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RUBY'S ATTORNEY SCOFFS AT CRITICS

Colorful Lawyer Defends His Courtroom Style

By LAWRENCE E. DAVIES
Special to the New York Times.

SAN FRANCISCO, Dec. 22—San Francisco's most highly publicized lawyer will be asking for bail in Dallas tomorrow for his most highly publicized client.

Phrases like "flamboyant" and "publicity seeker"—characterizations that the silver-haired Melvin Mournon Belli quickly disavows—preceded him on his latest trip to Texas. This weekend visit was a prelude to the trial in February of Jack Ruby, the nightclub owner who last month shot and killed Lee H. Oswald, the alleged assassin of President Kennedy.

Some of Mr. Belli's colleagues—the kind whose opinions he professes to scorn—are saying privately that "Mel took the case for its publicity value and now the judge has ruled television, radio and cameras of all sorts from the courtroom."

Before he took off for Dallas, the lawyer who has been called "the king of torts" asked a question he had often asked before:

"Why shouldn't lawyers have the same chance doctors have of showing the public how they function?"

"I'm shocked," he said, "that public lawyers should say the public should see how a trial is conducted by looking at television of fiction, even though some of the programs are well produced."

Approves Blackout

But Mr. Belli in his cluttered law office on Montgomery Street observed that it was "just as well" that Criminal District Court Judge Joe B. Brown at Dallas had forbidden radio and television coverage of the Ruby trial.

"I think we should start TV on smaller cases," he said. "There's too much chance it might flub a big one, but we must start bringing TV into courtrooms so the layman can see, just as he can observe the surgeon in the operating room."

On this trip to Dallas, Mr. Belli did not take along a favorite traveling companion—Elmer. Elmer is a human skeleton well known to courtroom spectators in Mr. Belli's personal-injury trials, in which he uses "the technique of demonstrative evidence."

With Elmer, now in the sprawling basement of Mr. Belli's building, there are a blackboard, a plaster torso with veins and arteries marked and other such "props." X-ray equipment is also part of Mr. Belli's furnishings.

"I want to look at my own X-rays," he explained.

Resents Accusations

But Mr. Belli is irked at accusations that he creates a circus-like atmosphere in a courtroom.

"People who say this, or describe me as flamboyant, haven't bothered to see me in court," said the six-footer, wearing his usual cowboy boots, which he has worn for 30 years. He said that they were "the kind my dad wore up in the mother lode country and that my son Caesar, 6 years old, is going to wear." He went on:

"In a Florida trial the judge came off the bench at the end and told me it was one of the most graciously presented cases he had ever seen. Does this make me flamboyant?"

"A Federal judge has referred to me as the greatest trial lawyer there is," he said. "Does this make me flamboyant? With two exceptions there is no judge before I have appeared to whom I wouldn't go for a recommendation, and I have spent every day of the last 30 years in a courtroom." Mr. Belli continued:

"Two big cases are sometimes cited to make me out as flamboyant. I once took an artificial leg in wrapping paper to court. That wasn't flamboyant; it was absolutely essential to the case."

"A judge had set aside a verdict of \$65,000 damages as being excessive. In a second trial I got \$100,000 for my woman client for loss of a leg, and the judge sustained it when he saw what she had to wear."

"In another trial I used an aerial photo of a street intersection in winning my case. Since then photos like this have been used in every court in the country."

Is the Ruby case his toughest one? Mr. Belli denied this, explaining:

"The toughest is the last one I've been on and the next I'm going to try, and I'm not talking lightly when I say that. There's no little operation in surgery and no little suit in law."

Mr. Belli confessed that tears had come to his eyes since he took the Ruby case. He explained:

"It is because I got 200 letters and phone calls from all over the country from people offering to help in any way they could. This makes me feel good about my profession again. Supreme Court justices have said that everybody is entitled to counsel, but then lawyers retort 'let everyone else represent him, not me.' But I'm a lawyer, I've always wanted to be a lawyer and I have a feeling for the law."

Office Is Spacious

Mr. Belli's "fancy clothes," friends suggest is not out of line with a personality that calls for a three-story office building with a fancy wrought-iron grillwork from New Orleans, painted black with gold accents. Two spectacular street lamps from Copenhagen, once lit by gas, surmount the gateway.

Each of his partners, Lou Ash and Richard F. Gerry, as well as Mr. Belli, has a spacious office off a brick courtyard. Mr. Belli's high-ceilinged front of-

fice, with two walls of books, is dominated on one side by a 15-foot bar brought around Cape Horn and installed a century ago in a saloon in the gold mining town of Sonora.

His disordered office, with huge chandeliers hanging from the ceiling and cheerful gas flames dancing in the fireplace, is a museum, with items collected from many parts of the world. A spiral staircase leads to a curio room below and a steam bath in which a tiled wall mural depicts "Belli on Blackstone"—the lawyer mounted on a horse named Blackstone.

Between telephone calls from San Diego, Dallas, Salt Lake City, Toledo and several other places—"I get about 20 long distance calls a day," he said—he reminisced on satisfying cases:

"I went up to Montana where \$30,000 was the biggest award ever made in a personal-injury case. My verdict against a power company came in at \$186,000. The judge told me, 'you got all the money they have, so take along the jury box.'"

This box, in which jurors place their votes, now sits among the Belli mementos on a shelf behind the bar.

"My suit against the San Francisco Giants was my most satisfying case because it showed the warranty principle applicable to many areas."

In this case, Mr. Belli had bought a box behind the first-base line for \$1,597 for the baseball season. The jury agreed with him that the Giants had committed a breach of warranty by selling a box that was cold, despite talk of a radiant heating system. He got his money back.

During the case, Mr. Belli had himself photographed, posing in a thick fur coat in a meat cooler, in preparation for climatic conditions at the park.

The lawyer was careful to differentiate between his "fancy clothes" and those he wore for courtroom appearances. His courtroom footwear is not the high cowboy boots, but lower ones with elastic on the sides.

Flynn's Description

In the foreword of the Belli volume entitled, "Belli Looks at Life and Law in Japan," one of 29 books the lawyer has written, Errol Flynn pictured Mr. Belli heading for a trial as "a tall severe-looking man dressed in black and wearing a black Homburg and carrying a black brief case, and flanked by an attractive girl, blonde."

"My dinner jacket," Mr. Belli confided, "was made by Anderson-Sheppard in Savile Row and is as conservative as the Duke of Edinburgh's. A Canadian member of Parliament saw my picture in Gentleman's Quarterly and wrote Anderson-

Sheppard for a duplicate outfit, including shoes."

He acknowledged his outfits were "very expensive." At the moment he was wearing, however, a gray suit that he had picked up in Hollywood for interim wear.

Mr. Belli had just mentioned his apparel when a clothes stylist, Prof. Antonio Santomauro, came in, opened a box and asked the lawyer to slip on a single-breasted jacket that was being tailored for him.

Professor Santomauro, who has made clothes for former Presidents Dwight D. Eisenhower and Harry S. Truman and many other notables, was introduced to a caller as the founder of "Italy's most famous school of design, who is a Knight Commander of the crown of Italy." He has now opened a studio in San Francisco.

Belli Clients

His clients have included Beverly Aadland, Errol Flynn's protegee; Mickey Cohen, the gambler, and Mae West. He represented Miss West in an action to preserve her right to the title of "Diamond Lil" when a striptease dancer tried to appropriate it.

Mr. Belli's home, where he lives with his third wife, the former Joy Turney, who was an airline stewardess, has red carpeting and is terraced on three sides. Friends who have visited there say he has a great brass bed with a television set in the ceiling above it.

He has offices in Rome and Tokyo and a villa near Hollywood, where, friends say, he is trying to take over some of the business of the late Jerry Geisler, the noted criminal lawyer.

He is known in San Francisco for partying enthusiastically with friends who come to town. But he said before leaving for Dallas that he was generally getting to bed by 9 or 9:30 P.M. and showing up at work in his office by 4 A.M.