

Legal Teams Set for Historic Courtroom Duel

By JIM LEHRER
Staff Writer

Eight attorneys will write their names in the history books Monday as those who fought for justice in the trial of Jack Ruby, slayer of an accused presidential assassin.

No other single group of lawyers have—or will—likely come under closer scrutiny at any time during this century.

Their clothes will be described,



HENRY WADE
Heads State Team

as will the color of their eyes, the way they part their hair, the pitch of their voices.

Every sneeze, grin and gesture will be noted and their words spoken both in and out of the courtroom will be studied and dissected by an anxious public throughout the world.

For a few of the eight, the spotlight will not be new—the power will just be on a little higher. For others, the experience will be new.

For the state, Dist Atty. Henry Wade, a name already familiar to most Americans as a result of the



A. D. JIM BOWIE
Wade's Top Assistant

Ruby case, will be assisted by his three top assistants.

Sitting at Mr. Wade's side at the right end of the counsel table—right next to the jury box—will be A. D. Jim Bowie, his first assistant, and Bill Alexander and Frank Watts, the two chief prosecutors in the Dallas County courts.

At the other end, flanking the man on trial for killing Lee Harvey Oswald on Nov. 24 in the Dallas City Hall basement, will be four men for the defense.

John Bell, is in charge there.



SAM BRODY
Expert on Appeals

The famous San Francisco attorney obviously ran the show during the change of venue hearing last week and will do so during the trial.

DEFENSE TEAM

Joe Tonahill of Jasper is the defense's chief lieutenant. Others on the defense side are Phil Bursleson, of Dallas, and Sam Brody, an expert on federal and appeal matters who works with Mr. Bell in San Francisco.

A fifth member of the defense

team—Tom Howard of Dallas, withdrew Saturday.

Before a jury of 12 persons—if, when and where they are selected—the state's team will seek to prove that Ruby's killing of Oswald was premeditated murder and that the former Dallas nightclub owner should be electrocuted.

The defense will be fighting to show that Ruby was temporarily insane when he broke through newsmen and pressed a .38 caliber revolver against the handcuffed Oswald's chest.

ULTIMATE COMBAT

The courtroom action should be the ultimate of legal combat. Each of the lawyers will be at his best throughout the trial, beginning Monday with the individual examination of prospective jurors.

Lawyers, like baseball pitchers, have their own style, their best pitches—"stuff."

Mr. Wade can be expected to remain hunched down in his seat, chewing an unlit cigar and appearing almost nonchalant. His words will be few, but they will be direct and spoken with force.

He will have little on the table in front of him and will take but a few notes on the blue-lined yellow legal pad before him. His assistants will do the copious note-taking.

Mr. Wade has picked many death penalty juries since he was elected district attorney in 1950. His technique, one of getting to the point in a hurry, has resulted in the death penalty being returned 24 out of the 25 times he's asked juries for it.

RIGHT TO POINT

On occasion he has been known to ask a prospective juror, "Do you believe in the death penalty?" as the first question. If the person says, "No," he's excused immediately and another run in. It saves time: Mr. Wade doesn't like to waste time.

His chief opponent, Mr. Belli, has said he intends to examine the jurors "fully," so if a prospect gets through the state's examination (the prosecution interrogates first), the work will be just beginning.

Much has been written in the national and international press about Mr. Belli. He has been described as being "flamboyant," "flashy," "a master showman."

One story described the lawyer as being "wondrous smooth." While it may not be grammatically correct, most newsmen and observers who watched Mr. Belli in action last week agree with the description.

RARE COMBINATION

He creates the rare combination of being relaxed and taut at the same time — willing to take things easy, but ready to jump when duty calls.

And when Mr. Belli jumps, words are sure to follow—descriptive, well-modulated words that are put together in velvet sentences.

Each of the two men has his own way of doing things, but when either Mr. Wade or Mr. Belli speaks, everyone is sure to listen.

The closest one to the "Belli-type" on the state's staff is Mr. Bowie, a man who remained in the background of the Oswald-Ruby case until the change of venue hearing.

Never at a loss for words, Mr.

Wade's chief assistant was involved in most of the colorful exchanges between attorneys during the hearing.

"BOOK LAWYER"

Mr. Bowie, who spent several years handling the appeals in the district attorney's office, had been billed as the "book lawyer" for the state. He has proved that he will also be one of the prosecution's main "courtroom lawyers," too.

The other two members of the state's teams, Mr. Alexander and Mr. Watts, have both been prosecuting criminal cases for more than 10 years.

But that's where the similarity ends.

Mr. Alexander is known for his toughness. He's a shouter who is considered one of the best men on cross examination in Texas. His affinity for bluntness often keeps



JOE TONAHILL

Biggest and Loudest?

him in on the borderline of being in trouble with the trial judge.

Mr. Alexander's remarks, for instance, were the ones that brought the strongest ire of the defense during the change of venue hearing.

It is expected the same will be true at the trial.

Mr. Watts is less vocal. He is more of the boring-in type, whose thoroughness has won for him the

reputation for being one of the top prosecutors in the state.

Mr. Wade will lean heavily on this man to keep track of the evidence and witnesses during the trial.

Easily biggest and possibly the loudest lawyer in the courtroom will be Mr. Tonahill, who keeps a grin on his face and works overtime creating the image he's just a "small town East Texas lawyer."

Mr. Tonahill is anything but that. The only connection he has with that stereotype is the fact that he lives in the small (population 5,120) city of Jasper, which happens to be in East Texas.

As a former president of the State Bar Association, he is well known and respected throughout Texas as a trial lawyer of the first order.

He's a courtroom battler whose voice — and his willingness to use

(height: 6 feet 4 inches, weight: 250 pounds) make it impossible to be unaware of Mr. Tonahill.

While Mr. Belli will undoubtedly handle most of the subtle in-fights, Mr. Tonahill will likely be in the middle of the naked combat.

The youngest lawyer in the courtroom will be Phil Burieson, who until 17 months ago sat at the other end of the table when in court.

As an assistant district attorney the 30-year-old attorney succeeded Mr. Bowie as the state's expert on appeals. He left Mr. Wade's staff in September, 1962, to enter private practice.

Mr. Burieson, though young, already has a vast amount of trial work behind him. The defense is employing him in a two-fold responsibility — to keep tab on exhibits and to keep one eye on the appeal possibilities throughout the trial.

Also working on the appeal angle will be Sam Brody, Mr. Belli's associate. According to Mr. Belli, Mr. Brody is a top man in this and federal trial procedures. So the line-up reads:

For the State of Texas — Wade, Bowie, Alexander and Watts.

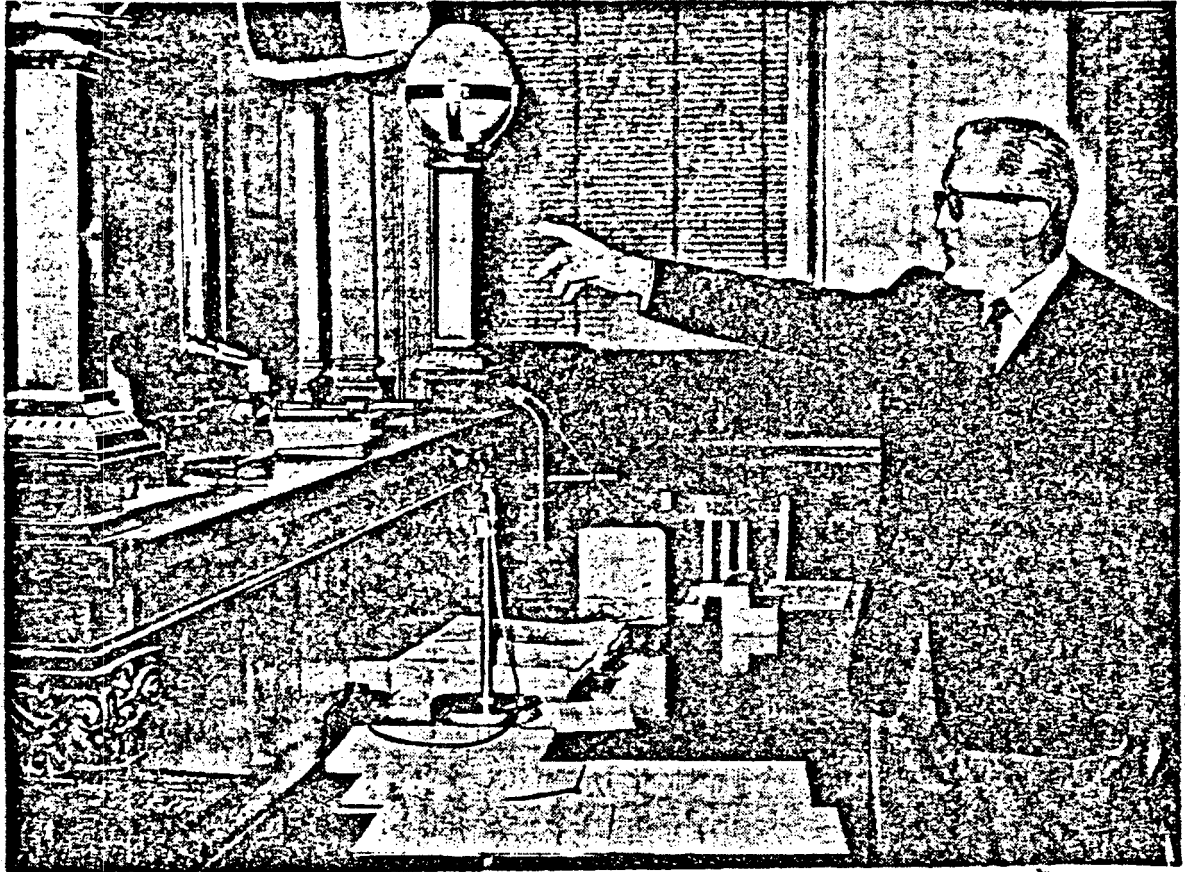
For the defendant, Jack Ruby — Belli, Tonahill, Burieson and Brody.

INAPPROPRIATE AXIOM

While a few old axioms from the sporting world also apply to the legal profession, there is one in particular that doesn't seem to fit — "It matters not whether you win or lose, but how you play the game."

To lawyers, playing the game is important, all right, but they have found that after a jury comes in with a verdict nothing else matters much.

Monday, the first step to what does matter is taken.



Defense lawyer Melvin Belli inspects courtroom.

Staff Photos