

# DAM CASH SENT

## State Treasurer Mails Check Here From Carson City

### Adheres to Ruling of Attorney General Grey Mashburn

CARSON CITY, Feb. 17 (UP)—A temporary truce in the "Battle of the \$60,000," was called today when State Treasurer Dan Franks placed a certified check in the mail, addressed to the county treasurer of Clark county.

The check was the southern area's 20 per cent of the \$300,000 Boulder dam revenue as voted by the last session of the legislature. It marked a temporary end, at least, to the war which has been fought within the state ever since the "in lieu of taxation" money was first anticipated.

## **Takes Opinion**

Franks, in announcing his decision to send the check to Clark county, said he was adhering to the opinion rendered by Attorney General Grey Mashburn, which ruled that Clark county was entitled to the money, as a result of the action of the 1941 legislature, and should be paid.

The state treasurer followed the procedure outlined by the attorney general when he accepted the fund from the government, made out the cashier's check to Clark county and then deposited the other \$240,000 in the general fund of the state of Nevada.

The delay in issuing the check, it was reported in political circles here, was occasioned when a Reno newspaperman put Franks "behind the eight-ball" by reportedly misquoting him in a news release when the check from the federal government first was received.

## **Check on Way**

Anyway, whatever the cause, the check is on its way, and if there is to be any change in the status in the future, it will have to come from the hands of the legislature and not through the columns of any newspaper, capitol officials said today.

Previously, some persons had thought Franks had not the power to pay Clark county because the act to pay Clark county had not specified that the controller write a warrant for the money. Mashburn ruled this was unnecessary, ruled the act legal and ordered Franks to pay the southern Nevada county.

## **Loss of Taxes**

The special payment to Clark county was considered, in passage of the law, to compensate Clark county for loss of tax revenue attendant to the presence and construction of Boulder dam near Las Vegas.

It was indicated that today's payment of \$60,000 to Clark county set a precedent and a rule for future payments to Clark county.