

Here's Status of Metropolitan Aqueduct

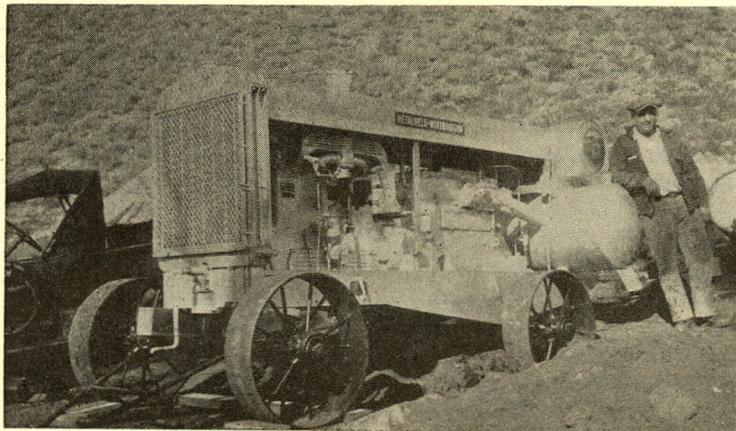
Western Hwy. Boulder Feb. 3 2

By HOWARD B. ROSE

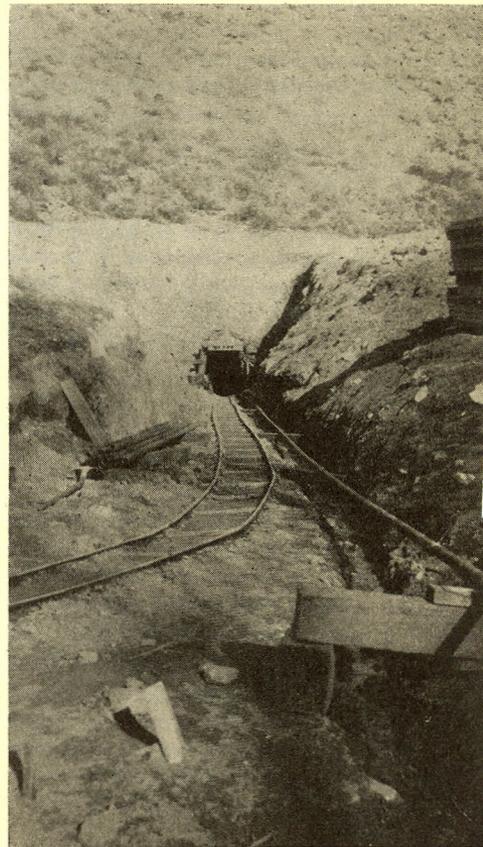
ONE of the burning questions of the day in Western construction circles deals with the Metropolitan Water District aqueduct project. The District voted bonds last November to the amount of \$220,000,000 for the construction of the project. Those interested in the construction of the project, and that appears to be not only the contracting trade and the makers and sellers of equipment, but almost everybody in Southern California is showing considerable impatience at the delay in starting work. In the huge project is seen a relief of some of the serious unemployment conditions as it is estimated that the work will employ in the neighborhood of 10,000 men.

A close scrutiny of the factors involved in this huge project will temper the impatience. Let it be known in the first place that the legal procedure incident to the validation of the bonds on such a project is an absolute necessity. If the bonds were offered to the banks without having been properly validated, they would be immediately turned down, and for obvious reasons.

This validation is usually accomplished through a friendly suit. In this case there were suits—two of them—and they were not friendly, in any sense of the word. The cases have been bitterly fought and every possible delay has been taken and more delays sought.



● Left — Worthington compressor being used in tunnel investigation work by the Metropolitan Water District
Right—West portal of the San Jacinto test tunnel



One suit was instituted by one J. E. Burney of Long Beach in which he attacked the validity of the bond issue on the ground that the Metropolitan Water District Act was unconstitutional. The suit was lost in the lower court and has been appealed to the State Supreme Court. It is the writer's opinion that this suit may not be decided for some time by the Supreme Court, and we are informed by competent lawyers that it may even be carried to the United States Supreme Court, as matters between States and between the States and the Federal government may be sufficiently involved to give the highest court jurisdiction.

The other suit was by one Katherine K. Buck of Los Angeles who sued as a taxpayer and sought to invalidate the bonds on the grounds that the voters had been misled by pre-election statements. She contended that the amount voted was insufficient to construct the aqueduct, that the water would be unfit to drink and that the voters had been hoodwinked and defrauded by promises to provide immediate employment for several thousand men.

In a decision handed down on February 8 Judge Leon R. Yankwich upheld the validity of the bonds, ruling that Mrs. Buck had failed to prove fraud. Judge Yankwich declined to rule on the constitutionality of the act under which the Metropolitan Water District was created, holding that it would be presumptuous for him to do so since the Supreme Court has held in a test case the right of the district to collect taxes.

Thirty days will be given the plaintiff to appeal the case. It is doubtful if it will be appealed, but no one but Mrs. Buck can be sure of this. A statement accredited to Everett R. James, her attorney, is to the effect that he did not know whether she would appeal or not.

In view of the urgency of starting work it is regrettable that these suits can not be pushed more rapidly. The Metropolitan Water District board under the leadership of Frank E. Weymouth, chief engineer and general manager, is making every effort to expedite the matter so that work can be started.

In the meantime the engineering department of the district is going forward in

every possible way with preparatory work. A contract was recently let to Martin Brothers Trucking Company, Long Beach, for the construction of a pioneer or service road. The contract was let with the express understanding that work was not to go forward until the validation of the bonds had been secured.

Investigation work is now going forward in the San Jacinto tunnel, the longest tunnel on the project. This work is under the supervision of J. E. Bond who heads a crew of geologists and engineers making the investigation. The test tunnel has penetrated the west side of the range to a distance of approximately 500 feet. In this work a Worthington compressor is being used to furnish air and improved Worthington drills

are used in the drilling operation. These drills have an independent rotating action and are highly praised by the engineers.

The investigations in the San Jacinto tunnel site to date reveal no unusual hazards to the driving of the bore. "Good ground," albeit a variety of rock, is found all the way through. However there are many places where it is necessary to shore close to the working face as the rock is of such a nature as to be not self supporting.

The only delays to the inception of work on this huge project are those incident to the two suits now pending. The district is ready to go ahead and when the final legal matters have been solved the work will start immediately.