

**JOINT RESOLUTIONS OF GENERAL INTEREST  
ADOPTED BY THE LEGISLATURE OF  
THE STATE OF WISCONSIN  
SESSION OF 1925**

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[Jt. Res. No. 9, A.]

No. 1, 1925.

**JOINT RESOLUTION**

Protesting to the congress and to the secretary of war of the United States against the continuation of the illegal taking of water from the Great Lakes through the Chicago Drainage Canal.

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WHEREAS, Actions were instituted by the United States in 1908 and 1913 against the Sanitary District of Chicago praying an injunction to restrain the diversion of water from the Great Lakes through the Chicago Drainage Canal in excess of four thousand one hundred sixty-seven cubic feet per second, and over the protest of the government a decision was delayed until, after the resignation of Judge Landis, on June 18, 1923, Judge Carpenter decided the case in favor of the government and ordered that the injunction be granted;

WHEREAS, The states of Wisconsin, Minnesota, Michigan, Indiana, Ohio, Pennsylvania and New York joined in appearing as amici curiae with the United States against the Sanitary District of Chicago in said action on appeal before the supreme court of the United States;

WHEREAS, The United States supreme court on January 5, 1925, affirmed the decision of Judge Carpenter, holding that the Sanitary District of Chicago has violated the laws of the United States, that its action is in violation of our treaty with Great Britain and enjoining any abstraction of water in excess of four thousand one hundred sixty-seven cubic feet per second;

WHEREAS, The legislature of Wisconsin in 1921 ordered and directed the beginning of a suit in the supreme court of the United States by the state of Wisconsin against the state of Illinois and the Sanitary District of Chicago to restrain the taking of water from the Great Lakes by the Sanitary District of Chicago and such action has begun and is still pending, no proceedings therein having been had awaiting the final decision in the case just decided;

WHEREAS, The present illegal abstraction of water from the Great Lakes now, and for many years past, has reached the enormous amount of upwards of ten thousand cubic feet per second and has seriously lowered the levels of the Great Lakes and the St. Clair, Detroit, Niagara and St. Lawrence rivers, and has greatly restricted and interfered with navigation thereon;

WHEREAS, The Great Lakes constitutes the greatest waterway in the world, carrying at the present time a tonnage equal to one-fourth of all the railroad tonnage of the United States at a cost of less than one-fifth that of railroad freight rates, and the diversion by the Sanitary District of Chicago has already increased lake freight rates by not less than three million dollars annually and has damaged lake harbors and other works fully twelve million dollars;

The enormous diversion has created currents in the Chicago harbor which have destroyed Chicago as a lake port to its own great loss and to the great loss of all other ports thereby deprived of economical lake transportation to and from this great center of the middle west;

Incalculable damage has been done to farm and other property along the Illinois river and its fishing and pearl industry has been destroyed by the dumping of Chicago sewage into the stream;

The action of the Sanitary District in abstracting nearly ten thousand cubic second feet where less than one thousand cubic feet is necessary or desirable for navigation has rendered futile all projects for a lake to the gulf waterway by way of the drainage canal and the Desplaines, Illinois and Mississippi rivers, and if continued will forever prevent the development of such waterway;

The Chicago Sanitary District is deriving a revenue of more than one million dollars annually from electric power produced

by the water so taken, and by this diversion is preventing the United States from obtaining its fair share of water for power purposes at Niagara Falls and along the St. Lawrence river, where the same quantity of water will produce at least ten times the amount of power produced by the Sanitary District;

The controversy over the diversion by the Sanitary District stands in the way of the immediate undertaking of the St. Lawrence waterway to give to ocean going vessels access to the Great Lakes and to give to the middle and the northwestern part of the United States the advantages of ocean going ports and the enormous development of power possible through such improvement of the St. Lawrence river; and

WHEREAS, The Sanitary District of Chicago has repeatedly asked Congress to enact legislation permitting such diversion and Congress has refused to enact such legislation, and bills are now pending in Congress for such permission, and the Sanitary District has repeatedly petitioned Secretaries of War for permits authorizing such diversion, and Secretary of War Stimson, in 1913, refused any permission in excess of four thousand one hundred sixty-seven cubic feet per second, and the Sanitary District now gives out that it will make application for a permit to increase said amount and is carrying on a propaganda and gives out that it must continue to take not less than ten thousand cubic feet per second until the year 1945, with the implication that it intends to continue to abstract this amount of water or more during this period and all time thereafter and will not erect sewage disposal plants other than to take care of sewage from the growth of population and industries during this time, and the Sanitary District is not now making provisions for the immediate practical disposal of sewage by modern methods as is being done in other large lake cities; and,

WHEREAS, The states appearing with the government in the recent case take the position that the waters and the right to have these waters flow down the natural watershed of the Great Lakes is a property right of these states within their respective boundaries, and that there has been delegated to the government of the United States no power to divert these waters for any purpose except possibly so far as needed for the protection and improvement of navigation for which purpose there will at no time be needed more than one thousand cubic feet per second along the Chicago, Desplaines and Illinois rivers,

*Resolved, by the Assembly, the Senate concurring,* That the state of Wisconsin hereby respectfully protests to the Congress of the United States and to the Secretary of War against any action by either recognizing or continuing any permit to the Sanitary District of Chicago to divert water from the Great Lakes through the Chicago Drainage Canal for any purpose other than the protection and improvement of navigation ;

*Resolved,* That a copy of this resolution, properly attested by the presiding officers and chief clerks of both houses, be sent to the President of the United States, the Secretary of War, the presiding officers of the senate and the house of representatives, and to each United States senator and member of Congress from Wisconsin ;

*Resolved,* That a copy of this resolution so attested be sent to the governor and the presiding officers of both houses of the legislature in each of the states of the union, inviting the cooperation of the states in like protest to the Congress and to the Secretary of War.

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[Jt. Res. No. 30, S.]

No. 3, 1925.

### JOINT RESOLUTION

On the death of former Governor Edward Scofield.

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Death has taken from among us one who served this state with distinction in a public capacity, first as a state senator and later as its chief executive, and who earlier gave four years of his young life to his country's service in the civil war.

Edward Scofield, a native of Pennsylvania of Scotch Irish forbears came to Wisconsin soon after the close of the civil war. He had enlisted at the age of nineteen in a Pennsylvania regiment on the first call of President Lincoln for troops, and his bravery in action and his ability as a leader of men brought him one promotion after another so that when mustered out in 1865, after serving ten months of his four years in Southern prisons, he bore the rank of Major.