

# Arizona Closes Its Arguments Against Boulder Canyon Act

WASHINGTON, March 10.—(AP)—Oral argument in the attempt to throw out of the supreme court Arizona's challenge of the validity of the Boulder canyon act ended today with counsel for that state occupying most of the time.

Argument advanced for Secretary Wilbur and the states of California, Utah, New Mexico, Colorado, Wyoming and Nevada that the suit be dismissed was presented yesterday.

## Stresses Injustice.

Clifton Mathews, counsel for Arizona, emphasized the injustice and inequity of the act of congress and the compact from the viewpoint of that state, asserting it would deprive Arizona of all water in the river unless it was willing to join the compact of the other six states.

Assailing the validity of the act for the construction of the dam, Arizona's lawyers insisted that congress as a last thought in the hope of making the act valid had declared it was for the purpose of promoting navigation. The Colorado river never was navigable, they asserted, and it would not contribute to the navigation of any stream to withdraw one half of its flow for irrigation and power purposes.

## Contend Appeal Right.

There could be no question of the right of Arizona to appeal at this time to the supreme court, they contended, to save it water to which it was entitled.

Solicitor General Thacher closed the argument. He said the court could not go behind the declared purpose of congress and must interpret the Hoover dam act as intending to aid navigation. Further, Mathews said, congress discriminated in favor of the Imperial valley and against Arizona by providing that Imperial valley should have water from the river without charge but that Arizona must pay for any it obtained. He stated the water which Arizona might use would in part return to the river while none that went into Imperial valley would.

## Navigation Subservient.

The act and the compact clearly demonstrated, he insisted, that the use of water from Hoover dam for navigation purposes was entirely subservient to its use for irrigation and power purposes.

Solicitor General Thacher denied that the law or Secretary Wilbur had stated anyone could take water from the river asserting the act provided for the storage of the water and for its distribution as an instrument of commerce.

Referring to contracts under the act he said it would be time to test their validity when someone came into court claiming their rights had been impaired.