

Flamboyant Advocate

Percy Foreman

PERCY FOREMAN, counsel for the defense, climbed to his feet with ostentatious effort and moved his 225 pounds, encased loosely in an expensive dark suit, very slowly to the bench. He stopped at the court recorder's table and filled a paper cup with water. He pushed twin wisps of iron-gray hair back from his eyes. He tried to smooth the lapels of the suit down over his massive frame. He coughed, sipped water, flourished a fistful of pencils. Only then—all eyes in the packed Miami courtroom on him—did he address the witness.

The trial was that of Candace Mossler and her nephew, but the scene could have been at any of the more than 1,000 trials in which Mr. Foreman has defended persons accused in slayings.

For no matter what the circumstances, Mr. Foreman invariably becomes the center of attention. It may be part of his strategy, a strategy on whose success now rests the life of James Earl Ray, accused of murdering the Rev. Dr. Martin Luther King Jr.

A Baptist Deacon

"In a murder case," the flamboyant Texas lawyer, a millionaire, has said, "you should never allow the defendant to be tried. Try someone else—the husband, the lover, the police, or if the case has social implications, society generally. But never the defendant."

To keep the jury's mind from his defendant, Mr. Foreman marshals an oratorical expertise nurtured as a lecturer on the Chautauqua circuit, where he shared platforms in small towns with Cossack dancers and Swiss bellringers.

"If you didn't talk for two and a half hours, people thought they were cheated," he has said.

He often calls on his command of the Scriptures, honed by the fact that he is a Baptist deacon. And in haranguing juries he is prone to draw on his reading—"anything from the Bible to Playboy," an employe has said.

Mr. Foreman was born in a log cabin in Polk County, Tex., on June 21, 1902. His father, Ransom Parson Foreman, was a sheriff in Livingston, Tex., and the family lived in the jailhouse, where it was young Percy's job to take the prisoners their meals.

Mr. Foreman credits his mother, Mrs. William Pinckney Rogers Foreman, with turning him to law.

"Were it not for her," he once said, "I would have become a professional wrestler."

Mr. Foreman was a high school dropout who later took correspondence courses and attended a private school for one year to study law at the University of Texas. He graduated in 1927.

Mr. Foreman's road has wound from the log cabin to a sprawling \$75,000 ranch house whose walks are patrolled by a quartet of fierce Rottweilers.

When one of the dogs bit his 10-year-old daughter Marguerite—she bears her mother's name—Mr. Foreman, characteristically, defended the animal.

"You can't blame the dog for doing what he was trained to guard, and he was guarding."

His Philosophy

He has summed up his philosophy in a denial that justice and the law are synonymous.

"The trial of a criminal case is a tug-of-war between the prosecution and the defense," he said. "It's more like an athletic contest, with each side trying to 'win' instead of trying to arrive at the facts of a case to determine justice under the law based on such facts."

Mr. Foreman says he is



Associated Press

High school dropout who made good.

part Scotch-Irish and part Cherokee. His law career in Houston has been long established. The record he has claimed—that only 50 of his murder clients have gone to jail and only one has been executed—is the more remarkable when measured against the fact that in Texas most people appear to believe that "if you hire Percy, you're guilty as hell."

Mr. Foreman gained national attention, ironically, for a case he did not handle. Shortly after Jack Ruby shot Lee Harvey Oswald, President Kennedy's assassin, Ruby issued a call for Mr. Foreman's services from his Dallas jail cell, but Ruby's family apparently balked at what it considered Mr. Foreman's demand for an excessive fee.

Mr. Foreman's fees have ranged from \$250,000 to an old typewriter. He once accepted four elephants. His notion of fee is apparently tied to his concept of justice.

"My fee is their punishment," he has said. "I don't represent wealthy clients. If they aren't poor when they come to me, they are when the leave."