

# U. S. ANSWERS ARIZONA BILL IN RIVER SUIT

State Will Not Be Injured by Colorado River Dam, Averred.

WASHINGTON, March 9.—(A)—The government today filed a reply to Arizona's attack on Hoover dam which said the state had conceded in effect that there had been no injury to her citizens or her property.

"The complainant (Arizona's) brief," the government's reply said, "shows the case to be a naked assertion that the defendant, Secretary Wilbur, is proposing to divert water from the Colorado river which no person even proposes to use for any beneficial purpose. The bill, we submit, should be dismissed."

The government brief, filed by Solicitor General Thacker, cited a long list of cases which it contended proved that the supreme court had no jurisdiction unless there was evidence of actual injury.

It contended that authorities cited by Arizona showed the necessity of proving injury, actual or threatened to sustain its bill.

"That the mere diversion of water without its permission in the absence of allegation that any person will be deprived of its use is no cause of suit is entirely clear," the solicitor general said.

Arizona in its attack on the bill authorizing the construction of Hoover dam maintained there was a threat of immediately impending injury to Arizona if the terms of the bill were carried out.