OF LAKES FOR THEIR NATURAL PURPOSES

Our Iowa Great Lakes region was rediscovered about fifty years ago. Widely traveled citizens of our own and neighboring states found it in their search for places in which to rest and fish and swim. They bought shore stretches for little, built on them and before automobiles came they had encircled every eligible shore. Farsighted men then bought adjacent farms, platted and sold them. Then good roads shortened the distance and reduced the difficulties of reaching summer residences there. Vacant areas still farther back from shore lines were sold, platted, and built upon. While no one in our generation is at fault, Lord Bryce said our allowing the banks of American waters to pass

from public possession was the greatest mistake of the American public. Iowa recently awoke—if indeed she is yet awake—to find her two and one half million citizens unable to go freely to their own best bathing, fishing and shooting grounds. They must now pay private individuals for the privilege, stay away, or constantly commit trespass.

#### DESTRUCTION OF LAKES

Before Boy Scout and Isaac Walton days, our citizens and public men drained many of our lakes.

An inelegant citizen in 1920 said he took an old Iowa map as his guide, took his family in his inexpensive auto, and found one of our chartered lakes. It was planted in corn. In the next he found plenty of water that he could not get to. A wire fence kept the visitor's family and a herd of hogs apart, but the hogs only had access to the water. A fellow citizen had bought the shore property, improved, enjoyed, and paid taxes on it before this southern Iowa tourist awoke. He must accept the justice of "they who are awake, not those who sleep, the law will help." But the waters and shores of all our lakes need not even now and surely not forever remain barred against the whole touring population of the state. A wise and prudent general assembly of today knows the roads, autos and citizen tourists, and could erase the crime of neglect in ten days' time.

#### LAKE APPRECIATION VS. COMMERCIALIZATION

As a member of the State Park Board throughout its first four years, from 1917 to 1921, the writer was concerned more about lake shores and future Iowa than other conservation problems. He studied every lake shore in Iowa and every United States and state survey, map and diagram relating to them. He did it from a Van Buren County background. There was not in existence even that long ago a single eligible situation or commodious tract open on one of the large Iowa lakes where one from southern Iowa could enjoy a camp, considering cost and comfort. Not one was then available that could have been made into a fair playground. There is but one now. For a minimum free *lake shore* recreation area, for a population of two and one half million people, even if they *are* country people, is like a seashore

equipment. Fresh water requirements are exactly those of salt water for public enjoyment.

#### ONE AREA SUITED TO IMMEDIATE AND ULTIMATE NEEDS

The one and only one tract that would meet future demands, until within recent months, has never been available for purchase. The tract is known as the J. S. Polk lands, lying between Temp-  
lar Park and Crandall's Lodge, on the west shore of Spirit Lake. The different uses of a seashore could be provided there without endangering morals, health or life. It would furnish the equivalent of seashore space free to the Iowa public always. The needs are now and will remain for:

1. 2,000 feet for free bathing beach along meandered lines; sandy bottom; surf and deep bathing.

2. Dock facilities:

(a) 500 feet for power boats privately owned (available for improvement as a concession).

(b) 500 feet for sailing boats.

(c) 250 feet for oar-propelled boats (other than boats for hire and fishing craft).

(d) 250 feet for boat houses, repair shop (remote from others because in the nature of a concession).

(e) 250 feet for boat livery.

3. Shore line camping site of 2,000 feet width to serve transient citizens from remote distances, adjacent to lake and extending back therefrom, regularly laid off, eventually to be provided with sanitation and pure drinking water; shore line to be kept free of bathers and of all structures and anchorages for at least 1,000 feet out into the lake for scenic reasons.

4. Bayous and shallow shores for fishing from banks.

5. Bayous, ponds, or small streams, with gravel banks and beds especially for safety of children under directed use.

6. Parking space, platted, planted and police-protected or fenced for

(a) Thousands of one-day automobiles.

(b) Hundreds of cars and tent spaces for families' use for stay of one week or longer.

(c) Scores of cars, trucks and motorcycles for service and concessioners.

7. Athletic field to provide for
  - (a) Four baseball diamonds and fields for tournaments.
  - (b) Twenty tennis courts for use in tournaments and daily play.
  - (c) One 18-hole golf course, for standard use, and one for children's use.
  - (d) One football gridiron.
  - (e) One  $\frac{1}{8}$ -mile oval cinder track.
  - (f) Field houses, shelters and showers.
8. One general pavilion for summer educational and agricultural and other congresses.
9. Many high points should be reserved for their scenic values.
10. Many points and places should be protected that have on them Indian mounds or are otherwise of historic interest. The grave of Mr. Marble for example, who was a victim of the Sioux in the Spirit Lake Massacre.
11. Caretaker's year-round residence, with barn, garage and shed facilities.
12. Corn, hay and grain fields and pastures for producing rather than purchasing provisions for caretaker's stock.
13. Automobile storage, repair and refilling service.
14. Eating stands, boarding and lodging places.
15. Space for several hundred semipermanent camp sites with wood floor and wall, canvas tops.
16. Ample ground space to be selected and reserved for landing fields and airplane service.
17. Summer residence of the Governor of Iowa.

#### FISH AND GAME DEPARTMENT REQUIREMENTS

The writer has enjoyed congenial co-operation with the Fish and Game Department, both as Curator of the Historical Department and as member of the Board of Conservation. It is confidently asserted that the usefulness of the Fish and Game Department would be tremendously increased could it use these premises. Its share of the cost of the property would be far less than its repayment to the public good. For some years that department has desired to own or control the meandered lakes in or adjacent to the Polk lands, while "Sunken Lake," which is

not a meandered body and is in no part publicly owned, has been the especial object of the department's desire.

All these waters have their unique value as spawning grounds, while they are not approached anywhere in the state for propagation of wild game birds. The forest, water and waterplant life all are most superbly suited to Fish and Game Department ends.

#### THE EXPERIENCE OF OTHER STATES

As bearing on the certainty that the public will be deprived for all time of all access to all the greater lakes, not only of our state but of all within convenient distance, and of the certainty of enhancement of values of eligible areas, the record of New York, Indiana, and Wisconsin only need to be consulted. The writer has personally visited New York's "Finger Lake" region and Indiana's and Wisconsin's lakes, which in their relation to their populations, now and future, resemble ours. In all those states citizens speak harshly of what they call criminal neglect of prior public officials to seize and hold for the people at large forever some adequate part of this priceless domain.

#### IOWA PROGRESS

In 1917 and nine years afterward, our road investment and automobile population grew as follows: In 1917 there were in Iowa 254,317 automobiles. In 1926 there were 696,229 automobiles. In this decade we multiplied our automobiles in Iowa almost three times. *Three to one autos in a decade of diminishing prosperity!*

In ten years there has been provided from automobile license funds for the improvement of Iowa roads, bridges and other road betterments, the sum of *sixty-eight million, seven hundred and nine thousand, eight hundred and seventy-nine dollars and forty-two cents*. In 1925 and 1926 two cents on each gallon of gasoline sold added to the road funds about eight million dollars more. A total of *seventy-six million, seven hundred and nine thousand, eight hundred and seventy-nine dollars and forty-two cents*. It is estimated that not less than 40% of this was for pleasure. *Three million, two hundred thousand dollars in two years for pleasure touring!* To what end except to facilitate

travel of Iowa and other people toward the attractions of Minnesota or other states! Our parks should be the destination of every one. Yet only \$75,000 from all sources was in 1926 available for Iowa state park needs of every sort. This drives a weary patriotic Iowa touring public to rest nowhere within the state. Minnesota could afford to pay our legislature to starve the Iowa State Park Board. She could afford to reward our General Assembly to prevent more complete park service and cut the support perpetually to even less than \$75,000 per year. We would remain thereby, a population "all dressed up and nowhere (in Iowa fit) to go."

Forty per cent of pleasure travel on eighty million dollars of Iowa roads implies other terminal facilities than state park systems of other states.

#### PERSONAL

Brought up in Van Buren County, the writer never saw an Iowa lake until he was thirty-eight years old. He was not invited much less enticed to do so, though he had seen the show lakes of the United States. Yet Okoboji's beauty excels them all in the opinion of the National Geographic Magazine,<sup>1</sup> in all the world only Lake Lucerne in Switzerland and Lake Louise in Canada surpass it in beauty. Yet neither a citizen, other than an owner, nor a visitor to Iowa can make camp or bathe along its shore. It can be enjoyed only by crossing private land.

A farmer cousin in Van Buren County burned 300 gallons of gasoline in 1924 in a Ford car, mainly in his own township and for pleasure. If he ever starts toward northern Iowa realizing that he, in common with two and one half million neighbors, is the owner of the banks and waters of the lakes and has paid his burdensome part of \$75,000,000 for the roads and bridges all the way there and around and among them, then finds that he is

<sup>1</sup>This statement is many places in print and in common oral usage by people familiar with the beauty of Okoboji. Having been unable to find the reference in the magazine quoted, we applied to the editor himself with the following result:

National Geographic Society

Washington, D. C., Sept. 3, 1927.

Dear Sir:—I regret that you have been misinformed as to the statement said to have been made by the National Geographic Society, ranking the lakes of the world according to their beauty. No such statement has been published in *The Geographic*.

Gilbert Grosvenor, Editor.

wholly barred from their advantages except by paying private parties still more fees, he may only abuse the owners of cottage sites that rim the lakes, but he will damn his friends in public places who left him in that plight. He will go home disgusted, bathe in his own tub and cool his spleen with less irritation in the breezes of his own electric fan. He and his million compatriots may sometime take a notion to move for free and decent use of an Iowa lake. Outraged men of means and self respect sometimes make mobs. One lake at least, and the best should be made available, and made so now. No shadeless sand stretch nor rush bottomed shallow should be labeled "Lakeside State Park" and tendered the intelligent, if patient, proprietors of the banks and bottoms of all Iowa lakes.

#### WHAT TO DO

The General Assembly ought to put at the disposal of the Iowa Board of Conservation and Executive Council, half a million dollars and command the acquisition, by condemnation if need be, of the Polk lands, now the finest and largest lake area possible and open it free to the population of Iowa. It is the one place of seashore size on a great lake within our borders.

It is said that the state must retrench. Well it has retrenched. In 1926 its citizens paid into the state treasury \$4,000,000 as two cents a gallon on gasoline and sent about \$40,000,000 to where gasoline comes from. Of those among our two and one half million folks who thus "retrenched" half of them went on over our borders to explore and enjoy less attractive but better cared for and more highly exploited natural advantages. About as many came into Iowa from other states and followed Iowa people across our borders. I would turn our people back to our attractions. The similar ceaseless stream of such "retrenchers" from other states I should point toward the most beautiful lake in the United States and to her equally attractive sister lakes in Iowa. It is a public duty to do that at a probable cost of less than the half of one million dollars or a gas tax of a quarter of a cent per gallon. To dodge it in the shadow of a decade's outlay of nearly \$80,000,000, forty per cent of which was for pleasure, will be seen as New York now sees the public negligence of its earlier era, no true economy but plain blunder or cowardice.

It is impossible to avoid the obligation upon the present generation to take the Polk tract on Spirit Lake. It is now for the first, and probably for the last time available in its unspoiled state. Developed for the *people's* needs, it would become a scenic, scientific, historic and recreational classic, unequalled in our whole domain, and unexcelled elsewhere.

OFFICE OF A. B. FUNK, IOWA INDUSTRIAL COMMISSIONER  
Des Moines, March 29, 1927.

Hon. E. R. Harlan,  
Historical Department,  
State House.

Dear Mr. Harlan:

I have read with absorbing interest your manuscript constituting an appeal for comprehensive recognition of the Dickinson County lake region on the part of the Iowa Board of Conservation.

It has been surprising to me that in connection with the splendid park extension planning in Iowa no practical consideration should have been given to that lake situation where such vast numbers of Iowa people would be interested in park privileges.

Enthusiastic as is your expression, you by no means overestimate the importance of providing free bathing beaches, landing privileges, camping sites, parking space, athletic fields, etc., for the convenience of hundreds of thousands of Iowans who now visit those lakes and the multitude in addition who would more frequently make such visits with proper conveniences afforded.

The idea of fencing the people away from these beauty spots, confining their sojourn to hotels and highways and beaches wholly under private control is an outrage upon a long-suffering public. Few understand better than I do myself from my long residence at Spirit Lake what this situation means, and how important would be proper consideration on the part of the state in the matter of conservation so conspicuously necessary.

I earnestly hope the interest you manifest in this matter may be an initial movement toward a consummation devoutly to be wished.

Very truly yours,

A. B. FUNK.

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