* MP3 Audio File *

One of the more unusual cases to come before the early Nevada Supreme Court was Beatty v. Rhodes. The legal issue it presented, whether the salaries of certain state employees should be paid in gold coin or greenbacks, by itself would have been more than enough to make the case controversial. But the real twist in the case came from the litigants themselves. Mr. Rhodes was the Nevada state Treasurer and Mr. Beatty just happened to be the Chief Justice of the Nevada Supreme Court.

The case arose from an 1866 Nevada law which changed the compensation of the Justices from gold coin to paper currency. Because of inflation and fluctuations in the value of paper currency caused by the lingering economic effects of the Civil War, dollar for dollar gold coin was more valuable than paper currency. Thus, even though the Justices' salaries remained at $7,000 a year, the net effect of the law was nevertheless a reduction in pay.

Unwilling to accept what he perceived as an unfair reduction in compensation, Justice Beatty challenged the law in a lower court. When the lower court's ruling was appealed to the Nevada Supreme Court, Justice Beatty refused to retreat from his position and excused himself from the bench in order to argue the case himself.

With Justice Beatty excused from the court, it was left to the remaining two Justices to decide

the issue, and the task of writing the opinion fell to Justice James F. Lewis. In an opinion which was equal parts diplomacy and scholarship, Justice Lewis managed to express great deference to the Chief Justice while at the same time ruling against him. The case remains an oddity in Nevada jurisprudence because of the parties involved.

Narrator: Robert F. List. Robert List was born in California but moved to Nevada at an early age. He received his B.S. from Utah State University in 1959 and his J.D. from the University of California Hastings College of Law in 1962; he was admitted to the Nevada Bar the same year. Although now in the private practice of law, Bob List had a long and distinguished career in Nevada politics. He moved from the office of District Attorney of Ormsby County to that of the Nevada Attorney General in 1971. After two terms (1971-1979) he was elected Governor of Nevada in 1978 (1979-1983). He served in such national organizations as the National Association of Attorneys General and the Western Governors' Conference and was a Presidential appointee to the Commission on the National Policy Towards Gambling. He served on the State Planning Council, Radioactive Waste Management Board, the Board of Visitors of the U.S. Air Force Academy; and an appointed member of the National Public Lands Advisory Council. His legal specialties are in gaming, energy, and natural resources law.

Photograph of the Nevada Supreme Court courtesy of Nevada State Museum.

Ten Famous Cases of the Nevada Supreme Court, 1865-1937