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IN THE  
**Supreme Court of the United States**

OCTOBER TERM, A. D. 1925.

No. **7** Original, in Equity.

**STATES OF WISCONSIN, OHIO, PENNSYLVANIA AND  
MINNESOTA,**

Complainants,

vs.

**STATE OF ILLINOIS AND THE SANITARY DISTRICT  
OF CHICAGO,**

Defendants,

and

**THE STATES OF MISSOURI, KENTUCKY, TENNESSEE  
AND LOUISIANA,**

Intervening Defendants.

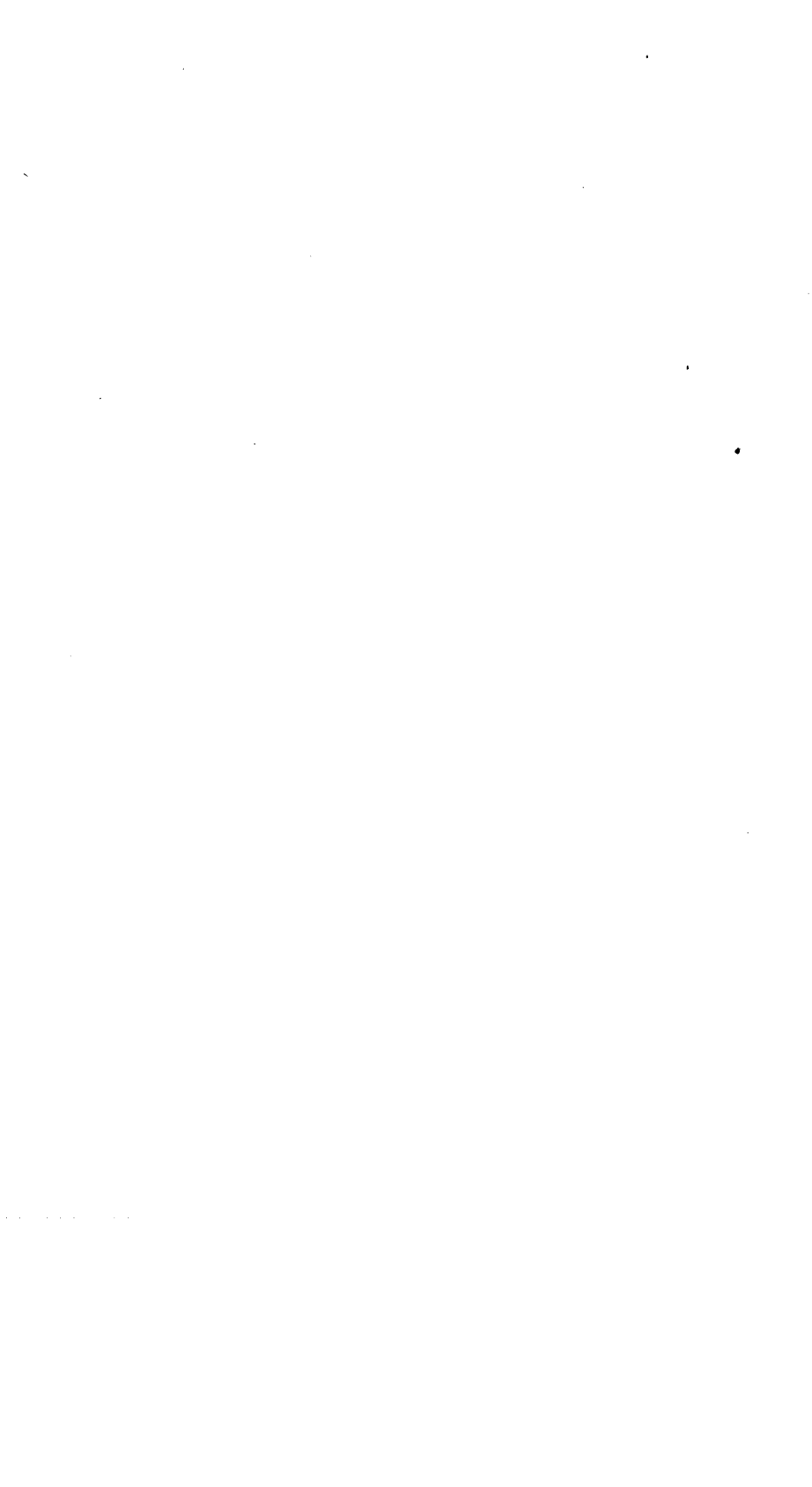
**ANSWER OF ILLINOIS TO AMENDED BILL OF  
COMPLAINT.**

OSCAR E. CARLSTROM,  
Attorney-General of Illinois.

CYRUS E. DIETZ,  
HUGH S. JOHNSON,  
Solicitors for Illinois.







IN THE

# Supreme Court of the United States

OCTOBER TERM, A. D. 1925.

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STATES OF WISCONSIN, OHIO, PENNSYLVANIA AND  
MINNESOTA,

Complainants,

vs.

STATE OF ILLINOIS AND THE SANITARY DISTRICT  
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Intervening Defendants.

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## ANSWER OF ILLINOIS TO AMENDED BILL OF COMPLAINT.

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This defendant, the State of Illinois, by Oscar E. Carlstrom, Attorney-General, and Cyrus E. Dietz and Hugh S. Johnson, its solicitors, reserving to itself all right of exception to, and herein and hereby renewing its motion to dismiss, the said amended bill of complaint, for answer thereunto says:

1. This defendant hereby joins in and adopts the answer of the defendant, the Sanitary District of Chicago, and the answer of the intervening defendants, Mis-

souri, Kentucky, Tennessee and Louisiana, heretofore filed herein (except such portions of Paragraphs Nineteen of said answers as aver that the lowering of the mean level of Lakes Michigan, Huron, Erie and Ontario, by reason of the diversion, as alleged in Paragraph Nineteen of said amended bill, does not and will not exceed four and three-fourths inches) and this defendant, in so joining in and adopting said answers, asks and prays the same benefit and advantage of the said answers as if the statements and averments therein contained, were herein fully and specifically set forth.

2. This defendant denies that as a result of the diversion of water from Lake Michigan, as averred in said amended bill of complaint, the mean level of the water in Lakes Michigan, Huron, Erie and Ontario and in the various waterways connecting said lakes and in the St. Lawrence River above tidewater has been lowered to any extent below the level that would exist in said lakes and waterways in the absence of such diversion.

3. This defendant, further answering and insisting upon the following as a distinct and separate matter of defense in bar of the said amended bill of complaint, says that, as is alleged and averred in the said answers, the United States, in its control and regulation of all the navigable waters of the United States and in its improvement and maintenance and/or creation of the inland waterway system of the United States, connecting by water transportation and waterways the various watersheds, regions and parts of the country, has exercised and is exercising complete and full control of the Great Lakes waterway and of the system of waterways represented by the Mississippi River and its tributaries to the Gulf of Mexico and of the connection between said two systems of waterways by means of the Chicago River,

the Sanitary and Ship Canal and Illinois and Michigan Canal to the Illinois River. And the United States, in such connection, has authorized and adopted said Sanitary and Ship Canal, with its attendant diversion of water from Lake Michigan, as a part of said inland waterway system, and has authorized, recognized, approved and adopted each and every of the acts of defendants, complained of in said amended bill.

4. This defendant, further answering and insisting upon the following as a distinct and separate matter of defense in bar of the said amended bill of complaint, says that, as is alleged and averred in the said answers, the said complainants and each of them, by reason of the several matters and things in the said answers set forth, have been guilty of laches and have acquiesced in all of the acts of the defendants complained of in, and that the said complainants and each of them, therefore, are estopped from obtaining any of the relief sought by, said amended bill.

And this defendant, further answering, denies that the complainants are entitled to the relief, or any part thereof, as in the said amended bill demanded, and prays that it may be hence dismissed with its reasonable costs and charges in this behalf most wrongfully sustained.

#### STATE OF ILLINOIS.

By OSCAR E. CARLSTROM,  
*Attorney-General.*

CYRUS E. DIETZ,  
HUGH S. JOHNSON,  
*Solicitors for Illinois.*





