

# AN OPEN LETTER TO JUDGE WM. E. ORR

## Judge of the Eighth Judicial District

Hon. Wm. E. Orr,  
Judge of the Eighth Judicial District Court,  
Las Vegas, Nevada.

Dear Sir:

This open letter is addressed to you, due to the fact that you, in your capacity as district judge of this district, are considered the ranking judicial official of the county.

During the past week there has been circulated within the county of Clark a certain circular making certain charges against one of our county officials.

In case this circular has not been brought to your personal attention, I am re-printing the contents of the same:

### ROGER FOLEY CANDIDATE FOR DISTRICT ATTORNEY

Mr. Foley is conducting his campaign and seeks re-election upon the following slogan:

**"To insure four more years of honest, efficient attention to the welfare of Clark County"**

The undersigned has made no general examination of the records, nor inquiry, and merely states some of the matters of which he has personal knowledge or that have come to his attention, and which are in conflict with such pretense.

The following numbers refer to cases in the District Court of Clark County, Nevada, the records and files of which are open to inspection in the office of the Clerk of said Court, by any person, for verification of the statements herein contained.

#### CASE NO. 6032

This was an action for damages for battery and rape.

It was the duty of Mr. Foley, as District Attorney, to investigate and to prosecute those crimes if the evidence justified.

Instead, he accepted employment from the defendant and appeared for him in said action to defend said charges.

The plaintiff moved to enjoin Mr. Foley from so appearing upon the ground he represented the adverse interests of the people of the State of Nevada, by whom he was employed and paid a salary to prosecute such criminal charges, and also the adverse interests of the defendant by whom he also was employed to defend those charges.

Plaintiff's motion was set for hearing, but before the same was heard, Mr. Foley withdrew from the case as defendant's attorney, thereby confessing the Motion.

#### CASE NO. 6028

This was a criminal action in which the defendant was charged with burglary.

Mr. Foley as District Attorney obtained an order of the Court that "the defendant be released from the custody of the Sheriff of Clark County, Nevada, upon his own recognizance, but not until said Sheriff of Clark County, Nevada, is satisfied that the said defendant is ready to immediately leave Clark County, Nevada."

If the defendant was guilty, he should have been prosecuted, or the prosecution dismissed for want of sufficient evidence.

If the defendant was innocent, he should have been released without any requirement that he leave the County.

In either event, he had an absolute right to remain in Clark County.

The foregoing is a dangerous and unconstitutional method of dealing with the liberty of persons who are not in the favor of the District Attorney.

#### CASE NO. 5882

The County Commissioners ordered a sale of a group of mining claims belonging to Clark County, that previously were assessed at \$3,000.00.

It is common knowledge that the assessed value is usually less than the actual value.

The sale was void for two reasons, as shown by the record:

1. The property was sold for the taxes, penalties and costs, amounting only to \$327.53, whereas, the law requires all sales of such property to be made at its full value for the protection of the public and to prevent fraud.

2. Proper notice of the sale was not given, the law requiring notices to

be posted in three public places in the township, and also in the Township where situated. That was not done.

This action was brought against Clark County by the successor in interest of the property by the defendant, who evidently did not want to rely upon the law.

It was the duty of Mr. Foley, as District Attorney, to protect the interests of Clark County and to protect the interests of Clark County.

Instead, he filed a disclaimer of "All interests of Clark County were entirely of such disclaimer."

This is not the first time that practicable loss of the people of said Clark County.

#### CASE NO. 6032

In this case the defendants were husband and wife. At a hearing in said action, the husband was found guilty.

Plaintiff's counsel delivered to Mr. Foley references to the record, showing the perjury of the husband.

With such references, an examination of the record has been made in less than one day.

Plaintiff's counsel also offered to assist in the prosecution of the complaint upon his oath.

Thereafter, at another hearing in said action, the husband was found falsely, as shown by the record, and the plaintiff's counsel delivered a further statement to the record, showing the perjury of the wife.

With such references, an examination of the record has been made in less than one day.

For more than seven weeks after the hearing aforesaid, and until this is written, Mr. Foley's counsel whether he would prosecute the husband he stated he had not had time, but from the Clerk of said Court, it appears that, during the time the Deputy devoted considerable time to prosecute with their official duties. Later Mr. Foley would give plaintiff's counsel an answer might do so.

The perjury of the wife might have been prosecuted the husband.

Because of such failure to prosecute the husband are now permitted to flaunt their immunity.

#### CASE NO. 6028

This was a criminal action.

While awaiting a verdict after the trial, the defendant attacked a citizen of Las Vegas, receiving a broken jaw, for the time in Las Vegas Hospital, unable to work without any deduction from his salary.

This statement is submitted with the hope that when informed, are not as gullible as Mr. Foley.

ALBERT A. HINMAN, 201-3

During the past few years there have been charges against our county officials. I believe that the people should know the truth of these charges.

I ask this: If the charges made in the case of Albert A. Hinman, an attorney of this city, ARE NOT PROSECUTED, he is guilty of criminal libel and subject to prosecution.

On the other hand, if the charges contained in the case of the Sheriff of Clark County are not prosecuted, and the Sheriff is not investigated such charges.

When charges of a criminal nature are not prosecuted, the taxpayers of this county ARE ENTITLED TO KNOW THE TRUTH OF THESE CHARGES.

LET'S HAVE IT.

J. W. SQUIRES, 411-1