

Dear Jim,

11/12/74

Except for those to whom you may speak, as you once indicated you might, in an effort to assist the Ray defense, I have to ask that this remain confidential. At least for the time being.

It is as I told you earlier today when you referred to Bud's letter to you of the 4th. He did not discuss it with Lesar and there is no way I can conceive of he could have discussed it with Livingston. He did not discuss it with me.

I waited until Jim phoned me. I then asked him. Negative. However, typically for Bud, within the past few days he made passing and elliptical reference that he could later claim to Jim was reference to this matter.

I have heard nothing from Bud since he left for the airport in Memphis, leaving the cleaning up to Jim and me. He is supposed to pay expenses. I still await the repayment of mine from the trip before this past one, when Jim's and my expenses both went on my Bancamerica card. Advancing this money for Bud and my own out-of-pocket expenses on the last trip has cleaned us out. We live shall I say modestly on my wife's income for two days of work a week. Thus I did not phone Jim immediately as I would have liked after you phoned.

It is Jim's belief that in writing you on the fourth Bud was responding to a proposal you made last August. Of this I know nothing. Jim will make copies of it for me. Jim's belief is that the old proposal was not acceptable.

As you know, it also has nothing to do with what you and I talked about. Bud knows nothing of that because it has not been possible to talk to him. When I could not get him nights because he was partying during the hearing and he had to question witnesses who were total strangers to him based on my late-night drafting of questions, I think you can understand that there was much less communication than there could and should have been during the hearing.

After we spoke in Memphis I did exactly what I told you I would. I spoke to Ray, who was unenthusiastic because he just doesn't trust any of the press. But on my recommendation he agreed. Jim was present for part or all of this. Bud, whose morning sleep was more important than visiting the client he saw little of, was never there early in the a.m. Prior to discussing it with Ray I had discussed it with Jim, who also read both your notes. (Bud, in fact, insisted on having his room on a different floor so we would have less contact.) Now I heard from Ray just yesterday. He made no mention of any conversation with Bud relating to this and if Bud had made a contrary recommendation I am without doubt that Ray would have raised it with me.

In short, the 11/4 letter you told me about is news to all the rest of us and is not in accord with the belief the rest of us have, in Ray's case probably only because he trusts my judgement on it from previous experience, not from personal enthusiasm. It has no relevance to anything you and I discussed. As of today, Jim is satisfied there a) if nothing wrong with the formula I gave you and b) such that serves Ray's interests in it and nothing that doesn't. I am without doubt that you and your people are similarly satisfied.

Lesar and I, who have done virtually all the work and all the important work, have and have had three major problems in all this financing it, coping with Bud's insanities, slackjaw and ego, and with Livingston's stupidities and insanities, too often abetted and abetted by Bud. The whole crazy Cliff business was secret from us.

How much longer either Lesar or I can put up with these conditions I don't know. I do tell you that my own sacrifices are not only financial and working free, no pay at all or of any kind. I have had to abandon other work, of which the best about to appear is but one example. I was in Memphis doing work Bud should have done (and of which he is not capable) instead of my own work while he was junketing in Europe the end of September and early October. Fighting the State and county, if not the feds and the others of interest and influence, like Foreman and Ruiz, is more than too much without having to hold senior counsel in line.

It is not only literally true that I had to keep both Bud and Irvingston ignorant from copying out tonight of 10/28 but I have gotten Ray to rehire Bud after he fired him.

At some point this has to end. Doing the work on the case is too much for Jim and me when we are both without income without Jim having to swallow all the stuff he has to do for me, now that Jim has had more experience to dump the whole load on him.

This leads to the real question, how can we finance the defense if Bud's part of the expenses disappear with him?

It is a very real problem.

The situation is so bad I've wanted to get out since early 1971. However, I feel I can't.

Nonetheless, what you report is another and an entirely intolerable situation. I will address it as soon as I can. I expect this may be this coming Friday. I go to Washington only when I must, partly because I can't afford the travel and partly because of all the work I do try to do. However, I have medical and optical appointments this Friday. I will get together with Jim. I've already arranged to. And with Bud. And find out why.

My hunch is that Bud will present no real problem and that he will agree, whether or not he wants to. It is not only that he has been actively promoting himself and himself alone when he has done virtually no work on the case - and being paid for it, too, as by Esquire, by the piece Maile used against us - and thus is without reasonable basis for not agreeing. It is also that what we discussed is in Ray's interest and is otherwise socially useful.

If Bud is not available Friday I will write him when I get home. I'll send you a copy.

All of this convinces me even more of the correctness of the approach I suggested to you, that you begin by getting the necessary background. Should you agree and should you desire to come here the weekend of Friday, 11/22 (our pub date!), I have a 9 a.m. appointment in DC for my annual medical checkup and can meet you at the airport thereafter.

As you know, I spoke to the press only with the understanding that anything I said was for background only. I was not once quoted, not once on TV and it was my idea. Nobody suggested or asked it. Here, I believe Jim can't begin to get adequate credit for the fine work he has done.

The needs of the defense and the realities of the situation make me believe that this also will have to change. Perhaps something Jim said to a reporter when he was a bit unwell may bring it to pass. He told me of it only this evening.

If you or your people have any doubt about the foregoing, either literally or in any reasonable extension, please feel free to phone Jim. Only not before 10:30 a.m. DC time. He works until early into the morning.

He is to send you our joint book, perhaps did tonight.

Best regards,

cc: Jim Lesar

Harold Weisberg