
IN THE
Supreme Court of the United States

October Term, 1927

No. 11 ORIGINAL

State of Wisconsin, State of Minnesota, State
of Ohio, and State of Pennsylvania, Com-
plainants,

vs.

State of Illinois and Sanitary District of
Chicago, Defendants.

State of Missouri, State of Kentucky, State of
Tennessee, State of Louisiana, State of
Mississippi, and State of Arkansas, Inter-
vening Defendants.

No. 7,
Original

State of Michigan, Complainant,

vs.

State of Illinois and Sanitary District of
Chicago, Defendants.

No. 11,
Original

State of New York, Complainant,

vs.

State of Illinois and Sanitary District of
Chicago, Defendants.

No. 12,
Original

MACLAY HOYNE,
JAMES M. BECK,
EDMUND D. ADCOCK,
GEORGE F. BARRETT,
Counsel for respondents.

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And now, to-wit, January 3, 1928, the Sanitary Dis-
trict, one of the above respondents, by its counsel, Mac-
lay Hoyne, James M. Beck, Edmund D. Adcock and
George F. Barrett, appears and respectfully represents to
the Court that the time for filing exceptions to the Spe-
cial Master's report has now expired and that exceptions

have been filed in behalf of the complainants and that no exceptions have been filed by the respondents.

Counsel for the Sanitary District respectfully suggest that it is in the interests of both the complaining states and the responding states that as early a date should be fixed for the argument of this case as is consistent with the convenience of the Court and a reasonable opportunity to counsel for both litigants to prepare their briefs. It is of great importance to all of the states, who are parties to this litigation, that their rights should be finally established at the earliest practicable date. It is of especial importance to the Sanitary District, for, on the faith of the permit of the Secretary of War, the validity of which is challenged in these proceedings, the Sanitary District has made, and is still making, large expenditures of money to comply with the conditions of said permit, and it is, therefore, of great practical importance to the Sanitary District that the validity of this permit be established as soon as possible.

The Sanitary District therefore asks the Court at this time to enter an order as to the time for filing briefs and a date for the oral argument of such exceptions.

As the only exceptions filed are those of the complaining states, they are in the position of appellants, and the respondents, of appellees, and it is therefore submitted that this Court, in fixing the time for the filing of briefs, should first require the complaining states to file their briefs and that a reasonable opportunity should then be given to the respondents to file reply briefs.

Such an order will probably serve the convenience of the Court, for the reason that, if the respondents were obliged to file their briefs at the same time that the complaining states file their briefs, it would be necessary for the respondents in their brief to discuss all of the exceptions, which are filed by the complaining states. The State of Michigan, alone, has filed thirty-nine exceptions, and the exceptions of all the complainants will,

therefore, be great in number and varied in character. If counsel for the respondents can first examine the briefs of complainants before filing their answering briefs, they will know more clearly the exceptions upon which the complaining states chiefly rely and can then adapt their briefs to the nature of the objections and thus avoid an unduly extended brief in reply.

Counsel for respondents suggest for the consideration of the Court that thirty days be allowed, from January 3rd, to the complainants to file their briefs, and that an equal time be then allowed counsel for the respondents to file their answering briefs and that the date of the oral argument shall, therefore, be fixed, if convenient to the Court, as soon after the sixty-day period as practicable.

For the urgent public reasons above stated, it is earnestly hoped by the respondents that a date may be fixed for the oral argument that will permit of a final disposition of the case before the Court recesses for the summer, if the convenience of the Court makes this practicable.

All of which is respectfully submitted.

MACLAY HOYNE,
JAMES M. BECK,
EDMUND D. ADCOCK,
GEORGE F. BARRETT,
Counsel for respondents.

