

SEA GATE IN PERIL AS EXCLUSIVE AREA

**Court Orders Barrier Set Up
by Wealthy Residents on
Two Streets Removed.**

REALTY CONCERN WINS SUIT

**But Counsel for Colony Declares an
Appeal Is Probable to Keep the
Privacy Maintained 30 Years.**

Property restrictions which have made Sea Gate an exclusive waterfront colony for thirty years and which also have enabled its wealthy residents to bar all attempts at invasion by non-members of the Sea Gate Association, were put in peril yesterday by a decision of Supreme Court Justice James C. Cropsey, who directed the association to remove a barrier that now prevents public access at Poplar and Sea Gate Avenues.

Across the street at that point the Sea Gate Association has maintained a fence, with a guard at its single gate, to bar entrance of persons affected by the restrictions. An injunction, forbidding the further maintenance of the barrier, was granted by Justice Cropsey to the Erit Realty Corporation, which bought ninety lots two years ago situated outside of the restricted section and near to the Atlantic Yacht Club.

The realty corporation contended that these new residents who had bought its property were deprived of rights by the closing of the two avenues, as their titles were based on that of the original owners of all the land in the vicinity, the Norton Point Land Company, and that it had filed a map in 1896, showing easements on land and waterfront.

Meier Steinbrink, attorney for the Sea Gate Association, said this decision may mean the end of Sea Gate as an exclusive residential section, though it was not likely to be accepted without appeal.

The defense by Mr. Steinbrink to the injunction action was, in fact, that the barrier across the avenues was necessary to maintain the privacy of the homes within the enclosure, and if it were removed it would open the way for throngs to invade it and create a situation similar to that at Coney Island. His counteraction for an injunction to prevent the realty corporation from violating any of the Sea Gate restrictions relating to admission of the public was denied by the Court.

The question of title to the beach was not involved and was not determined in this decision. Borough President James J. Byrne of Brooklyn has announced his intention to extend the Coney Island Boardwalk, together with a motor road, entirely around the Sea Gate colony beyond Norton Point, which would cut off the property of the private owners from the waterfront. They have given notice they will fight this project.

Cornelius H. Callaghan is President of the Sea Gate Association. It is said its members have invested \$20,000,000 in homes there. Some of the well-known residents are Mrs. John Glynn, a sister of Governor Smith, J. N. Jeffares, G. Harry O'Shea, Vincent H. Ward, Count Facchetti-Guiglia and former Police Commissioner McLaughlin.