

Dear Jim,

12/21/74

Bud sent you another of his transparent running-for-dogcatcher-with-a-college-education bullshit letters. However, he was careful to put an out in for himself. You should also understand that he understands your kind of deadline generally and specifically. He is palmy with Penthouse and Guicioni.

He has a sick ego, he knows he has been the fuckup and the liability in this case and others, and the more I do for him the more he resents me. However, I've been through much of this with him and I believe the only possible way he'll agree is by me keeping after him. His stubbornness is blind, however.

If I were you I'd be thinking about the story. If I can help I will but I still won't hurt Bud. He is sick in the head. And hurting him would hurt Jimmy.

I'm not mailing this letter to him. I couldn't until Monday. I'll be seeing Jim between here and Washington then and I'll give it to him. One of the reasons is because Bud kids himself by pretending all I say is unreal and he is the only one who knows what real is. It will be less easy if Jim has read it first. However, I don't think Jim will or should argue with him. I'm going to suggest the opposite, that he leave Bud entirely alone on it. I'm also going to ask Jim not to tell him that I won't go to Nashville. Frankly, every minute of it would be bitter. I hate this kind of thing and hate the time it takes and hate the situation that permits no alternative.

One of the cheap tricks in his letter I did not address directly. He has contrived a false record in his files whereby it will appear that Jimmy nixed it. There are other and unworthy ones but they are less important.

By now you should have a better understanding of what I had in mind when I said the case needs support, preferably from a foundation. And, of course, a rational, experienced criminal lawyer.

The real wonder is that we've been able to get where we are cowardly and ego-centric as he is. And lazy. While letters of the kind I've been sending him anger him, he also has a fear of what he thinks I might do, so they can have the effect of discouraging some of the playboy attitude. Meanwhile, he knows he can continue to coast on this while basking in all the fame he has done nothing to earn. The real trouble comes when there is a criminal trial with a Memphis (Shelby County) judge. If there is an appeal that is not close.

While looking through an old Whitewash file for a name I noticed that I have two of these stories from a small rural paper with a picture of still another kind of goose, an ~~mden~~. He was a pet. Didn't think he was a goose, either. I don't remember the story but I do remember Oskar Hama Pampnickle. I really loused up what could have been a great animal book when I wrote his story, the real one, as a catharsis while so desperately trying to do something with Whitewash. Not, that one is Konrad. Oskar was before his time. I even had pictures of him indulging his fetishes. I did not succeed in trying to use myself as his ~~spil~~, either, I fear.

We had a life-insurance policy on Oskar. Everything except mysterious disappearance. He was goosenapped, police investigation confirmed it and the insurer paid my wife the \$100. She wouldn't have sold him for \$10,000, even though that was the bitter time of the liquidation of the farm.

If you decide to plan your story ~~now~~ now and I can help, let me know. I fear that if you do not plan it you may be rushed. If you do and don't need it, you'll have a benefit, a better understanding to take to an interview.

Best,

Dear Jim,

12/20/74

Your letter of the 15th and a phone call from Jim both came at the same time. Jim says that Bud has answered your letter and sent a copy to me.

Until it gets here there is not much point in writing further about that.

However, I did go over your outline, see no serious problems and have typed up some suggestions.

Bud will have eased off some but probably will still have some contrived objection. Something to replace the last one. But we'll wait and see.

Geese are the most misunderstood people!

Even you misunderstood them.

So, on behalf of June, to whom they were sacred; and on behalf of the ~~folk~~ folks on Cataline Hill, to whom they were the difference between life and death, you are excused for calling those noble Romans Chinese.

And so many sons before Marco Polo!

(He stole pasta from the Chinese, in case you didn't know it, bringing about the first real Italian revolution.)

Now those Chinese geese - they went to St. Lucia. West Indies. Place where the hypnotist whose name was in Dorothy Hunt's pocketbook went out in a boat and didn't come back. Ever.

They put St. Lucia on the U.S. maps. Nobody outside the Peace Corps had ever heard of it before. Me, too. I hadn't.

That was quite a story. One of the best of the legitimate p.r. stunts ever. Sometime when I'm mellow make one like you're winding me up. (For effect. It is never necessary.)

That story really does have everything. Even a literal fuckup in it. If geese don't, no gosling, huh? Well, that is not the only way you don't get goslings but it is the best and most effective. That's what they did in St. Lucia. Which is to say, to keep this simple, that's what they didn't.

Naturally as it comes to them. Especially the Chinese.

Yes, there really are Chinese geese and they're a great breed in many ways. Also known as swan geese because they have knobs and longer necks than other geese.

I did find the Roman geese in Canada and by that time The Forum of the Twelve Caesars had changed their minds, so three years of search were wasted. There is nothing special about a Roman goose except history and its a natural for The Forum of the Twelve Caesars. I wasn't selling history as a farmer.

I also had Canada geese, Great species. Mine got so tame they came when I called them. Then they brought their young for me to feed. In those days there was this commercial, Soap, Crackle and Pop. So when one clutch hatched out three, that gave me an idea for a commercial. Get those geese to eat Rice Krispies. Only they hated it, so I had to fake. They liked cracked corn, so I put cracked corn in the bottom of the bowl, Rice Krispies on top, got the goslings used to eating corn from the bowl and they started putting Rice Krispies on top. The geese dipped in deeply, ate their corn, and it looked like they were eating Rice Krispies. Kallag missed a good deal. I think. They didn't, as I remember.

That was years before they started putting tigers in tanks or on signs. Somebody in New York lost all the film anyway.

Haile's Memorandum is about as deliberately dishonest a court paper as I've ever seen. His main points where lies. I think the best thing is to get Jim to lend you a set of the papers of both sides.

No reference to Livingston in it, though.

Hope the geography/ ancient history lesson helped straighten things out. ~~But~~ I'll bet you never expected a Watergate angle!

More,

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15 December 1974

Dear Harold:

Attached is the general outline proposed for the interview. As you will note, it covers the areas we have discussed and think proper. You'll probably also see that it flatters people in a few truthful ways--not altogether for public relations reasons.

Also attached is a copy of a letter I did, after thinking about it more, send to Bud, along with a copy of the interview outline. I did this after receiving your marvellous letters to Bud and Jim. Those missives were clear as January sky, and I guess we'll just have to see what clouds appear. As you can see from the letter, it just tells the truth--that this is it. If we can't help with the interview, then we'll have to go with an article (I'll want to talk with you about some co-operation in that event, OK?) The fact is, this thing has got to move one way or another.

On another front, could you at leisure tell me the main points of Haile's memo to the court? Your letters intrigue me. What in hell has he laid on McRae? Whatever, it must not flatter the distinguished lawyer from Memphis, eh?

Well, I want to get this off quickly. Let me know what's going on, especially if you have heard from Jimmy. Until then, my continuing best wishes. Hope we can celebrate something this holiday season.

Yours,

A handwritten signature in cursive script that reads "Jim".

Did you really find Chinese geese in Canada, for Christ's sake? I ~~knew~~ they had Chinese dogs, but geese?

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15 December, 1974

Mr. Bernard Fensterwald, Jr.  
Fensterwald and Ohlhausen  
910 Sixteenth Street NW  
Washington, D.C. 20006

Dear Mr. Fensterwald:

Mr. Harold Weisberg has advised me that you have asked for an outline of my proposed Playboy interview with James Earl Ray--an event which fans my hope that, contrary to your letter of November 4, such an interview might soon be conducted.

However, I also understand that you have written to Mr Ray telling him not to talk with me pending the outcome of his legal petitions. Whether true or not, such advice is understandable as my letter of November 22 affirms, though I trust it sprang from a general concern and not from any specific animosity toward me and my project. You should know that I have from the beginning stressed that I would do nothing to endanger Mr. Ray, that I strongly believe a humane interview will help his cause, and that my interview would be subject to your review.

In any event, I have attached a proposed line of questioning for the interview. Since I am now much more interested in Ray's side of the case, the outline reveals that hope, while not springing eternally, does rise in correspondence with Mr. Ray's chances for a fair judicial process. I know others find the State's case persuasive and evidently would just as lief have Ray locked up forever, whatever the facts (for example, in my opinion things like Ron Rosenbaum's Village Voice piece on the "intermediary" casts doubts on the credibility of Ray's petition and so could do with a bit of media redress, but then. . .) I would not, obviously.

In honesty, I must also add that Mr. Weisberg has told me that you suspect him of "selling" this interview. That is not true. I did offer to pay the expenses in Nashville for Mr. Weisberg and Mr. Lesar when they accompanied me to do the interview, and that out of my own fee. Since their expenses and yours have been heavy during the period of the hearing, that seemed fair. But no other offer has been made, I assure you.

Finally, may I emphasize that I have no intention in meddling further than this plea for the interview in any of Ray's affairs. And I make the plea only because I believe in it. I know there are other stories, even other angles to this one (and frankly, my editors are pushing for that if the interview fails), but I remain convinced that an interview best serves both Mr. Ray and Playboy. And so I look forward to your reply.

With best wishes for the holiday season and for a favorable ruling from Judge McRac, I remain in hopeful waiting.

Sincerely,

A handwritten signature in dark ink, appearing to read "James M. [unclear]".

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BRIEF OUTLINE OF PROPOSED INTERVIEW WITH JAMES EARL RAY

- NOTES: (1) The broad outline of question-areas is just that; given the nature of interviews it is impossible to put down precisely what questions might be asked or what responses made.
- (2) Counsel for Mr. Ray (Messrs. Fensterwald, Lesar and Weisberg) may review the typescript of the interview and edit it in accordance with their estimates of its impact on Mr. Ray's legal situation.
- (3) Any or all of Mr. Ray's counsel may attend the interview sessions (and are asked to do so) to ensure that Mr. Ray's interests are held foremost.
- (4) The tapes of the interview remain the property of James McKinley, but copies will be provided to Mr. Ray and his lawyers on request.
- (5) The contents of this interview will remain the exclusive property of James McKinley for purposes of publication in Playboy magazine, and no other interview, printed or broadcast, will be released prior to the publication of this interview.

LINES OF THE INTERVIEW

I. RAY'S PREVIOUS INCARCERATIONS, INCLUDING MISSOURI

- A. Early Reactions: What does JER think the 1950's judicial system did to men? To him? What chances were there then of "rehabilitation"? What attitudes toward society were produced by this system and by its resultant "prison society"?
- B. Early Attitudes Toward the Law: What legal advice did JER have after his early arrests? What attitudes toward the judicial process were engendered in his case? What in the case of others?
- C. Resultant Actions: Are fantasies of escape and flight the result of these above-enumerated factors? What causes the desire to escape? When does one feel it is a last act? Was JER influenced by anyone who had escaped prison? Are the Hue stories of his Missouri escape attempts accurate? Why/why not?

II. RAY'S POST-MLK INCARCERATION

- A. Conditions Prior to Guilty Plea: [Beyond or in other words from trial or hearing testimony].

Segal

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1. In England: Conditions of JER's arrest, treatment, and of the initial allegations against him--their tone, manner, weight.
  2. In Tennessee: Conditions of JER's return, his treatment by Shelby County authorities, his initial relations with Huie and Hanes as a function of that treatment, and what if any "jail fear" may have resulted (why? so what?).
  3. Situation of JER and family: At time of his return, did the situation of his family influence JER? How? What later reaction did JER have to John's arrest for bank robbery?
- B. Conditions After Guilty Plea [Including reactions to "special handling"].

1. Threats: Did JER suffer threats on his life after his arrest for the King killing? Were these the first in his career? What effect did his mini-trial (and Huie-Hanes-Stoner) have on JER's decision to try again to escape?
2. Solitary Confinement: What attitudes has solitary perhaps produced or hardened? What is the prison "code" regarding solitary for a prisoner like JER? As a result of his jail treatment, does JER see himself differently now compared to before King's death? In what ways? How much of that change, if any, has been prison-produced? What has solitary done to him long-term, does JER think?

III. LATEST ATTEMPT TO WIN JUSTICE FOR JER

A. History Culminating in Memphis Hearing (to date):

1. JER's Views: How from JER's view did the successful Fensterwald-Lesar-Weisberg handling get started for him? What were JER's initial reactions relative to his previous experience with lawyers? How does he now feel about his chances for a new trial? [Assuming by publication a new trial has been granted, how does he feel about that?] How does JER assess the current effective representation versus the Hanes-Huie-Stoner axis?
2. Background: Does it matter (and if so, how much) to JER that if acquitted of King charges he may still face Missouri charges? How does this attitude reflect his feelings about parole and "justification," relatively?
3. Miscellaneous: What are JER's reactions to the vast exertions on his behalf by current counsel, including the skillful handling of the Memphis evidentiary hearing? Would his previous lawyers find it ironic that he is now represented by civil libertarians? What is

*attempt on  
own's life  
Hanes with*

*don't think  
e should admit.*

II B I think the thrust of this section would be stronger with two additions: why was he put in solitary and why does he say this? (To get him to abandon appeals) How does he react to that. (In his atypical case, with more determination. Why did he compromise and let the State seem to save its face? So he would be in better physical and mental shape for the hearing.

In 1. He may buckle on Stoner and not because of any personal relationship but for other reasons: family and Stoner not taking a penny. He may be disposed to Stoner's beliefs but I've seen no evidence of it. He also could have masked. I have a question about putting him in a position where he would be admitting trying to escape if for no other reason than that it can be used to attack his credibility. I think he denies the second case.

I would suggest a C, how does it feel to live this way and what do you not get that you would  
outside jail;  
in jail under normal conditions.

Are you aware of any effect on your will, determination, self-respect, ability to concentrate, <sup>attitude toward</sup> law, law-enforcers, self, attitude toward life?

III A 1. He may not know the actuality of how it got started.

Stoner was never part of the defense. He was in long enough to mess up civil cases.

This does not show awareness that he has always wanted to be tried. Hie's psychoanalysis as a substitute for reality falls short of the dramatic possibilities of "fame" from acquittal. He told me long ago that he was going the way of the law, giving it a chance to bring justice. So, I think a good question would be has he thought of what acquittal would or could mean to others who have not had a real defense, think or say they are not guilty, have been abused in jails?

2. Will he face Missouri charges? I believe they were waived in not extradicting him on them. That he was an escapee was alleged but he was extradicted on the King charge only to the best of my knowledge. This is something we have been wanting to check out.

3. The Livingston part puts him in the position of making a comment on his counsel and asks him to involve himself in that insanity. I think that if this is asked, the only kind of answer he should give is that he doesn't know anything about it. There was really nothing he could do about it. He didn't like it, he didn't dare fire Bob with a hearing upcoming.

IV A 1. I can see the point of asking this question but I can't see how he can have any knowledge that would permit him to make any kind of sensible response on the various "theories." He'll probably say that he hasn't really thought along this line because to him and for his needs it is irrelevant. I would be alert to the possibilities of misinterpretation of any answer he might give.

I'm sure surprised that I had a telephone contact with Raoul. I presume this is a misunderstanding but I don't know of what.

Obviously there had to be someone directing him, so whether his name was Raoul or not, and how could JER know, it was not a "cover" in this sense.

I don't think he should now say where he was when the shot was fired.

Bundle-dropping: think he should tell how Hanes came to tell that story. He could not have seen the bundle dropped and he built in a self-destruct on that story that is a reflection of his sense of humor. A white sheet to hide under? Daylight?

3. To what "media" did he have access? When?

Does the FBI's account of his flight have anything at all to do with a legitimate prosecution? I think not. Whether or not true it is to hide the absence of evidence and of incompetence. This is separate from asking is any account accurate. I'm not at all sure that there is such a thing as the FBI's account.

4. On how did he feel when captured, he has a sensitivity on the words attributed to him. I think that as a reader I'd be interested in what then and immediately thereafter was in his mind on being set up and those who did it.

Effects: extrapolate to others, with kids, wives. If he has thought of what can be done, by whom? Whos tried to make this kind of thing good and how can anyone?

V. 2. Add prisoners, prosecutors, system of prosecution and of justice, criminal lawyers.

Does he think it can make for less injustice? (After all the time he's been kept the way he has been, he can't really believe exoneration would now be "justice." And perhaps a comment on the sentences of essentially petty offenders in property crimes with major political crime like that of the Watergate and all the lawyers in it.

I don't think he'll want to pretend to be a social philosopher and I think the condition of the country has too much influence on this because that condition is that bad, It is foremost in the minds of most people not of means.

3w Perhaps he has thought of this, but a question I think he can answer better and ought be asked, if not instead of this, is what does he think the situation is when there is political pressure to make it appear that a crime like this has been solved when all those in any way high in the federal and local governments and in any way connected had to know it had not been solved.

This presupposes a knowledge of King and his influence, plans, etc. that I doubt he then had, whether or not he now does.

I think there might well be more on what he perceived of what Foreman was up to and how does it feel, if he was aware of it, to know your lawyer is selling you out. Here I think Jim should see the logs, esp. on medication, sleeping, eating, restlessness. Here, if he understood it, is real drama. And for a man so securely away and without contacts ~~xxx~~ spied on or any facilities how could he hope to cope? I think that after the decision this is safe. Also how he felt with all the adverse publicity, beginning with the FBI leaks to O'Leary and Readers' Digest, the Edmondson piece and then Huie pleading him guilty in LOOK.

I think the sequence of questions should be reversed, getting into the present defense last and into those kinds of questions about which he will feel easier first. I believe he is more anxious to have the story of his confinement understood. It has been oppressive and until he testified in Memphis and when I saw him before then he kept coming back to it. To a degree that things he should and in the past would have told me immediately he didn't tell me until after the hearing proper was over.

Further, there should be an effort to ask the kinds of questions that will let his natural dray and often subtle humor and wit show itself.

Questions on communications with lawyers: how he did with Hanes and how he could not with Foreman, how he tried to get around that.

How did he shield his eyes from the light when he tried to sleep? How did it feel not to see- not to know if there were a sun, moon and the stars -whether or not it was daylight, hot or cold out, raining or snowing. How does it feel to see so few people for so long a time? To live in a cell so small (couldn't take three steps in it)