

When I wrote this after receiving a nice note from him in which he did not identify himself as with the Ober agency, as I did, immediately, I was aware of this connection and did not forget Richard. I decided to take the time on a chance for the future from what he wrote about "W IV". Not until after I mailed it did I recall that he is Anson's agent. M. 1/11/76

Rt. 12, Frederick, Md. 21701
1/10/75

Mr. Peter Shepherd
321 W 104 St.,
NYC, NY 10025

Dear Peter,

Considering the failure of our earlier relationship, the kindness in your note of the 8th and the possibility there might be a future, let us be a little less formal.

We have not moved. The routes have been remembered again.

On the chance that perhaps there may be a future, although I have a lingering and limited case of phlebitis, because you have read Whitewash IV as I put it out and formed your own opinions, including those not expressed (with which I'd undoubtedly agree), I'm going to try to make some explanations. Please do not take this as boastfulness. I have a track record, as Dick Galen will tell you. Understand also that I do not intend this as widely applicable. Only as it relates to the areas of my work. You may recall that what you found incredible in the unread rough draft of what was to be two chapters in the first Watergate book (I completed a second) later turned out to be the neglected scandal everyone is still staying away from. Except for the business of the ship, that material, rough as it was, contained what in the end the Ervin committee did not publish.

Internationally I can't tell you how many ~~rejections~~ rejections there were for my first book. In no case was there an adverse editorial comment and there were many raves. I wrote that book, to meet a contract deadline, in a month. One day the publisher drools over the advance sale of 25,000 from salesmen talking only and the next he breaks the contract and doesn't even return the ms. Never did, to this day. Some large publishers, particularly Pocket and Doubleday, were remarkably honest in giving me different but I think truthful explanations for rejecting the work for policy reasons. Dell-Dial rejected it three times and then came to me for a 250,000 first-reprint. They rejected the second book in November and when I printed it in December came to me almost as soon as the first one went on sale for it, too. There were other experiences, commonly of dishonesty, all combining with another factor to require me to reconsider what I can do that can serve. You put it differently but you call that offbeat work you read "an important service."

Of the works that followed mine, only one was honest. It was, in fact, great. It is to be reissued in March. It is Sylvia Neagher's. The cleverly-disguised dishonesties and angles and ax-swinging in the Edward Epstein and Mark Lane books trouble me. I had already researched an entirely different second book. Then Garrison came along and in time I came to understand that he, too, was a menace to truth about so ~~important~~ important an event as that assassination which turned the world around. (The still to be written second book, as soon, I hope, as I am able to complete another begun five years ago and currently quite topical.) So, as I learned, I recast myself in the role of the one who would make the record for the future, for whatever good it would do. While I started with the ACLU when the Freedom of Information law was passed, it was indifferent and it was not until 1969 that I could begin to use it. Since then I have used it more than any other man and in no case unsuccessfully. The one suit of the three I "lost" that did not give me what I went after is the first of four cited by the Congress as requiring

amending of the law. The Conference Report isn't quite explicit. In short, what I can consider a considerable victory and worthwhile service. (The government is again engaged in rewriting the law through me, in the first suit filed under the amended law, partly recounted in the last part of Post Mortem.)

The amount of work I have undertaken and completed, even as I look back on it, seems impossible. The effect I've had on the release of the suppressed is great. And what I've done in this field and how I've done it, as you will also see, forced the FBI to tell a federal court that I know more about the subject than anyone in it.

As it probably shows, I wrote Whitewash in IV in two days while I was also doing other things. (It was 28 days from the time I began Photographic Whitewash until I had the first 100 copies, with sewed bindings, for the press. Including what an index!) I just did not have more time. I was trying to complete the second Watergate book because I had to prepare for an evidentiary hearing for James Earl Ray, whose investigator I am.

I turned that case around, beginning from scratch and with Frame-Up and what I later did. Can you imagine the odds against this? With Jim Lesar doing most of the legal work we've established a new principle of law in this, too, the discovery rights of a habeas ~~corpus~~ corpus petitioner. We are now in the court of appeals on this. If we get a trial there isn't enough to go to a jury. I've defeated all the claimed evidence. And I'm still getting more. It is quite unlike the recent Times series. (They wouldn't even look at this new evidence when I offered it.)

If the printer hadn't goofed twice, once in shooting the negatives and then in not giving me a set of blues to check and printing two signs wrong, the book would have been out at least two months earlier. It was printed about the time I had to leave for Memphis on the Ray case.

Jim borrowed the money to pay the printer. I advanced other costs from the sale of the other book. The major cost was that of a mailing. The news attention generated enough radio interest for countless programs by phone. Between these and the mailing we are in the black if you do not consider the cost of getting what is in the book and the labor of mailing. Only 200 copies went to a wholesaler. Bookazine. I guess it is one of those copies you got.

Post Mortem was much more expensive. I'd been squirreling away enough to be able to make my first printing of Whitewash (smallest 5,000) when I decided to bring Post Mortem out. It is too hot, too definitive. There is too much fear of it. There was extensive wire-service ~~coverage~~ coverage of a press conference but in no case was the substance reported and all the major papers suppressed what UPI, AP and Reuters carried. But from a mailing we have sold enough copies, or did in the first month, to return more than a third of the cost, without any effort with wholesalers. Its literary liabilities are obvious. As with everything else it is a corrected first draft parts of which were completed in mid-1967. Parts must be convoluted. But from ordinary folk and those who know the field, including professional scholars, I'm getting fantastic raves.

What I guess I am really saying is that all of publishing, beginning with agents, live by stereotypes and have difficulty recognizing exceptional situations and their market potential. What is generally true is not true and never has been with the exceptional, political assassinations and official corruption in political matters. What I was exposing 10 years ago is now in the news. What I wrote seven years ago about King and the FBI is today's headlines.

Although my special audience actually likes what is not the accepted literary norm, the directness, passion, and other unhidden emotions and accepts the difficulty in reading, these same works, with a publisher willing from the first to make the not extraordinary investment in decent editing, would have made a pot and I would not be broke today. If I had chosen another path, that of the commercializers, I'd also be

a man of means. But I could not have done what I have. And yet will. If this makes no sense to you in terms of your professional life, maybe, if it interests you, you'll find an explanation in the dedication of the first book.

You told me that the Watergate work I projected and wrote so much of in such speed while the story was breaking was beyond the capacity of any one man. Not so. And if I'd have had what writers can and do have, a little help, I could have done so much more! I laid the ms. you saw aside and started from scratch, using none of it, simply because it grew too big. I then, long, long before the event, started The Un-impeachment of Richard Nixon. If he remembers, Dick can tell you that when he asked me what the possibilities were long before he referred me to you that I laid out several and evaluated this as most probable. I think that was before the Ervin committee was set up. In any event it was early. The much-interrupted and almost entirely unread draft was laid aside in September, 1974 for the work I had to do on the Kay case. (I won't write it but there is a book with a movie potential in one little part of that but I have everything necessary for the writing.) Other work, of which marketing Whitewash IV and printing and distributing Post Mortem, is only part of what prevents my completing the conclusions and editing. Nothing has to be rewritten except for literary reasons. After all this time it stacks and it holds much that is entirely new. Sensational after all the exposures, which were contained for spurious reasons of "national interest." Some has current topicality. Maybe its day will never come but it is a substantial work that at any time, I'm certain, will more than pay its way if, to quote the senior editor of one of the world's largest publishers, some day I meet the publisher with the necessary courage and enthusiasm. (You'll find the exact words on the inside back cover of Whitewash, the first book.)

What is the commercial potential of my work? Not one book I've published has lost money for me when I've never had a penny to place a single ad, pay for any promotions except those I've done without budget myself, and had no lecture bureau sending me around. Post Mortem will in the end do more than return the mechanical costs. It is the book that can break it all wide open now. But ~~there~~ there is none with the courage, including in the Congress. Perhaps the times will spew one up. If this happens the book can go crazy. Can you imagine what with what the average book gets these could have done and made.

However, I do not deceive you on the fear of government. Nor of the legitimacy. But it is my belief that today and for the immediate future, despite the creeping authoritarianism, that government would not dare do anything to anyone who publishes me and makes a real effort. ^{Many} as I am compared to it, I keep government on the defensive. I charge it with felonies when the charge is felonious if not true. It dares not prosecute me when I dare it to. So, I sue it. In addition to more than I can remember, without any financing, past or pending, I have three in court now. Somehow, Jim and I do it. And will, more. As the government knows, because I'm required to exhaust administrative remedies first, I'll soon be suing several agencies for their files on me. With some I have copies they do not know I have and I'll produce them in court. They do not know what to give me of what they have I've already forced them to go back in their files and dig out the fact that I provided part of one of FDR's more sensational fire-side chats. I've been doing this kind of thing most of my life. I've filed for what I gave the government about a plot to throw FDR out. And for the files on me. (I have more than has been delivered.) These have to be extraordinarily voluminous. I don't fear them. They fear me.

In short, I'm offbeat. I do things my way and almost without exception they work. I try to be honest because I want to be. Despite my manner, I am cautious and when I reach a conclusion, as again I think Dick will tell you, it is solidly based and he will not cite an error. This in itself agrees people. Like I refused to be on prime-time TV simply because CBS gave me a conflict of interest. With Post Mortem about to appear.

This may have surprised CBS but again I do not deceive you, it was no sweat for me, it was immediate and spontaneous and I have no regrets at all. And will have none. If you wonder why, maybe Frost put it best, with promises to keep and miles to go before I sleep.

I have taken this time because I do not want to be my own publisher and because perhaps the time will come when you and then a publisher may see that what I have done, offbeat and outlandish as it may seem in your normal life, can be commercial.

The life this has required of me is extraordinary. In the course of it I have come into possession of or knowledge of a fantastic amount of promising literary materials I would love to be able to ~~share~~ share. This includes novels that could make movies and ranges to doctoral theses that could make successful books.

Phlebitis or not - and it is in both legs and I've typed all of this and more with one leg raised - I'm going to go those miles. Daily when it aches so and the sub-freezing weather bites bitterly I force myself to walk the immediately necessary to force the body to bypass the clots and develop new channels. Maybe in the walking of these miles before I sleep out/paths and interests will cross. That is why I write. I hope my wife will find time to correct my typos if not the syntax.

Sincerely,

Harold Weisberg