Oldhamsen

Dear Bill, 11/23/74

The letter to Bud that I mailed you three hours ago crosses another one on his insulting notes, undated but postmarked yesterday. Jim led me to believe that he had left town. However, whether with reason or not a subtlety I think I detect is basis for conjecture if not conclusions. I therefore write you because you are Bud's friend as well as partner, because you know that as far back as your 15th Street office I sought you out to convey my worries about the hurt to Bud and you in what he was doing, and because my days of taking any more of this or in any way tolerating anything I can even imagine to be a jeopardy to Jim's rights are as of this instant at an end. I do hope that with all I want to do this will be the last of these painful and time-wasting effort I'll either feel I have to take or will. But I'm going to level with you and I begin with an offer of proof that you would be content to be the average of what you take to court if not more than this. Call me any time you want to and I will show you, in documents, more than you will need.

You should also understand that this note from Bud is written without anything I have written having been in his possession or within his knowledge to which he might take offense.

He sent me part of a communication to him from which he had physically cut off the second page at the end of the fourth ~~paragraph~~ paragraph. It is, in content, another excitement to the kind of exceedingly dangerous if not actionable thing he went off on with Lee Livingston without consultation with me and I'm pretty sure without consultation with Jim. The Village Voice that Bud didn't like, of which I've just read a copy, spells out, I believe reasonably, that that stupidity with "Cliff" is conflict of interest

Now when after all these years of an entirely one-side arrangement Bud physically removed part of a communication and sent it to me without explanation at all, and when a Pangolian idiot would be of lower intelligence than that not to have questions about its content, and doesn't even bother to take the time to explain this flaunting of a lack of trust in me, I hope you can understand that between this, the Cliff stupidity/insanity and other things of which you may not have knowledge but in simplest form have to do with Bud's chiselling petty sums, I responded with some vigor. The sentence to which he may have taken offense is "The record persuades that there is no purpose to be gained by my giving you cautions but this gibberish prompts the unwelcome suggestion again." I then took the time to warn him against getting involved in what could further hurt him. And need I say his client, which could hurt his worse? He returned my original but if you want a copy I'll send it.

His note is ambiguous. It may refer to this which I added in a brief note that is on paper that doesn't lend itself to photocopying: "A new Mancamericard bill came today. It includes a charge of $12.00 for the period of discovery trip . I do not and did not remember it so I checked the list I gave Carmen and it is not on it. It is an airline charge. While I don't recall it, I am certain I have done no personal flying in some years."

Bud stapled both of these together and attached a hand note:"Dear Harold,I won't trouble you in the future. Prem, alive, in your own gall."

The truth is that I have not been on an airplane on my own since 1968 except for one speech I think in 1971. When I have had to go to New York I've taken the bus and tolerated both the conditions and the layovers. I haven't even been able to afford to drive to Baltimore. I take the bus in Frederick.

The truth is that for years I have subsidized Bud. I mean not only in work but in money I don't have for which I have not been repaid. For the moment, because his note to which I take deep offense, is attach to a lousy $12.00 (there are other similar cases in the past.) If he should do what I don't expect and send it to me now, depite the difference in our ages I will go in and make what effort I can to physically stick it up his ass.

At least with me Bud has been with money what would make a miser look like a profligate. Because I am also wanting you to be aware of a partial record of what may at some point become an issue in which you as well as he get caught up - and I don't for a minute eliminate the possibility that he may in this campaign of giving me offense have not immediately visible purposes, I'll tick off a few illustrations.

I incxurred certain expenses on his behalf and with his specific approval. Among these were some phone bills. When I asked him for repayment he literally told me "I don't have the money." But the highest total on phone bills you can imagine and ask yourself if this could ever since you have known Bud been true.

Earlier, when he was still at the Senate, he asked me to make a trip to New Orleans for him when I was going to San Diego to speak (and remain unpaid for the speeches or the travel). He gave me $100 in Travellers' checks. Do you for a minute think I could go from San Diego and live in New Orleans, with the extra fare, for $100?

On that same occasion he said he wanted me to go to New Orleans in early December and work with him for two weeks and would I make the arrangements, except for quarters. I could have stayed with friends but no, he wanted me to stay in a motel with him. So, I made the arrangements, he never told me he had changed his mind, and I had to go through with these extra expenses on my own. He did go there for another purpose at that time. He did take me out to one good meal. And he did buy me a bottle of Scotch to help me keep working all night while he played important. But I was stuck.

One, when you were still on 15th St and my bank interest was overdue and he wanted to talk to me, I told him I'd have to leave in a few minutes to borrow some money from a friend to keep the bank from starting foreclosure. He asked how much. It was under $400. He asked me for how long. I said several weeks, until corporate checks that were coming to me went through channels and reached me. He then offered to lend this this paltry sum, for which I did not ask him, so that I could spend the time with him and he could get unpaid consultation with me.

When the first of these checks reached me I immediately deposited it and immediately gave that sum in my check to Carmen. He returned it with a deeply offensive letter saying he was not about to join my long list of crediters. There happened then to be and to this day is no such list and not even one person. I have not lived this way and the old friend who had already agreed to lend me the money would not have dreamed of humiliating me thus. Within a matter of days the second check came. I have Bud's letter with the returned check if you want to see them. And when the second check came I sent him a check in fulll.

The time was short. Not much over two weeks.

Now I have gone on on trips for Bud for which he has never paid me a penny. I can show you accomodations of less than $10.00 a night that I used. I did not live it up on him. But when he was living it up in Russia when he had the professional obligation to be preparing for the recent hearing and to have been personally involved in the discovery, broke as I am I kited my Bancamericard and picked up Jim's tab for Bud, from the rental car in Nashville to the motel in Memphis. He was in no hurry to repay me and my credit suffered for it. I think it is only within the past week that he sent me a check.

I could go on and on with Bud and money this way. But can you think of a single reason why I should be advancing money for him, why I should be paying his expenses on the case he has never stopped commercializing?

It is bad enough to have to do his work while he lives it up abroad. But advance money for him when my situation is such that part of this time I have qualified for and, I tell you in confidence, have actually survived on food stamps? And then have him write this monstrous insult when I remind him of a lousy $12.00 of the money I have put out for him on discovery as best I can recall it and the timing indicates? I have to advance the money for Jim's rental car, for Jim's motel and related expenses, so Bud can come back for this nice junket and tell me that if you have to drink too much, vodka is best? My guts were in knots, I was working instead of sleeping, so he could have this nice vacation and so I could prepare every damned bit of work for which he looked so good in the recent hearing before the national media and on national TV? I note here that I stayed in the background, was never on camera, on mike, and spoke with friends in the press only off the record. Well, writer as well as lawyers need public exposure. But got his on my work and then tells me to "drown alive" in my "own gall" Gall like his not even Nixon displayed.

Remember almost a year ago when Jimmy fired him and the fat was in the fire? And he was saying the most insane things to the press? I made a trip I can't afford in my car that can't be replaced and is ten years old and has 120,000 miles on it when he was reaping his own whirlwind. Because I recognized he was on a course of ruin and if I were to say the sun is shining at high noon he'd disagree I asked you to join us in his office. I then suggested that he write out and if agreed to restrict himself to a simple statement that would make saving him possible on one hand and his self-destruction less likely on the other. You were there. It was agreed to. But when Jim or I left his office after he wrote it out we'd come back to his spouting undiluted Livingston.

Instead of thanks, or the offer of repayment of my actual expenses in keeping him from his just deserts, he said nothing until the next time we went, when he said he was not so sure he was happy that I'd saved him and kept Ray as his client. Well, at this point neither am I because rather than the contrived fear I addressed in what I mailed earlier today I am worried about other matters. And I think this may be a clue to why he is without need provoking the kind of reaction he knows he can expect.

You will recall that you and he came up here the Sunday after his return from his nice vacation at his client's expenses and Jim's and mine so that we could discuss and agree upon certain steps. We did. He abandoned each one without consultation with any other lawyer or me once you were not present. We'll pay for this cowardice (if not worse) more than we already have.

The next weekend I thrice came upon him and Livingston cooking up still another copout. I don't think he'll admit it and I don't know how much of it Jim remembers because Jim walked into his own room as soon as the temperature started to rise. Bob may even tell the truth today, but Bud won't. They were, despite all this work I'd done, despite all the discovery (would lack of use be toying with the court?) figuring out how to get around going into effectiveness of counsel, sticking to only the crookedness. When I get tough about this Bud shifted to a variation of how they would do it still. But not until I warned him of the consequences if this line of defense was abandoned. Bob's plaint was "I have to live with these people; the judge has to live with these people," etc.

What I think is possible is that Bud wants to get out but isn't man enough to just do it, so he is picking fights with me to use as excuses. With Bud's record Ray will be better off without him, but I've done and intend nothing to this end. It has all been the other way, even when I've been deeply worried. The reason is that Jim and I have thousands of hours of work in this but we neither were born rich.

If I am right and if Bud wants to do this, I think he has certain obligations to meet. That is paying all the expenses of the probable appeals or until, if possible, other arrangements that will relieve him of responsibility and not cripple Jim and me can be made. His original agreement includes this but he never did a thing about it because it would have denied him personal ownership of all the free publicity. But if this is his sneaky purpose, why the hell can't he be man enough to express himself, to make an effort to not jeopardize the case and the client by it, or to tell Jim and me when we have time to try and work something else out? Why do it in this unprincipled and nasty way?

The money he has pissed away on what is not related to the case by this time has to be a fortune for me.

Maybe this isn't it, but frankly short of insanity I find any other explanation almost impossible.

If his purpose is to dump me so he can cop out he'd best consider what he knows of me, eliminating the single factor of my willingness to accept his endless abuse in silence. While he has been this great Perry Mason on all the TV he could get I've put thousands of unpaid hours in, as has Jim, and I won't let him ruin this any more than he has if there is anything I can do about it. I think I'll be resourceful enough and I think you personally and as a member of the firm would do well to give this possibility some consideration. If I have to unleash, you'd be well advised to believe I am loaded.

I don't want to, I don't still intend to, but I do want you to know that all this miserable personal conduct and needless abuse and danger to ~~them~~ Jimmy's rights has got to end and in a way that does not in any way present any further jeopardy to them. What I began warning you about back in your 15th Street days is already too much of this.

I can understand that this can be a burden to a law firm. I would hope that any law firm can understand that it is a greater burden to those who work without pay or income and are content for that lawfirm to get what benefit there may be.

You have other pro bono cases? Well, if this one was too much you should not have taken the others on. Nobody took a club to anyone over this one, anyway.

Take me literally and if you doubt it ask 'im, Bud's standing up and this and dumpin' the whole load on Jim and so has seriously hurt me in what Jim believes are solid cases he has had to neglect. This, of course, when he has no income, means he that he, too, is hurting. I leave entirely to his judgement what he tells you, waiving any rights I may have except as they relate to you personally, because I don't want 'im telling anyone else. He can tell you. One is a case in which there is real prospect of not even having to go to court. He can't even negotiate thanks to Bud. His negotiations were ended by Bud's European vacation as his contribution to unprecedented discovery and preparations for the hearing and for doing the present work Bud is not only copping out on but isn't even prepared to do.

There is another aspect I want you to be aware of if this isn't resolved in a decent, impersonal quick way that does not endanger the case. Bud and I have what I regard as a contract, if it is not in writing. I am prepared to take what steps I believe may be necessary to enforce it.

It may be the last thing I want, but don't assume it will be the last thing I'll do if I decide it is necessary. And there is, uncontestedly, enough of it recorded in various ways to establish the fact.

Despite what I regard as the most miserable abuse I am prepared to meet my obligations and prepared to follow the course that to now I have followed, which includes nothing in public.

But I am not prepared to accept any more abuse of any kind, any more neglect of Jimmy's interests in which I feel I bear a heavy responsibility and as I have not only been prepared to do but have done, I'll continue to neglect my personal interests to do what I can. That I had to abandon the book Jim went into debt to print so Bud could have a nice vacation and so that I could do his work for him has to be apparent to you. What is not and what you are perfectly welcome to satisfy yourself on is that I also had to abandon work in which, no matter how slight the possibility, there was interest by two major publishers. For me this is very real sacrifice. My willingness to try to make this long effort successful is with full recognition of more of this personal ~~sacrifice~~ sacrifice.

I have no way of knowing what besides ego or emotions ~~what~~ lies under all of this.

I have conjectured where conjecture seems justified. I think it would be better if there were a real levelling because without it there may be much unnecessary hurt.

Since returning from Memphis three weeks ago I have been able to spend only two half days on writing other work almost completed. I'm not going to take more time for long letters in an effort to explain. If you want explanations, I'll make them by phone, regardless of who listens in, or in person.

Believe me or not, the situation is dangerous. Believe me or not, I still want to avoid these dangers.

And believe me or not, I'll do whatever I feel I must if I feel I have to meet them.

It is a frightful thing to dump on an inexperienced overworked man like Jim the load he now has to bear. But I think that the cost will be less in the end if you have any doubts if you take a little of your time and his.

Sincerely,