

Dear Jim,

11/21/74

As always with Bud, there are dead giveaways in his 11/20/74 letter to Jimmy. There may be more behind it than is apparent but these things are enough for me:

He did not speak to me first.

There is no possibility, no matter how remote, that with at the earliest May publication any question about any alleged impropriety can be ~~asked~~ before "the Judge," meaning McRae, who will decide before an interview can be held and transcribed, leave alone printed.

There is no possibility that there is any sense in the allegation that "the public will [not] understand or care about fine distinctions."

I didn't send the letter I wrote after the last gross insult. Perhaps if you ask I will not send this. But there will be this precondition that ought not intrude on what you now have ahead of you: some reasonable assurance that Bud is going to stop making me have to take endlessly what no self-respecting man can.

This is intolerable. It ought not exist. It would not if Bud did not manufacture incidents and situations.

And if at some point we don't put an end to it we will be confronted with it and coping with it forever and ever.

I simply am not going to take any more. Not one thing else.

That he steals, lies, wrecks and leaves is bad enough. But endless insult is too much.

The irreducible stresses of my life are too great to permit another from this degenerating eccentric playboy.

Who is to beat a coward.

Sincerely,

Dear Bud,

11/21/74

After receiving your previous provocation I wrote you at some length but largely because our present needs require that we reduce frictions to the minimum I did not mail it. However, there seems to be no limit to your provocations. Yet we continue with the same needs, magnified by your contribution to these needs and by your doing no real work while you sit back and make trouble, all the while engaging in self-promotion at the expense of everyone else.

The copy of your yesterday's letter to Jimmy begins, "Just to avoid any possible misunderstanding later." This is not its real purpose. It is a less than honest record you have contrived for what at some point you conceive to be self-serving.

When you talk of "fine distinctions" it is obscene. When you talk of conflicts of interest you can only because "in and I have saved your ass that often. Mostly me. You have never stopped commercializing your connection with this case and neither Jim nor I have ~~ever~~ ~~ago~~. You sought with consummate dishonesty to make it appear that your abortion, the CEIA, was doing the real work. It and you made a considerable amount of unnecessary and indeed quite unpleasant work to merely neutralize it. As recently as your return from the vacation on which Jim and I did the work for which you were not in any sense reluctant to take public credit I had to take forceful steps to frustrate one of your egocentric efforts at self-promotion based on what is in no sense your own effort and in every sense would have been a real disaster for you and for Jimmy if I had not. And I had to over your open lying about it. You did lie.

There is, in fact, nothing honest about your letter. Like "I am taking the liberty of sending copies of this letter to Harold, Jim and ~~Bob~~ (as well as you) will know where I stand on this, and what strong advice to you has been." About what? ~~XXXXXXXXXX~~

W... "my advice that you continue your past and present course of a buttoned lip."

All I proposed is a repetition of what Jimmy said without hazard when his lip was not buttoned.

If there is a single lip that in all of this needs buttoning it is YANKS.

If there is a single public appearance that can be distorted as you suggest it is YANKS, on 11/7/74 - after you returned from Memphis to take full credit for work Jim and I had done. His commercializing of our work is not the hazard. It is merely your indecency. It is also not that I regard Sebell as a bad or a guilty man. It is merely, in your phrase, what can be most of all "widely misconstrued."

Perhaps you had a letter from Jimmy. If so, you did not have the common courtesy to enclose it. If not, you waited almost a week to write a self-serving letter based on an inadequate few minutes of time you took and for further effort to learn more you took no time by phone or mail.

What bitter tears you shed for "Harold's poverty." Right after you insist that I further subsidize you with all your wealth while pretending that you did not seriously neglect your client's interest in a way that I had to overcome despite "Harold's poverty" and your not infrequent contributions to it. You had no reluctance in using this work you should have done and I did despite your customarily poor judgment while you were simultaneously refusing to pay for it. "Harold's poverty" indeed!

"Harold's poverty" did not precluding work you should have done and for which you in public took full credit while you were vacationing when you should have been preparing the case you never prepared. I had to sit up nights while you were out partying during the hearing so you could question witnesses who were total strangers to you while I was out doing other work you should have been doing. And didn't.

I hate to have to write you this way. I ignore most of the justifications, but you leave me choice when you contrive a crooked record you can later inveigle.

I said nothing to you in Memphis about your partying, or about my going sleepless to do your work. I avoided any public attention in Memphis, as you knew and have acknowledged. The brutal truth is that you alone have commercialized this and it is past indecency for you to attribute or suggest it as my motive.

There is no point in trying to address your other misrepresentations. However, for the record, I have no commitment of a single penny for me from Playboy or anyone else for a Jimmy interview and I have never received a penny from those others I did arrange. Customarily the pay goes to the writer. Sometimes there is something to the subject of the interview. Now, how about you and Esquire, to mention but one? Did they pay you? And did Maile use this against Jimmy's interest?

Get off it. And get your sick eye under some kind of control. And stop needling me about the poverty to which you have contributed and which you have so shamelessly misrepresented to others.

I am not sending a copy of this to Jimmy. However, if you want to, please feel free to. I want us to succeed. To this point the major obstacles have been you and your great find, Livingston, whose latest insanity I stopped just today. Let me add for the last time. Months ago when you were confronted with this real conflict instead of ending it you joined it. Then when I asked you to take steps to shut him up you didn't, leaving that to me. As you see, once he started, until I lent my resolve today, I didn't again. If I'd had this carbon I'd not have lost my resolve today.

You pull something like this behind my back once more - just once more - and you'd best be prepared. I've had more than I'll take on those insults, insinuations, lies and self-serving rotten things. What really galls you in the perfectly safe and probably useful formula is that it holds no prospect for more personal publicity for you, the personal publicity you alone have had from the work of others, the personal publicity all except you and Bob have avoided.

I still intend to be publicly silent and to do what I can to help. But I'm not promising to be silent if you pull another public indecency like you did on WTTC on the 7th and take full credit for Jim's work. I do not mention mine because if I'd wanted publicity on what I've done I'd have had it. Easily enough at your expense, if you are capable of detaching your mind from the control of that sick eye.

Jim has done an enormous, unpaid and successful work, giving up all possibility of making decent fees to do it. I have personal knowledge of some of those probable fees. But there you are on TV taking full credit for his work. Without even mentioning his name. Yet you were so grossly unprepared for this past hearing that you were party to all these allegations about publishing without the foresight to have a single witness to back you up. And again I had to save your ass by dragging you into Jimmy's cell - you couldn't even think of a safe, private place - and trying in the last minute to rescue you. Successfully, as best you could in an emergency meet the need, which is far less than would have been possible with any foresight or one less party.

If I have to address this letter to Jimmy, it will not be in your personal interest so I will still again ignore my own.

Bill can tell you that I started warning him about the charges that could be laid on you back when your office was on 15th Street. Since then I have never once failed to serve your personal interest, even when it was in conflict with my own. This simply has got to stop, as has this insulting of me, whatever gratification it may give you. I've been wanting to get out of this since you lied to everyone after I went and did your work in getting the habeas corpus affidavits and by these lies kept me on the string and wasted months of my time. One more provocation like this, one more insult and the one thing I think I can assure you is that you will never forget it! Disgustedly,

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November 20, 1974

James Earl Ray, #65477  
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Station A  
Nashville, Tennessee 37203

Dear Jimmy:

Just to avoid any possible misunderstanding later, I wish to go on record as being strongly opposed to any paid interviews in the foreseeable future. Harold's poverty notwithstanding, it is my view that any such interview would be widely misconstrued. We would be putting ourselves in the same pot with Hanes, Huie, and Foreman, and that might be disastrous for the whole cause.

I have heard Harold's fine distinctions, and I think that is just what they are... fine distinctions. Neither the Judge, nor the Sixth Circuit, nor the press, nor the public will understand or care about the fine distinctions.

Therefore, it would be my advice for you to continue your past and present course of a buttoned lip.

I am taking the liberty of sending copies of this letter to Harold, Jim, and Bob, so they (as well as you) will know where I stand on this, and what my strong advice to you has been.

Best regards,

Bernard Fensterwald, Jr.

BF:blf

cc: Harold Weisberg  
Jim Lesar  
Bob Livingston

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