

ARIZONA'S SUIT TO BLOCK DAM NEARING CLOSE

Facts on Boulder Project
Prove Validity of Act,
Thacher Tells Tribunal

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Universal Service

Every fact about the Boulder Dam project "screams" that the Supreme Court should not hold the act authorizing the development invalid, Solicitor General Maurice D. Thacher told that tribunal in concluding oral arguments yesterday on Arizona's suit to stop work on the dam.

As he opened the arguments, so did Mr. Thacher close it with an assertion that Arizona had made a fatal mistake in levelling her suit against Secretary Wilbur and not making the United States a defendant.

ARIZONA REPRESENTED

James A. Greenwood, attorney general of Wyoming, joined Mr. Thacher in challenging Arizona's move to block the project. That State had her say through Dean G. Acheson and Clinton Mathews, who for three hours pleaded that Arizona had been wronged by the Swing-Johnson act.

An attempt to clear the atmosphere over the legality of the plan to sell water to Southern California was made by Mr. Greenwood, who said:

"No attempt is made in the compact to assert a right over the affairs of Arizona. All conditions of the act of Congress have been complied with. Congress did not know which six States would make the compact.

OBJECTION WIDESPREAD

"Arizona is asking this court to hold back all six States and let her take what she wants from the river, build dams and do as she pleases."

Mr. Acheson and Mr. Mathews argued that their suit was properly brought; that its purpose was to restrain Secretary Wilbur from carrying out an unconstitutional act of Congress, depriving Arizona of a fair share of the Colorado River water.

BILL TERMED UNFAIR

They contended that the Swing-Johnson act was a "subterfuge" on the ground that it assumed control over the Colorado River under claims that the river was a navigable stream. Argument was advanced that the river was not navigable.

By terms of the act, Wilbur is given absolute control of the Colorado River, they argued. Allocation of water in the compact was declared to be unjust.

Wilbur to Let Contract

For Boulder Dam Today

Contracts for construction of Boulder Dam, including the tunnels and powerhouse, will be awarded by Secretary Wilbur today, it was announced yesterday.

Three bids were received in Denver last Wednesday, the lowest being that of six combined companies for \$48,890,999.

If the combination company is found capable of handling the project, it will be awarded the contract.