

CLARK COUNTY WILL RECEIVE \$182,000.00 BY COMPROMISE

Norcross Decision Not To
Be Appealed To High-
er Court Now

8/17/33
THREE YEAR LEVIES

County Commissioners
Expected To Give Final
Okeh Today

Payment to Clark county of approximately \$182,000 in full settlement of 1931, 1932, 1933 taxes for Six Companies Incorporated, Boulder City Company, and Anderson Bros. was tentatively agreed upon today by attorneys for the Boulder Dam contractors, members of the Clark County board of commissioners, Deputy District Attorney Roger Foley and Assessor F. C. Deviney.

As a result of this agreement Six Companies will not appeal from the decision of Judge Frank H. Norcross of the federal court, Nevada district, which established the right of the state of Nevada to collect taxes on all property, privately owned, in the Boulder Dam area, and held that the alleged reservation had not been legally created.

NEGOTIATIONS looking toward this settlement have been going forward for several weeks, a tentative agreement having been reached in Carson City two weeks ago at a conference attended by Six Companies attorneys; J. F. Shaughnessy, chairman of the Nevada Tax Commission; Gray Mashburn, attorney-general; Roger Foley, deputy district attorney for Clark county; F. C. Devinney, county assessor; and Charles Adams, right of way and tax agent for the Union Pacific railroad company.

This agreement, calling for payment of approximately \$182,000, in settlement of all taxes for the three year period, was submitted to the board of directors of Six Companies and approved by them, and was today placed before the board of county commissioners and district attorney for approval. This action is being taken under the 1933 statute which gives the district attorneys of the several counties of the state the right with the consent and approval of the county commissioners to compromise and settle any claim for taxes for the year 1931 or subsequent thereto, such compromise being subject to the final approval of the attorney-general.

THE PROPOSED settlement carried the okeh of the district attorney's office and was expected to be approved by the county commissioners this afternoon. Official okeh by the attorney-general is also expected to be forthcoming when submitted to him, as he agreed to the terms of the pro-

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Clark County

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posed settlement during the Carson conference.

It is probable, according to Paul Marrin and Samuel Stevens, Six Companies attorneys, that a friendly suit will be filed to cover 1931 and 1932 taxes in order to avoid any complications. This suit, if filed, would take only a short time to settle, the attorneys pointed out.

PAYMENT OF that portion of

the taxes apportioned to the years 1931 and 1932 could be made as soon as this suit is decided, but 1933 taxes will not be paid until after the state tax commission loses jurisdiction, which would be some time in November.

The figure agreed upon represents approximately \$142,000 in property taxes from the three companies and approximately \$40,000 in poll taxes collected from the workmen on the project.

The \$40,000 from poll taxes goes by statute, into the county road fund, but can eventually revert into the general fund under the 1933 statute covering that proposition.

THE REMAINING \$142,000 is distributed among the state, county and high school funds as follows (figures are approximate).

State	\$28,596.95
High School	35,746.19
County	78,651.63

Approximately forty per cent of the high school portion goes to retirement of bonds outstanding against the high school district, while the county's portion is divided among the various county funds in accordance with the budget of the year for which the taxes were collected.

With the settlement of the tax question, operation of the Boulder City high school will come under the jurisdiction of the board of education of this district, while it will be necessary to form a district to take over the operation of the grammar school in Boulder City, with a tax levied against the property in that district for its support.

COMMENTING ON the settlement, Paul Marrin, Six Companies attorney said. "Our board of directors is very pleased to compromise this issue rather than to fight have an even chance to upset the Norcross decision if we were to

carry the case into the higher courts, but we have reached the conclusion that Clark county and the state of Nevada are entitled to this tax money and stand ready and willing to pay it on an equitable basis. We believe the agreement as outlined is fair to all parties concerned."

Both Roger Foley, deputy district attorney and F. C. Devinney, county assessor, described the settlement as "eminently fair both to the county and Six Companies."

"This settles the matter of Boulder Dam taxes, once and for all," Foley said. "It means we will get the money within the next few weeks, and that we won't have the long fight thru the supreme court on thru the courts. We believe we of the United States which might take several years to settle, and

which we might lose in the end."

THE COMPROMISE, Foley pointed out, also lays the foundation for all future assessments in the Boulder Dam area, and when finally accepted will end all litigation concerning taxes in that district in addition to settling the question concerning the creation of a reservation.