4/13/71

Dear Gary,

I have taken your exceptional silence to be a reflection of yor deep emersion in your own multitudinous problems. For this reason, under usual circumstances, I would not be writing this to you, but the situation is not usual, I have to try and look ahead (with insufficient certain information), and it may be that I will want tom call upon Ned for help.

The situation is that of FRAME-UP. From the time he read it, Bud has been of the opinion that the publishers would be reached. I have never believed this, even though every thing they did and did not do validated Bud's suspicion. I have had little personal contact with them. Bud has had half as much. Each of them was here once. One visited Bud once.

To take the most obvious, with the current and unheardof assault on Hoover and the FBI, and with the pre-publication trade review so exceptional and on this very point, they have gone out of their way to avoid any mention of the book anywhere, once the review copies were sent out, and that at least a month after they should have been, When Cook's Saturday Review piece -and Cook an old FBI hand, and thoroughly accredited in this area - was also met with publisher's silence, it is just incredible, on simple commercial standards.

To date they have not placed an ad. To date they have not arranged a single appearance (jerry did most of that, and very, very well). To date they have been silent about the appearances I arranged when I was last in New York. There were five, all possible on one trip, one on outgrowth of Jerry's groundwork, one arranged by a friend at a TV station (since scratched, an' they haven't told me why), one, to be syndicated, that was automatic, that guy having always aired me, and two a consequence of my first trip. This was a matter of almost no work at all, an indication that where the shows exist, there is interest. To date they have failed to respond to my many inquiries for their ad and promo plans. They appear to have no and not to have the capability of making any. When David refused to make a single phone call, to the Times (and it was plenty nearly enough for their first edition) or the wire services when we learned that Percy Foreman fled the studio rather than face me, I knew he is without any p.r. experience or even knowhow. No kid would have muffed that one. When I learned and told them that the next week there would be an unopposed Hale-prosecution TV appearance in NY, where media opinion is formed, they absolutely refused to do anything. I then told them that whether or not they did, I would. I had asked for a press conference for the Monday after the Saturday airing (they have refused from the first to have a press conference on the book, incredible with its content and initial reception). I began working on that where I could reverse charges, and arrangeed enough to keep it from being a fizzle. Meanwhile, I battled the station, which was under lawyer pressure, and overcame that. I asked that one of them be there to keep it straight, it being more than enough to have to battle the moderator, Hale and Dwyer, and neither even appeared. Thus there was nobody to insist to the production staff that time be divided equally, that they abide by their agreement, etc. If you had been at the taping of The Minority Report and had seen the work of Mark's publisher, you'd know how important this can be. In any event, I was able to block this whitewash.

At no point have they ever consulted meabout anything, not even what I have just realized is repeated violations of the contract. They have not even returned my copy of the contract-since August!

First they chiseled on the advance, then they compromised, and then they withheld. Last week they promised me enough to meet my quarterly interest payments at the bank, and then their neither sent it nor told me they hadn't. That did it. When I had to celebrate my 58th birthday by going to the bank and asking an extension, with this money coming to me , and with a book that should be running away and whose only real obstacle is the publisher, for whatever reason, I decided I had waited as long as I could, probably too long. However, I did restrain myself. I waited until yesterday, to be sure the mail hadn't been delayed, and then much longer than necessary to give them time to phone me, and then wrote them a long letter, moderate under the circumstances and containing no allegations. It traced a small part of the history and set forth my immediate demands. What I can or will do will have to await their response.

In the partnership, David dominates. I think he is a pleasant guy who may have had some experience in publishing but is really incompetent, yet is arrogant and thinks he knows what he is doing. To this date, even though he knew I had some connections, he has never consulted me about any of it-and has been conned at best and stupid at worst. He has spent much money on himself, like going to England to try and place the book, that two weeks amountingto a considerable and wasted expense when I had a competent agent there (and all I know he did was see that agent!) who has become a good friend. He flew out to California to try and get me on the Merv Griffin Show, hardly the way to do it, and in this specific case, assuredly not the first effort (Griffin's lawyer, as I had told him, believes as I do, know they have to give me time because they aired Foreman, and supplied a tape of Foreman's appearance when CBS refused to). Meanwhile, back at the fuckup plant, without consulting me, they reduced the print from 10,000 to 5,000 and, apparently, in spite of their best professional effort, that sold out in about two weeks. If,as I take for granted, they have gone back to press, the extra press cost, a total waste, exceeds the cost of sending me to the coast with sufficient intermediate stops where I could make appearances.

So, I am beginning to delineate an alternative to being reached/ simple incompetence. Other examples: when I went to Memphis they put me under wraps, refused to let me have a single copy of the book to take with me, and told me to do not even any backgrounding. And need I tell you Memphis, with 600,000 people and the place of the crime, is a prime market? So, I was there, without benefit to the book. They simply refused to let me have copies of the book for backgrounding in Washington and then, when I finally got them to let me have one box, held that up for weeks, so that when I finally got it, the black Congressmen were too busy, first with their preparations for their meeting with Nixon and then with the Easter recess. We had, I think, enough for 8 copies only for the Senate, believe it or not, and Bud hand-delivered them, all to good receptions (which need mean nothing). I had to buy copies to use in Washington, and this still left me without copies for CBS and two of the three papers. I had only one for ABC. Where I should be spending much time in Washington, where the possibilities now, with this new attitude toward Hoover very good for the book, I simply haven't the money for gas and parking. They have yet to repay any of my nominal expenses all, to date, including trips to New York, totalling something like $175.

This, of course, raises other possibilities. They may be broke. Their professional incompetense in producing the book is considerable. They had made one kind of agreement with me, then chaged it without consultation, then got a new printer, and was he terrible! Together with David's career in flight, and if they handled their earlier works this way, it would be easy to understand how they may be strapped.

Whatever the explanation or combination of explanations, we are at a certain point. And the question is what, if anything, we can or should do. This has troubled me for some time and there is nobody with whom I have been able to consult in person whose judgement is good enough and who is in a position to help in any way.

Last night I was physically exhausted, from too much exercise too soon on Sunday. Underlying, I suppose, was the emotional turmoil from all of this, but if so, I was unaware of it. I went to bed at an hour I can't recall for many, many years, 8. I fell asleep immediately, but awakened an midnight in one hell of a sweat, like a high fever had broken. I stayed abed until 5, but slept little. There was a beautiful full moon, and the bedroom was bathed as by the rising sun. So, I enjoyed that, dozing intermittently, thinking a bit, but not in any organized way. I had done one thing last week, make an approach that is possible on another book, to an executive of a house that will be unwilling but is competent and very commercial. Also a week ago, I asked the Baltimore judge to activate our old and government-stalled suit against the government for damages. I had let this slide because of my obligations to the publishers. When, after all this time, I can't get a single word from them about a single trip on which they'll send me, if any, or anything on any sales plans, I could let this slide no more. With the precedent already set in the suit I won, and with the judge having come to realize that what he didn't like about that was the fault of the liberal city lawyer who simply hadn't prepared the case (he chewed him out the next time he appeared in that judge's court, the sole question is establishing the extent of damage, not the fact of liability. When, after the judge agreed for me to be my own lawyer, we had a conference in his chambers to set up the negotiations for an out-of-court settlement, he told the government this is the fact, and they did not have to be told, which accounts for their dragging it out. There is fortune involved in this. I may call upon you for assistance in getting technical experts in your discipline, for the one upon whom I had depended seems to have died. At least he has disappeared leaving no trace, and with doctors of international rep this is not common, especially in the elderly. If he is gone, that is a serious blow, for he was the world's best in this area. We have never discussed this, but what that did to Lil is for the medical books....Well, during the night I began to wonder, suppose either they have been reached or they have gone broke? The book has a competent distributor, Dutton. I would hazard a non-lawyer's guess that their violations of the contract and refusal to pay means I can take it back. The plates, etc, exist. Even if they did not, we could "break the book down" and reshoot negatives from two copies, maybe even one. The question is, in this eventuality, if it will be financially possible. I think the book can be a big financial success still, depsite what they have blown. And more, I am persuaded that it can be the means of our breakthrough.

Here what I say must be entirely confidential. Among the impossibilities I have accomplished is establishing a rapport with Ray. He has told me things he didn't tell his lawyers, and they are meaningful. Take it form me, this is by far the most dangerous thing any of us has yet assayed. I spare you the knowledge and the hazard, but I have shared it and others do have the missing link, in-

definite as it is. It is more than a very good beginning. And, I hear from him regularly. Through censorship he has been feeding me minor clues, all of which stack up. The only hazard here is survival. If we get this into court, they'll never let him stand trial. They undoubtedly try and make a deal over what is real, the illegality of the extradition and offer to return him to England, which he will not accept. Other places he might. He is remarkably cool about this. He has also given me to undertsand that at certain times in the future I will be understanding more, I mx will have more specific leads. The essence of what happened I do know, and I had laid an idependent basis for it in my own (successful and very easy) investigation in Memphis. So, when what he indicated fit perfectly, I have no trouble believing him.

One of the things you and Ned should understand is that, although everyone seems to have missed it, with the divided and conflicting interests I had in the confrontation with Huie and Dwyer, I did get significant factual admissions from them, which my own investigations had already established: they never made any real investigation in Memphis and theoutside number of Memphis witnesses they would have called in a trial would have been ten. Comapre this with their announced figure on witnesses they would have called, ranging to about 400, and you'll see that if there had been a trial, there would have been no prosecution evidence on the relevant and an enormity on the irrelevant. I followed this on the show with a question neither Huie nor Dwyer could answer, "What difference does it make what whore he slept with in Portugal, or how much he paid his Mexican whore?" In short, we can not only break this case but we have possibilities of solving it, with consequent influence on the JFK case. And, as FRAME-UP says, it is the ever-faithful FBI that arranged the framing.

Well, it is getting close to breakfast time. I've tried to update you so that if I have to raise questions with Ned, or ask if he has heft here or there and is willing to use it, he'll know why and what, it won't catch him by surprise.

By the way, although if not in his interest I will not use it, I have carte blanche from Ray. I did not ask it, I went out of my way to avoid public mention of our relationship, even that I had seen him, then told him of it and my intention to keep it that way (which I still intend), and his response was that he understood that I had no money and could not work without it and he had no objection to my using anything in any way, a rather perceptive and decent response. With his record, I'd today trust him over anyone on the other side, especially Huie, who is past the point of no return on this.

One other thing: Gerold Frank was at the taping of the show with Huie, and he got hysterical. His book will mean much suffering for the King family and friends and he is in the confidence of the prosecution, in the broadest sense. They have given him the improper. I will probably be writing Doubleday and sending them some things. If his book is in manufacture, or when it comes out, do you understand the perfect opportunity it gives me/us with every appearance they arrange for him? This is one of the reasons I have been holding things back, for this kind of intellectual jude.

There has been a strange and long silence in my suit for the clothing pix.

Best,