

STATE CLAIMS CONEY ISLAND.

**Contents in Suit Against Tilyou That
Beach Belongs to People.**

Through the filing of papers in the County Clerk's office, Brooklyn, yesterday, it became known that Attorney General Thomas F. Carmody had begun suit in behalf of the people to reclaim part of the beach at Coney Island. The defendants named in the action are the Steeplechase Park Company, The Steeplechase Company, Emilie Huber, George C. Tilyou, Elizabeth Burgess Hogg, and the Tilyou Realty Company, all interested in the amusement resort.

The action of the Attorney General is based on a recent decision of Justice Crane in the Supreme Court, Brooklyn, who held that for a hundred years the title in lands under water along the beach at the south end of Coney Island belonged to the people. This contention is included in the complaint filed by Mr. Carmody against the owners of Steeplechase. He says the public have the right to the use of this land for fishing and boating purposes, and it should be free of all unlawful, unreasonable, and unnecessary obstructions, structures, and incumbrances.

It is alleged in the complaint that the defendants maintain across the beach of Steeplechase two fences, each ten feet high, a pier on piles running over the beach, a roller coaster, and a walk known as Tilyou's Walk. The Attorney General insists that with the exception of the pier the other alleged incumbrances and structures are unlawful, and are wrongfully and unjustly maintained by the defendants, thereby preventing the people from freely passing over the beach.

Besides the removal of the structures complained of, Mr. Carmody asks for an injunction forever restraining the re-erection of them.