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**NEWS** with MUSKEGON **THE Chronicle**

# Life preserver supporters are doing right thing

Wednesday, September 5, 2001

The death of a young area man who allegedly ignored safety warnings and jumped into the pounding surf off the White Lake Channel's south pier has triggered a lawsuit and a debate over whether communities have a responsibility to equip and maintain safety equipment on property open to the public.

In the case of the Sept. 11, 2000, incident that claimed the life of Christopher Jay Smith II, a life preserver could not be found in time to save the victim's life. Reports at the time indicated that at least some of the life rings were missing from their stands.

Smith's family has taken Fruitland Township to court over the case on the premise that it had a duty to ensure that life-saving equipment is available at all times, since there was an "understanding" that Fruitland would do so because of the fact that the pier had been equipped with preserver rings by the township.

The rub is, the township had made the gesture after suffering through the death in 1987 of a little girl who fell into the channel while trying to take pictures of ducks. At the time, the pier was not equipped with the life rings. Fruitland then contracted with the Army Corps of Engineers to install life preservers, but the agreement made it clear that it was the township's responsibility to maintain the equipment after installation.

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Because of theft and vandalism, communities shy away from equipping their piers with safety devices. The worst-case scenario \_ which came through in this case \_ is that a life could be lost when the equipment proved defective or came up missing, and when the survivor's relatives file a negligence lawsuit against the governmental unit said to be responsible. Smith's family is asking for \$10 million; Fruitland Township only carries a \$2 million liability insurance policy on the pier.

This is a tough case, and it could result in serious harm not to only to township government in Fruitland, but to efforts to make piers safer even in the face of gross stupidity on the part of potential victims. It's difficult to believe that any jury would fail to take into account all the circumstances in a case like this, but one never knows.

In any event, we believe that life preserver supporters are still doing the right thing by equipping local piers with devices that can spell the difference between life and death. Moreover, we think it would be impossible for a small governmental unit to devote all its resources to protecting the equipment on a 24-hour basis from thieves and vandals. Is the alternative to shut the piers down to "protect" the public?

This is a job for our state legislators, who ought to look into this issue and protect local communities who want to do the right thing but may be scared off by the threat \_ and now the reality \_ of legal action.

Brewer 'era' left its mark on local ice

The International Hockey League had already died earlier this year, but it's hard to believe Carl Brewer, the former Muskegon Mohawk and National Hockey League star, is gone, too.

Brewer, 62, passed away recently in Toronto, Ontario.

He played only one season in Muskegon \_ 1967-68 \_ and marched to his own drummer all the way. He led the-then Mohawks to the IHL's Turner Cup championship that spring with "youngsters" like Gary Ford, Bob Tombari, Bryan McLay and Lynn Margarit. Carl also brought his younger brother Jack

with him and Jack played for three more seasons for the Mohawks. Carl later played for the Detroit Red Wings before he retired.

Still, the history books will always regard Carl as the best hockey player who ever played in the late, great IHL.

Former Muskegon Mohawk team owner Jerry DeLise, a hard-nosed hockey businessman, nabbed Carl a couple seasons after Carl parted from the Toronto Maple Leafs in a tiff with that front office in 1965.

DeLise announced the deal by walking into The Chronicle's offices and telling the paper's then-sports editor, the late Joe Eyer, he had a signed contract with one of the five best hockey players in the world \_ Carl Brewer. Once Eyer broke the story, everything broke loose. The New York Times, among other media, called Eyer to confirm the story.

The amount DeLise paid Brewer, somewhere between \$25,000 and \$50,000, seems like peanuts today, but just the fact that a player of Brewer's caliber came here and stayed a full season still seems unbelievable. By comparison, the incomparable Gordie Howe, then the NHL's leading star, was paid \$37,500 for the equivalent 1966-67 season in the same era.

Carl Brewer has gone to the great face-off in the sky. We're sorry to hear of his passing, but this town will always remember the year a NHL star brought Muskegon into the big leagues.

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