

W. O. FROGGER, JR. 21/01  
2/23/74

Dear Don Freed,

A week ago today I met with Bud and Jim "esar for other purposes. Bud, who had then just returned, conveyed to me what he understood of the message you had left. He confirmed what I was sure his position would have to be, as did Besar, and he told me the nature of the reply he would make.

Jim was here much of yesterday but we had to concentrate of legal matters, with no time for discussion of this. He said you had been in touch with Bud again.

It is apparent to me that there are certain delicacies in this entire matter of which you have no way of being aware. I think it serves your interest to familiarize yourself with them at the earliest possible moment. To a limited degree I will undertake to suggest a few to you. But if I correctly understood that you want to talk to me and with a view to entering into a contract, then while I am non-commercial enough to be doing nothing about these things, there are other expressions of interest some of which cannot coincide with yours. I have, in fact, asked a friend who is experienced in these matters to represent me. This does not preclude discussion in advance of that time. The state of my affairs at the moment is such that it can be almost any time for there is nothing that I expect to take me away from the major project upon which I am engaged, and that separately holds several movie possibilities. Until the middle of April, when my wife's temporary employment ends, I am generally away only taking her to and from it. No day is impossible. Wednesdays are partly taken up in the afternoons.

Neither Bud nor Jim can be active participants in anything without the most serious ethical problems and risks, more so after the nature and success of our habeas corpus petition. Aside from the professional situation, there is the character of both men. Were your apparent plans not forbidden to them I believe they would still feel impelled to have no active association because of the principles of the more principled lawyers. If you have not heard with this directness, this is the way it is.

I understand you plan some Jerry Ray involvement. I can't conceive of any reason or need. And of the three of us, I am the one who has had almost all contact with him and have the best understanding of all three brothers from the time I have spent with them. And in exhaustive correspondence with them. I am also our heavy when there is the need, as there is unfortunately often. It is not easy to explain this relationship but the plain fact is that James is capable of firing Bud and rehiring him by pretending he had not fired him after I lean on him. He is ~~also~~ capable of spending an hour on the phone telling Jim in assorted way to fuck himself, to the point where Jim is ready to chuck it all, and then without a word to any of us after getting a strong letter from me first doing what was wanted of him and then, unsolicitedly, writing me a long letter the thrust of which is that he never disagreed with me at all. And maybe it was a good idea, too. But if you do have any kind of Jerry involvement I can't see any need and I do see the most serious problems, especially for you and your people. Your and their interest, I believe, requires a careful exploration of this. I am aware that you may see what I may not but I am also aware that I know what you appear not to. This includes about Jerry and what he can and cannot do and what any association with him inevitably entails. That Bud and Jim leave him entirely to me might be a short answer for you.

You may or may not understand what the proprietary rights are in this matter. I think ~~you should learn them for yourself.~~ Another short answer is that they are all mine. First you should learn them for yourself.

They are mine initially because I did all the work. They are also mine by agreement. even the rights to my book have reverted to me, in writing. And what I have goes much farther than what has been published.

I have no inkling of the doctrine of the project. Without this there is not an awful lot more I can say except that it can coincide with my personal interests and I would like it to.



If you are associated with Wakeford/Orloff then Mr. Elman may have told you that I believe I also hold a number of other properties with movie potential. I would like to be able to discuss these with movie people in whom I can feel some confidence is justified. When my friend returns from abroad we plan to initiate this.

Much of my "ing work is on tape, none illicit. In the course of some of this work I located new pictures, took my own and found and interviewed witnesses eschewed by the prosecution. Were it to be desired, I believe the live witnesses could be used on film. Several are at a hot-sheet joint everyone else had missed. Everyone, that is, except the FBI and me. The lawyers and the so-called investigator Hays couldn't find it when it was right under their own public hair.

I do know how the crime did happen. And I do have definitive proofs past what is in my book on how it did not happen and about what happened to Ray. The latter could be a separate movie, my work has gone that far. I figured out the only way the crime could have been committed and when I started tracing the probable witnesses I found those who had actually been interviewed but not used by the prosecution and have them on tape telling me what each told to whom and when. Here I have enough for what will never come to pass, getting the licenses of all the lawyers involved lifted.

As time goes on Budg gets deeper and deeper into many projects and has to have less and less to do with this. This is not criticism, is not intended as subtle criticism, and I hope you will not misunderstand it. Nor is it that he can afford a comfortable life. He is just too busy with too many things. This has meant that Jim and I have had to do the work. It also means that Jim can give you an assessment of me, what I have and in general the quality or lack of quality of what I have. Bud can give you an assessment based on what he knows of my work and me going back to 1967, but he has not been as close to my Ray/"ing work and lacks any knowledge of some of it.

The kind of thing that may or may not interest or impress your people Jim can give you from what he took back yesterday for use in court as soon as he can file it, not on Ray but against the Department of Justice. Two days earlier he had told me he would want it yesterday or the day before. I told him to make it yesterday morning so I could get more of it written and nailed with exhibits. In that time I wrote and corrected about 5,000 words, found and copied more secret and top secret documents than he can use, showed him others, told him of still others and prepared him for certain legal moves he will make in court within ten days in a way that even after long association with me he did not believe I could do. This may sound like horn-tooting but it will not be long before that of this work that Jim decides to use will be available. Again, if it will not happen, it is enough to give a judge cause for taking action against the Department of Justice, the Archivist and a number of federal attorneys. If I cannot always perform this well on all questions, it is not an unfair reflection of the manner of my work and the advance preparations I make for it. I have my own standards. They are high. I feel better that way and others are more secure that way. With the millions of words I have published over the past decade, I await the first face-to-face complaint, even in writing. I think you will find this characterizes that of my work in which you seem to be interested.

Please excuse the haste and the inevitable errors. If I take this to our mailbox without reading and correcting it, it has a good chance of getting out today and I believe the haste is justified by what I think is indicated in your interest and in that of your associates, who are unknown to me.

I use my phone almost without inhibition but not in the belief I have the private line for which I pay. It is 301/473-8186.

Sincerely,

Harold Weisberg