

## 23

**GAY SCANDAL  
RAGE AGAINST THE MACHINE  
AUTHOR DECLARES WAR ON BOOKSTORES  
*TEA AND SYMPATHY***

Six months later in 2008, the leather lion in winter, raging against the dying light, suffered from a growing anxiety that made him even more aggressive and angry, and put him in a panic at odds with publishers, bookstores, and chums like Embry, and Jeanne who was furious with him for suddenly saying false personal things about her in the way that Embry had in the past said false professional things about her. (It's not easy to sort their true histories.) It was the last act of a bad scene. In Joan Didion's essay, "Slouching Toward Bethlehem," she wrote, "Marriage is the classic betrayal," and it fit Mr. Leather and his Leather Wife. He knew she had aches and pains, but for some reason he dramatically exaggerated her health, telling several people, including Mark and me, that she who was seventy was eighty years old, poor, sick, bipolar, and eating cat food. He hurt her pride. She was furious with him, and miffed that Mark and I, alerted by Larry's distress call which we believed was genuine, sent her an email on April 27 inquiring as delicately as possible if she and her cats were okay.

Trying to patch it up with Jeanne, Larry with a hundred days to live had written to her on April 25:

I wish things were back to normal with us. I am definitely going ahead with the lawsuit against Herbert [Moseley, publisher, Nazca Plains Corporation] and could have used your advice along the way. The new book [*TimeMasters*, designed by Mark Hemry] is ready. They [Mark] sent the proof yesterday....I haven't been to Fr. Mkt [French

Market] since our last visit because no one is available during the day, and at night everyone wants something else (better?).

He closed saying his sister had found a new Doberman pup for him.

Jeanne responded to him twelve hours later:

I told you I would be available to help you whenever you needed it. That certainly goes for the Herbert stuff. As for the French Market, that would be lovely. [And then, in one of her characteristic organ recitals in which her illnesses and grief competed with his illnesses and grief, she continued.] Unfortunately, I have been in such rotten shape (and no—I am not now, nor have I ever been, bipolar) that it’s all I can do to feed the animals. I’ve had to send the *Jugend* [her German term for her young male assistant] to the Post Office because I’ve simply not been able to go out. [She ended with a clap back insinuating he, not she, was the distressed one who was too old and sick to take on a pup.] That’s a beautiful dog. Poor boy! He really deserves a good home and lots of love.

An hour later in the soap opera that was fast becoming a reality show, she wrote to me about his lack of attention:

It’s a bit disappointing, but not surprising, that there’s been no response to this [her real illnesses]—not even “Do you and the cats have food” or “Is there anything you need at the store?” I guess that, to Your Friend Larry Townsend, “Back to normal” means “Don’t bother me with your shit.”

On April 30, she wrote to me:

Larry and I are more or less speaking again. He’s driving up north [to Healdsburg] on Monday to pick up the Doberman. I told him again what a bad idea I thought it was, for him, and for the dog. “But I *waaaant* it,” he said. Then he told me that if it doesn’t work out, “I’ll just

give it away.” “That won’t be fair to the dog,” I said. And this poor dog has an unhappy history to begin with. I rather wish that we were still not speaking, Mr. Willful and I. Kiss, kiss.

Their feud about her health did not end there. On July 11, three days before Larry was admitted to hospital, she emailed me asking my approval of an email she wanted to send to Larry to stop him who was still dishing her to their mutual friends.

If I send the following e-mail to YFLT [Your Friend Larry Townsend], will it get you into trouble? No matter how many times you [Larry] say it—or how many people you [Larry] tell—I am not 80 years old, infirm and indigent. Repeating a lie does not make it so. Repeating a lie makes you [Larry] a Republican.

I immediately suggested she not send it:

Please, in this instance, don’t speak now; and forever hold your peace. Mark and I don’t want to lose LT... What do you care if he says you’re 80; simply sometime drop to him that no matter what your age is he is eight years older.

Entering 2008, angry at everyone, with no Fred or Jeanne nearby to calm him, he informed me who lived over four-hundred miles away that he had hired a specifically lesbian attorney to sue bookstores and a publisher. He got hard threatening people with lawyers, and he was superstitious about lesbian super-powers getting what they want.

Fred was dead. Friends were at odds. He had no Fool from *King Lear* to warn him: “Thou shouldst not have been old till thou hadst been wise.” Who would dare? Driven mad, he felt he was a man more sinned against than sinning, tearing down the narrative, the costumes, and the scenery of his life, business, and reputation.

All the pressures of a lifetime of homophobia and of shunning by literary establishment gatekeepers, steeped in the slow brew of

his alcoholism, exploded into a grand finale of Hollywood rage with him swatting at planes like an aggrieved King Lear become an aggrieved King Kong fighting and falling in the final reel.

In the way that he had dumped exploitative publishers like Greenleaf Classics and Other Traveller thirty-five years before to protect his earliest copyrights, he lived his dying days explosive with anger pressing his scandalous lawsuit against dozens of small LGBT bookstores and Nazca Plains Publishing. He charged they had violated his copyrighted intellectual property by printing, distributing, and selling his books without authorization, and without paying royalties.

Feeling desperate, he wrote to Mark Hemry on April 27, 2008, asking him for help researching the copyrights for his books for which Larry could find no record. As a widower, he then posted, at the new website Mark created, a tender written profile, undercut with tincture of paranoia, that gave a distinct first-person self-defense account of his most difficult year personally, and most troubled year professionally, with alleged perfidious publishers like the unnamed Nazca Plains and with internet claim-jumpers who stole his name. This is the first posting that hinted at the coming brute force of his angry lawsuit. It is, as noted, very similar to that June 18, 1975, feature he wrote in *The Advocate*, declaring war on the Philadelphia gang of hoods violating his copyright.

To my friends and fans, who have been so loyal and supportive during the most difficult period of my life. I want to thank everyone who has been there for me, most especially my good friends Jack Fritscher and Mark Hemry. These guys have gotten me started again, and back into some semblance of sanity. Mark, particularly, has been able to keep me going with his skill and knowledge of computers. Among other things, he has put this website together for me.

As many of you know, I lost Fred, my friend and companion of 44 years, in July 2006. [How bittersweet those two nouns, *friend* and *companion*, so far from the sweeter *husband* and *spouse*.] At that time, I had already

decided to close down my mail-order business, but to continue writing. In keeping with this decision, I wrote a science-fiction novel, *TimeMasters*, which was accepted by a major gay publisher, who held it for two years, scheduled it for release in spring 2008, then sold out to another company which does not publish fiction. Again, with Mark's help, I intend to publish the story myself, and release it through this website. It is currently in production and I am already working on the sequel.

You probably noticed that [I have] a new web address....Unfortunately, during the months following Fred's death I had a few health issues of my own (now seemingly taken care of), and because of these distractions I apparently missed the renewal notice for my domain name, and someone highjacked it. So, unless and until I am able to recover my name, whatever you see offered or proposed under [site name]...has nothing to do with me.

*There are also some unethical people in our community who saw an opportunity to exploit my byline, and even to republish some of my books without my permission.* [Italics added] I think I have pretty well put a stop to this, but you may still see some web offerings that list a few of my titles as having been published by a company other than mine or by one of my legitimate, authorized publishers. As "they" say, "Shit happens."

His pulsating anger, the kind of arterial fury that pumped his heart, succeeded in freaking out the world of gay publishing.

Rachel Deahl summarized in mid-June the infamous lawsuit in *Publishers Weekly* which during years before had often generously reviewed his books like *Master's Counterpoints*.

A few weeks ago John Mitzel, proprietor of Calamus Books in Boston, was surprised to open his mail and discover he'd been named in a lawsuit filed by an author. The suit, filed by Larry Townsend's attorney for copyright infringement, stems from a dispute over unpaid fees

allegedly owed the author by his distributor, the Oklahoma-based Nazca Plains Corp. Nonetheless, the suit charges that Mitzel, along with over 40 other booksellers (including Amazon and Barnes & Noble), infringed on Townsend's copyright by selling the author's books in his store.

As Larry's attack created fear nationwide, literary pioneer Deacon Maccubbin (b. 1940), the founding owner of Lambda Rising Bookstore (1974-2010) in Washington, D.C., and the founding publisher of *Lambda Book Report* and of the Lammy Awards, wrote a sensitive email inquiry on June 19, the day before my wedding:

Subject: Jack, A bookseller's favor. I understand that you are close to Larry Townsend and I wonder if you might confidentially share with me his motivation in attacking so many of the remaining gay bookstores around the country, naming about 50 of them as co-defendants in his lawsuit against Herbert Moseley and Nazca Plains?

...Why on earth would he embroil gay bookstores in this battle? He seems to be determined to put all gay bookstores out of business, and might succeed even when losing his case, just due to the legal expense of defending ourselves against these frivolous and wholly unfounded charges. Does he really think that Lambda Rising, A Different Light, OutWrite Books, or Unabridged Books would ever knowingly or intentionally do anything to undermine a gay author, when we've devoted our whole existence to promoting and nurturing them? Something just does not compute here.

One thing is certain, it's unlikely any bookstore in the country will ever be willing to return his books to their [display] shelves in light of this scorched earth lawsuit. I just can't imagine what his motivation might be. If you can shed any light on that (without violating any confidence or personal friendship), I would be most grateful.

This was a community crisis created by an author who got one rejection slip too many. Thinking he had been screwed by publishers and distributors and ignored by the gay literary establishment for his entire career, he set out to capture their amalgamated attention. The icon was tired of abuse, was cornered by death, and could not breathe.

Because I never wanted Larry's anger turned on me, I injected a wary bit of distance from him, and cautioned Mccubbin that I'd do what I could even though closeness to Larry was always relative.

I cannot emphasize too much that during the last lonely depressing months of his widower life, Larry and his two significant, Barney and Embry, were not speaking to one another. The trinity of their relationship was on life support. I seemed cast as the last writer-friend, the go-between, standing tangent to that circle of alienation speeding toward extinction. Was I, a San Franciscan, being swept away in LA? Were they playing me as I lay? As the audience for their grand finale? As their last eyewitness? Were we playing out *Tea and Sympathy* with its immortal line, one of the most famous final-curtain lines in gay theater history: "Years from now, when you talk about this, and you will, be kind." Even before Maccubbin's email, I had queried Jeanne about the *cause* of Larry's raging state of mind. She responded in a March 30, 2008, email about her revolving feud with him and his erratic behavior. She, who was in recovery, wrote:

He continues to deny ever calling me a cunt...Speaking as an alcoholic, I can tell you that Larry is a textbook alcoholic.

And therein lies the tale.