

Harold Weisberg  
Rt. 8, Frederick, Md. 21701  
10/16/73

Dear Mr. Whitson,

I have heard from Mr. Hamilton. I have drafted an answer. As soon as my wife can retype it, I'll mail it. I will enclose a carbon for you.

There is a separate reason for my writing you.

Today I had a phone call from a friend in New York who knows that I bought all the remainders of Frame-Up and all the subsequent returns a year ago.

He just happened to be in a large New York City bookstore in time to see a new supply of them, discounted.

No, I am not accusing Dutton of breach of faith. I don't know how it happened.

But I do know what did not happen.

And that was not because I didn't ask often enough or pointedly enough.

I did ask David that he phone Marboro and get those books back. I did ask the same thing long thereafter, when the Giant food stores in the Washington area remaindered them and offered to return them if David asked it. (They sold their supply out and they did not take them off the tables.) Giant got their supply from Marboro. Their sale was for Xmas, long after my October purchase and long after I asked David to have Marboro retrieve what had not been sold.

If Marboro still has any more to let bookstores have, they should not. I did raise this question with Dutton in May. It seems fairly obvious that they are still reselling my property. I know they were long, long after I asked David to get them back, after the Giant sale. And I have dated receipts long after it, too.

To the request I have made for a count and an accounting, I now add a request that Marboro<sup>be</sup> asked to ~~me~~ account for their sales after the time of my request that they be removed from sale.

I have no knowledge of any phone call, if any, that David made. I do have copies of two letters he wrote Dutton about this. In the second he said I had enough to sue over, that the books were my property when Marboro got them. If this was not Dutton's responsibility, as David represented last year, it has been since the first week of May of this year.

Mr. Hamilton's letter does not indicate a carbon to you. In it he says he speaks for Dutton.

Sincerely,

Harold Weisberg