

## Maheu's Counsel Criticizes Hughes as

Special to The New York Times

LOS ANGELES, June 24—The attorney for Robert A. Maheu assailed Howard R. Hughes today as "a disembodied voice who did not see fit to show his face to the world as he destroyed another human being."

Morton Galane, a Las Vegas lawyer, completed a three-day summation in United States District Court here by asserting that the reclusive billionaire had waived his right to privacy when he publicly denounced Mr. Maheu as a "no good, dishonest," former employe "who stole me blind."

Mr. Hughes made this ac-

cusation in 1 1972 telephonic news conference in which seven newsmen interviewed him over an electronic box that brought Mr. Hughes's voice from Paradise Island in the Bahamas.

Mr. Maheu, the chief Nevada executive of Mr. Hughes until his dismissal in 1970, then sued Mr. Hughes's Summa Corporation for \$17.3-million damages for defamation.

"The voice emanated from a man upon whom the nation has bestowed unlimited honor, a man who has profited from the system, a man who has accepted the benefits of all that the laws of the nation can give him," Mr. Galane told the four-

woman, two-man jury. He termed the billionaire's refusal to testify "an act of cowardice."

He attacked a "dual standard of justice" and asserted that "all citizens who seek justice must come to court under oath, whether it be in the form of testimony before a jury or in the form of deposition; or whatever technique the law will devise."

Mr. Hughes was not served in the suit and gave no testimony in person or by written answers. He has not appeared in public for more than 15 years.

Mr. Galane said that there was no evidence before the

ES, TUESDAY, JUNE 25, 1974

## Too Cowardly to Testify

court that Mr. Hughes's health or mental condition ruled out an appearance at the trial.

Norbert Schlei, attorney for the Summa Corporation, said in rebuttal that on many of the issues in the case "Mr. Hughes could not help us." Mr. Schlei has argued that Mr. Maheu disbursed more than a \$1-million in money and services without Mr. Hughes's knowledge.

He said that Mr. Hughes's "aversion" to public appearances was long-standing and "is not put on." He said that Mr. Hughes had never "met, shook hands, or had a face-to-face conference with Mr. Maheu."

"Maybe it made sense for him to pay a man enormous sums of money to be his eyes because he lacked the ability to protect himself," Mr. Schlei said.

"The only question is whether you are going to give ringing approval to Mr. Maheu's conduct" and "say that he is entitled to more money from the employer he served so badly." Judge Harry Pregerson will instruct the jurors tomorrow on the law of slander, embezzlement, theft and misappropriation on false pretenses. The case is expected to go to the jury tomorrow afternoon.