

Dear Js,

1/4/73

You may wonder why it is so, and I don't think I could really explain, but writing the two collection letters I enclosed to give you a bit of the flavor of what happened to me when I tackled the Publishing Establishment on addition to those of which you knew was a bit much. It left me not wanting to do any more letters like them (and I have a stack) or anything else serious. I finished the one to Fran Howell and Raymar just in time to leave for Lil and do the customary few simple chores I can do for her at the end of her Block day. Otherwise I'd have annotated it for you and for my Journal file.

I don't know what happened to them. When I told them PhotoWW was about to appear, I didn't think I'd be able to include the index with the printing schedule (a rather serious underestimation of Lil, I hasten to note). So, I asked them to hold their order down so I could send them more indexed copies. Nothing doing, they said, they'd done so well with the first two. Fran's partner was with him. They further asked me to get up a flyer, not to let this wait for their monthly mailings, they'd make a special mailing, and to ship that by air. All of this cost me about \$300 plus nerve-taxing work, but I did it. They could not possibly have sent it out because I soon enough heard from at least 15 of their customers. Paul Elder didn't have the book until I shipped (still unpaid). I sent them more orders from their own customers who had written me than they sold. I found one for more than they sold in going over the file. But they did do well with the other books. Their account was almost \$10,000. The first Joe Dolan show I did by phone sold 500 copies in one day, all there were out there. (One reason I can't get mad at Joe is what he then did. He also called all the other talk-show impressarios and asked them to plug and phoned Raymar to send the others review copies!)

I am pretty certain I can figure why the checks I got and their books don't match. They never paid on time when they paid and I think took a "cash" discount after six months! Now, unless they have other books showing this, the ledger they sent me shows them paying the invoiced price, which they never did. In this way they beat me out of another about \$600.00, part of the \$4,338 they still owe.

I had All Things Considered already tuned in when I drove for Lil, but I didn't hear a word of it. I was thinking about this past and what it really means. Despite all our bad luck and many problems, I'd not be anything like broke if it had not been for the permeating publisher and merchandizing crookedness. By rough calculation, we have coming to us twice what we now owe and more. The interest on it at the rate I pay would come to more than \$4,000 each year. In interest alone, I have been cheated out of almost \$24,000. And this was just the larger ones. I can't remember all the small ones.

So, this accounts for some of our attitudes, reactions and moods. Despite all the odds against them, the books did well, much better than I'll ever know. I have copies of editions Dell has yet to acknowledge. The A & A letter to which I referred warned me in advance that Dell was not going to do anything with the book, let it coast on what I'd done, and gave me not only proof but how retailers would react to their way of handling it. The wonder is that it did as well as it did. When it was in their printing less than three months and they wanted the second book so badly, they told me agent they'd already sold 435,000 copies. Makes sense. First print was 25,000 and they reprinted twice in the first ~~XXX~~ month. They reprinted again in April 1967, and I have copies they have not acknowledged printing. They admit selling only 171,000 copies and I have a number of letters they wrote people saying it was out of print. Of the royalties on this they beat me out of \$2,500 in fees on the Brininger suit, charges it had been agreed would not be mine, in writing. They owe me something like \$15,000 for a special print of WW they said they'd use to promo their edition. In all, not less than \$35,000 is due me from Dell alone. A lawyer has sat on this since I think 1967, not later than 1968, and on a 50% deal.

I'd be angry and disappointed enough without this over some of the crookedness of the critical community, but with this history? Maybe it makes my Old Testament indignation about personal dishonesties more comprehensible.

It is not that I was a fool. I did nothing wrong in these dealings. I did business in the normal way, the only way it could be done. I had signed orders, etc. These guys can make a living on the value of the money they owe. It is so common that the Dell people told me what they do to collect: wait until they have real hot items and then withhold them from the wholesalers from whom they want to collect.

The irony is they all wind up hating you for what they did to you. Some of this has come back to me.

It is a crazy business. Tink Thompson made whole use of the work of others (only a small part of what he took from WWII is credited) and they promptly went around the country separating himself from those from who he stole and defamed them. ~~Me~~ With not only published Flammonde's wholesale thievery, the published an anthology, plagiarized an entire chapter from me, and to this day have not paid me for the part that was contracted for or that chapter. I could go on to an incredible length. The business is really that crooked. Even a contract means nothing and there is no such thing as an honest count, so if you don't get it in front money you are likely not to get it at all. Thus I held out for a \$15,000 advance from Dell on II and I promptly used it for the down payment on this place. In cash I got only the front money on WW from them. What they couldn't take from me in other spurious charges and devious ways of this they assessed as legal charges! First they said they'd take care of the suit because I had not libelled the bastard Bringuier, had treated him in an "exemplary" manner. Then they said it would be a three-way split with them and Saga, and then then soaked me for all of it. When I made noises on my own like I'd sue, they actually connect Saga out of half and pocketed all their share of \$5,000 and half of Saga's!

With me such crookedness so exceeds the norm that it is hard to believe they do not expect some kind of protection, for it transcends commercial dishonesty and is criminal. Note that after agreeing that David did commit mail fraud the post office inspectors have been totally silent. For months. No acknowledgement of a single one of the many letters with enclosures.

I won't send you carbons of the other letters. These samples should be enough to give you an idea of why I hold some of the attitudes I do as strongly as I do and how we got into the terrible financial bind in which we are.

And at 60 and this record alone I am as close to unemployable as one can be. That I won all my earlier fights merely makes me more unemployable, earned more hatred. As I think maybe you are beginning to see, some of them were pretty rough fights with some pretty long-clawed cats.

As I look back on the recent years alone, I wonder that I found all the energy I had and used with this history that should depress and discourage a reasonable man. What it has done to -il I hate to say or to think of.

If some of my letters to men in jail seem to be sympathetic, at least in part it is because from personal experience I know they are less criminal than the respected with whom I have had so many dealings. Certainly as worthwhile as members of society. In some ways more honest, making no false pretenses.

Enough. Too much! Kick the bug.

Best,