

Mr. Robert Livingston
3294 Century Bldg 220
3294 Poplar Ave.,
Memphis, Tenn. 38111

1/6/76

Dear Bob,

From the time you wrote and promised to have nothing more to say in public about the Ray case to now you have heard nothing from me, you have not been in my mind and I have said nothing about you to others. I had hope that at last you had come to control whatever irrationality had dominated you. Your letter of the 31st to Jimmy of which the carbon to me was dated the 3rd came today. I tell you frankly and without malice or ill will that it worries me about you much, about what the world you can possibly be up to or about your mental health. I see no real alternative, except that as part of a mental health problem you are indulging a tendency toward self-destruction.

When you write a man as desperate and as lost and as abused as Jimmy ~~and~~ as you have and when you are as large a part of his present problems as you are you are either not with it or are practically begging him to complain to the bar about you.

Have you asked yourself what anyone else involved in this could honestly say or do if he should take such a step? Are you so poor a lawyer you cannot see that in this at best foolish letter you have almost also begged him to go back on his criminal options and this time make allegations against you? Are you so far removed from reality and common sense that you have no idea the case he could make out? And if you do not know, although he has not told me about it he has obtained Tennessee counsel. He was working on this before the decision. I found out by accident. I have had no contact with this new lawyer, directly or indirectly, and I want and expect none. But can you understand so little about Jimmy that you could not expect this if in fact you did not know it?

Were it my intention to harm you I would write Jimmy more than I now write you. I do not. I see no constructive purpose to be served by helping more stinks along. You have been the stink manufacturer for a very long time, before that total insanity of Cliff and including the parade of nuts and others you should not have taken to try to get Jimmy to see you. You flagged Wayne in on a fraudulent misrepresentation, that he was Jimmy's investigator. Wayne means well but he did not do well and as a result you are directly responsible for hurting Jimmy, who was your client then. You took Ghis Magin there on some kind of kooky commercial deal, not the only one the aroma of which lingers. Jimmy refused to see him, but you did try. All of these things in my opinion have a major responsibility in the deterioration of Jimmy's capacities. It will not take much of a lawyer to see this and more- and what he can do with it. If Jimmy does not on his own.

I am neither a lawyer nor a psychiatrist but I have probably spent more time with Jimmy than any of you and I have spent much time with you, some quite painful, some when you were kind, gracious and considerate. You both need what neither will either seek or accept, psychiatric help. If you have any concern for yourself, your family or both you will waste no time in seeking for it.

I just got your letter. I am not going to call Jim or Bud about it although I will send both carbons. I'm not going to incite Jimmy with it, either. What you say about Bud and Jim and what you infer is vile. What you say about me is false. Of the three of us you say you are "puzzled" about our "action" of "the past several years." What action? trying to defend him with local counsel who would not lift a finger except to get his name in the papers? Have you forgotten that I turned certain witnesses and evidence over to you after a preliminary investigation 2/71 and you agree to do what was necessary and to this day have not? Now if you want to know more of what you should have done and did not I can pick up after my first trip to Memphis. As you refer to Jim separately I regard it as unprofessional and think others might regard it as defamatory if not libellous.

What "action" could I, a non-lawyer, take? There is none I did take except to try to develop what evidence I could - unlike you who did not do a damned thing - and to tell Jimmy what I could about what it showed.

You are so sick with preconceptions you did not bother to find out if the news story you refer to is true. Conspicuously you have not attached it. However, I have seen it and in the finest detail it is false and deceptive, not by accident, either. Jimmy did not do as the story says and as radio and TV reported. What it says Jim said about me also is false, but the milk of human kindness that you would have us believe flows from you did not have enough cream for you to float that sphere. (It begins, by the way, with a reporter whose CIA connections are long public and who did a job on Jimmy early on with what he could have obtained from the FBI only. It did not originate with your paper's Morris Gunn singham, who merely stole the fabrication and passed it off as his own.) Were you have personal knowledge of its falsehood because you and I were together the first time I ever saw Jimmy and you knew that "name-Up" was printed before then.

So tell me where you are coming from when you are silent about this and make all these sanctimonious representations while also muttering vague allegations about wrongful "actions".

What kind of lawyer are you to tell Jimmy about an alleged "bargaining power" with a Congressional committee you say he may have when he has a 99-year sentence on a State charge? What do you know about this committee? Or its staff? I'm sure they have been to see you and I'm sure that without trying in time I'll learn the details. They are the original sieve. You should know that in my presence the committee assured Jim it would not approach any prior counsel except through him and with assurance of the protection of Jimmy's rights that Jim will tell you he still awaits. If you have spoken to any one of these I will find out and you will be in trouble. I strongly urge you to lay it all out to Jim, not to me, I want no involvement in all this vomit. I write because your letter leaves me no choice and I do not want any of these stupid stinks and digressions or in your case a virtuous display of incompetence out of Stupidity. There is more of this I am not even hinting at but I can see much trouble for you and I do urge you to lay it all out to Jim, even if Jimmy is not the only one hurt by it, as your personal lesser evil. It will out, one way or another, and there are some who will not then be concerned about your welfare as I have known you not to have been concerned over that of others.

What basis do you have for what you describe as your "personal judgement" about what can happen in the courts? You have never done a lick of real work in this case and when you insisted on making a spectacle of yourself in court during the evidentiary hearing I had to spend three painful disagreeable days trying to prepare you for the simplest of examinations you then not only blew but used as a means of antagonizing the judge. What do you know about the case except how to get suckered by low-grade counsel? Why do you intrude where you not only do not know but have no basis for knowing? Where do you, a lawyer, get off - or are - telling Jimmy to "terminate all relationships" with the other three of us? Do you have any knowledge of anything other than the fact that the sixth circuit ordered Jim to continue to represent Jimmy? Not you, Jim. Whether or not this could be held to be unprofessional it is defamatory, more so when you bracket it with an offer to go see him and then with what you have not told us, that you were working on commercial arrangements on the side.

You will know, if you have not flipped out entirely, that there is much more I can say. Don't make me do it. Don't write any more such greasy kid stuff involving me, either, without understanding that if you do I also will have much to say. As I will when I have proof of some of those things you have done that are adverse to my interest if I have this other than from you first.

I'm sorry for you,

Harold Weisberg

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December 31, 1976

Mr. James Earl Ray
Brushy Mountain State Prison
Petros, Tennessee 37845

Re: King/Ray Case

Dear Jimmy:

I am very glad to hear that you are finally showing some good common sense by agreeing to appear before the Select Committee on Assassinations and tell the truth, the whole truth and nothing but the truth, so help you God.

Wayne Chastain called me on the telephone last night shortly after 6:00 P.M. Memphis time and told me that he had just heard on Channel 3 television news that you had written a letter to Anthony Lewis of the New York Times agreeing to appear before the Select Committee on Assassinations under oath and set history straight once and for all. I watched the Channel 3 TV news at 10:00 P.M. last night, hoping that the broadcast would be repeated, but it was not.

I was very pleased this morning when I read the story on page one, section two, of the Memphis Commercial Appeal, that you had made the offer to appear before the Select Committee on Assassinations and tell it all and that your offer had been accepted.

I have always been of the personal opinion that had you told the truth, the whole truth and nothing but the truth, so help you God, when you were arrested June 8, 1968, in London, England, things would have gone much better for you in the past eight and one-half years. However, for reasons known best to you and unknown to others, you chose to keep the truth inside of you all of this time.

I am frankly puzzled personally as to why Jim Leser, Harold Weisberg and Bernard Fensterwald, Jr., have taken the action that they have in the past several years that they have been involved in your case. I am still puzzled as to the action being taken by Jim Leser and at the advice that he is apparently offering you.

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I sincerely hope that you have not given away your "bargaining power" by going to Anthony Lewis of the New York Times rather than going directly to Richard A. Sprague, Chief Counsel for the Select Committee on Assassinations, Governor Ray Blanton of the State of Tennessee and the Governor of the State of Missouri. It is my personal judgment, based on my participation in your matter for the past several years and with my personal dealings and relationship with Bernard Fensterwald, Jr., Jim Lesar and Harold Weisberg, that you would be far better off if you would terminate all relationships, connections and dealings with these three gentlemen altogether immediately. If you desire that I come to Brushy Mountain and look you in the eye, face to face, and tell you why I have this personal feeling, I will do so.

To even talk about further litigation in the Courts, in my personal judgment, is absolute nonsense and would be an exercise in total futility. It is my opinion, and has been for some time, that the Courts of the State of Tennessee and the United States of America, as well as any other Court anywhere on the face of the globe, will not give you any relief whatever as, in my personal judgment, they have never wanted the whole truth to be revealed by you. I think Judge W. Preston Battle made this perfectly clear on March 10, 1969, when you stood in his Courtroom (being admonished by your attorney, Percy Foreman, to be quiet and sit down) and disagreed with Phil M. Canale, Jr., Ramsey Clark and J. Edgar Hoover about a conspiracy or evidence tending to show a conspiracy. I am of the personal opinion that had Judge W. Preston Battle been doing his job, he would have insisted that you elaborate under oath on the subject that you raised in his Courtroom at the "Guilty Plea" hearing or he should have refused to accept the "negotiated" plea.

As you know, I have personally followed this case since 6:01 P.M., April 4, 1968, and was involved in a side issue (contempt of court hearing for Renfro T. Hays and others in early 1969) before the "Guilty Plea" hearing and I was most anxious for you to go to trial before the Court and Jury in hopes that the truth, the whole truth and nothing but the truth, so help you God, would be revealed to the Court, Jury and the entire world. I was sickened when I heard around the Memphis and Shelby County Bar Association on the morning of March 10, 1969, that the big "cop-out" was about to take place shortly in Judge Battle's Courtroom. I was so disappointed by this course of action that I didn't even come to the "Guilty Plea" hearing, but I have often wished since that I had attended that "fiasco".

You did not know it at the time, but in my personal judgment, based on my personal experience and knowledge of the

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two men, you would have been better off had you gone to trial on a plea of not guilty with Hugh Stanton, Sr., and Hugh Stanton, Jr., representing you as your sole attorneys. It is despicable how Hanes and Hanes permitted themselves to become involved with William Bradford Huie thereby, in my personal judgment, forcing you "behind the eight-ball". There had been discussion between Hanes and Hanes and myself prior to their being "shot out of the saddle" of associating myself to assist them in the trial of your case on a not guilty plea before the Court and Jury. Of course, this all fell through when "The Texas Tiger" appeared on the scene as I had no contact with him whatever. I do believe that Hanes and Hanes would have given the State of Tennessee a good run for their money even though they had gotten you into an almost untenable position before the whole world.

Everything that I have said and done in the past has been with the idea in mind of the truth, the whole truth and nothing but the truth, so help me God, coming out before the whole world and in hopes of getting you Executive Clemency from the Governors of Tennessee and Missouri, which I definitely, personally, feel that the possibility is certainly there.

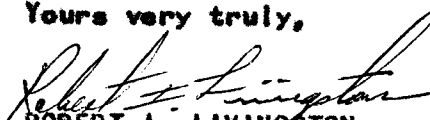
I have disagreed with Bernard Fensterwald, Jr., Jim Lesar and Harold Weisberg on many matters since becoming involved in your case, and had I been Chief Counsel, I would have definitely advised you otherwise in many instances than they did. However, that is all "water under the bridge" now and the Court litigation is ended and, in my personal judgment, for all times, should be.

I have been your friend whether you realize it or not, I am still your friend and I would like to forever be your friend if you would only accept me as a friend trying to help you out of a most difficult situation.

Always remember what I told you in our last telephone conversation, that if ever in the future you need me or you want me to come to see you in person, all you have to do is write "Bob, come to see me", signed, Jimmy.

With kindest personal regards to you, I am

Yours very truly,


ROBERT I. LIVINGSTON
Attorney at Law

RIL:bp1

cc: Mr. Bernard Fensterwald, Jr.
Mr. James H. Lesar
Mr. Harold Weisberg