

Ruby Family Hires New Top Counsel

HOUSTON, March 19 (AP)—Percy Foreman, a lawyer who says he can afford to choose his clients carefully, said today he had agreed to replace Melvin Belli as chief counsel for Jack L. Ruby.

Ruby received the death penalty on Saturday in Dallas for murdering Lee H. Oswald, the accused assassin of President Kennedy.

Mr. Foreman is president of the National Association of Defense Lawyers. He has handled more than 700 criminal offense cases and has lost only one defendant to the electric chair.

His announcement in his Houston office followed the disclosure in Dallas that Ruby and his family had dismissed Mr. Belli, a California lawyer, as Ruby's chief counsel.

Mr. Foreman said he signed a contract today with Mrs. Eileen Kaminsky, a sister of Ruby, and with three of Ruby's brothers, Hyman Rubenstein of Chicago, Earl Ruby of Southfield, Mich., and Sam Ruby, Dallas.

"We wanted Foreman in the first place," said Mrs. Kaminsky. "We preferred him to Belli. But Foreman was contacted by another man and there was some misunderstanding about what part Foreman would take in the case, so we went with Belli."

Ruby Dissatisfied

It was revealed last night that Ruby had expressed dissatisfaction with Mr. Belli's services and shock over the vehement criticisms of Dallas made by the attorney after the verdict was announced.

Among other things, Mr. Belli denounced the "kangaroo" verdict by a jury that had been "shoved down our throat." He also called Dallas a "festering sore" and described the trial's prosecutor, District Attorney Henry M. Wade, as a "hog caller."

In explaining the earlier ap-



Associated Press Wirephoto

Percy Foreman at his office in Houston yesterday.

proach for his services, Mr. Foreman said that an intermediary, who he declined to identify, had called him four days after Oswald was killed on Nov. 24 and had asked him to defend Ruby.

"I agreed to accept the case," Mr. Foreman said, "but on these conditions: I was to be in complete charge. I was to be paid a reasonable fee and I was to be told where every dime of the fee came from."

"But the man told the Ruby family I wanted four times the amount I cited to him and they decided they could not afford me."

Asked what his fee would be for taking over Ruby's case in its appeal stage, Mr. Foreman

said that it would be reasonable. "There is no money now available to the Rubys," he said.

He said he did not know where his fee would come from.

Mr. Foreman said he understood that Joe H. Tonahill of Jasper, Tex., who was Mr. Belli's assistant counsel at the Dallas trial, would file an appeal of the conviction this Saturday.

"If Tonahill fails to do so, I'll file one Monday," Mr. Foreman said.

Belli Asks Forbearance

MEXICO CITY, March 19 (AP)—Melvin Belli said today that his handling of the Ruby case should not be judged by the public or fellow lawyers until all "technical details" were generally known.

Mr. Belli, who refused earlier to make any statement on his dismissal as Ruby's attorney, made the comments to a lawyer friend here, Victor Velazquez. Shortly afterwards, Mr. Belli and his wife left for the International Airport to fly home to San Francisco.

"Public opinion, and especially by fellow attorneys, should not judge me until my handling of the trial in all technical details are generally known," Mr. Belli told Mr. Velazquez. "I feel I did everything that could be done. I am not repentant. I did my utmost."

Ruby