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7/8/76

Ed,

You have now had several weeks to keep your word, without which you are still another basis a thief, and you have not.

Whether your wrongdoing comes from psychological reasons or what is less easy to excuse is immaterial to me. Your failures since your series of hysterical calls is all that counts.

I simply am not going to be treated this way. You may have no qualms about abusing and wasting time for a man of my years and in my condition but I'm now adding ~~charges~~ charges for it.

You have not sent me the promised check for the copying paper you used. I did not count the pages so I'll estimate. That, however, is not my only cost. These range from that of the limited space in my office, which I need for other purposes, to electricity to the cost of owning the machine and the service contract. The machine is so costly that I use it little, only for emergencies, as Jim can tell you because he does my copying. As a matter of fact, you know it from what I was having copying that you have also stolen by not returning it. I had to go into town, which requires time and travel, to replace the paper virtually all of which you used.

My charge for the use of the paper and machine and the time and trouble of replacing the paper first thing the next morning is \$60.00. This places a lower value on my time than in actuality I do.

You made it impossible for me to do the work I wanted to do for several days. You cost me sleep two nights. You kept me upset and unable to work properly for several more days and caused this all over again with that series of hysterical calls on one night, when you received my letter. I can and do place a higher value on this time than I will for compromising this and getting the disgusting business over with. If you perform promptly I will ask only \$150.00. If you do not I will increase it regularly until you do or I take further steps, which I will if you force it. If you force me to I will go back to your previous damages, to which there are witnesses, and the very considerable amount of work required merely to try to clean up the mess you left in my files.

Scott was here this weekend. He told me you have not sent him the list I had had copied so he and other students could borrow it. We can't copy that on my machine. It will mean I'll have to take a trip into town to do it and keep my word to him. He does come here and help me, unlike you. If I have to do this you will find my hourly charge high. I will base it on the value of the time when I am now in the easiest part of a book that has required an enormous amount of time and work, the writing. (Had you not wasted that weekend for me I'd be up to where it is possible for me to be and not foreclosed from the writing by other urgencies, particular legal.) This time is now quite valuable to me. I may use the standard of what I'm paid for consultancies. While there are not many of them and I never seek them because I prefer using my time for other pursuits, the most recent one from a book publisher was \$500 for reading a little more than 50 pages and reporting; that from a newspaper was \$250 for merely talking to a reporter; that from a weekly for only a phone conversation was \$300. (If I got to a magazine it will blow your mind. Playboy gave me \$2,000 for reading three pieces. After this all I had to do is discuss them with Playboy by phone.)

Not only will I charge you for more time you waste for me but I will increase the rate of what I have asked and will gradually increase the amount until I get closer and closer to the amount of time you actually took from me.

The longer it takes you to straighten this out the more I will be tempted to file

the criminal charges I am sure local authorities will entertain. Your theft is not only a files. It is very petty. With all the legal pads you have you took mine, as in the past there now is no doubt you did with pens I prize and can't replace locally. You promised to replace the offset pencil and have not. I have because you forced me to. I've not charged for this time. You know I've never used one up. Every time you've been here you're fixed on that blue color to chew like a baby.

It is now also clear that you deceived me. Otherwise I'd never have let you return. It is now clear, too, that you took more than is needed for the book you described.

I'm reminding you that I have asked for the return of everything you've taken and prohibited the use of anything you've obtained here. Duplicate it if you will elsewhere by no use of my files for any purpose. I will be able to recognize what you can not obtain from other sources.

I have no choice but to keep the files with your fingerprints on them sealed. I did take the precautions with ~~you~~ those pages I reported to you for the reasons I also reported. If I have to replace them rather than use them, as is possible, I'll charge you for the cost and the time. I have need for them right now. As I told you I'm working on a story requiring them. If I do not have a telegram from you Monday telling me they have already been put in the mail on Tuesday I'll have to start the trouble of replacing them.

On the third of those hysterical call you insisted you had to convey to me some legal information for Jim for use in court, having to do with copyrights. I told you to give this to Jim, as I had twice earlier that night. If you have with all the time that has passed he has not reported it to me. I go into this so you can measure yourself, as you should. As you should also with all your conduct here and subsequently.

In your own interest, start behaving like a human being.

There is no trouble in returning what you took this last trip. You did not have time to file it when I made the request. I forbid your copying it. I have to regard this long delay as further intent to steal and I will if I have to. I want that all back immediately.

For shame!

Harold Weisberg

Dear Jim,

Attached letter to Kabak

7/8/76

While I don't think he' speak to you about it I want you to know what drove me writing him again. I might have waited longer for him to send me the checks and return the papers had it not been for yesterday's experience. If I will be extremely reluctant to do anything that can hurt him with him I may very well. There is no end to the aggravation and time he costs and I simply must put an end to this kind of abuse. I'm not about to start beginning by mistrusting everyone I meet and I'm not about to let this kind of thing continue. In any form.

The mail was early yesterday and was delivered to the house. At 9:05! So, because you might have come today and I had no mail to answer I decided to attack the long over-do filing and refiling. It started accumulating before the phlebitis. Since then, particularly with the lower two file drawers, it has been uncomfortable and I can do only a little at a time. In the course of it I discovered, with the waste of some time learning it, that files had been replaced out of place. I have no way of knowing whether there are more cases but I also have no reason not to assume it. These are instances where the file was only a few places out of place. If I had not noticed it by accident I'd not have know it at all.

He is really a swine, whether from psychological causes or not. After those three hysterical calls that monopolized a night and loused up succeeding days not a word. No check, no papers. I'd not expect an apology because he does have that feeling of self-importance. It shows in his walk now. I do now feel he does have a serious problem. I do not think he'll address it voluntarily. He was that hysterical, that irrational in those calls. His behavior since is of the same pattern. There is no good reason for his not returning what he took this last trip. Selecting the haul of the other trips might require abstracting from existing files but not what he had not had a chance to file.

(There is a special reason for my need for firmness with him now that I'll explain in person.)

He ridicules Jerry for moving into a fancy place and at the same time told me he is going to in the building in which he now is (at about twice his present rent or about \$500 a month). Then over the phone he poor-mouthed me: Joanne is not working and is returning to college. We can pay \$6,000 a year for rent alone, send Joanne to college, take a month for a Canadian vacation, pay for a brand new car no New Yorker really needs and yet for no reason poor-mouth me because he insisted on going out to dinner whe we did not want to and then I had to pay for Scott's! He has to be sick to speak this irrationally and illogically.

So if he should speak to you you know how I feel. I'll be reluctant to do anything that can hurt him but if I must I will. He can avoid any possibility by finally behaving. He can do this by refunding my costs and returning my papers. It is that simple. If he can't do this he'd best get to a shrink before I take any measures. If I am forced to he'll have professional troubles in addition to emotional ones.

But imagine the kind of wretch he real is when as simple a thing as he promised to do immediately, xeroxing about 10 minutes of a list I got for the kids like Scott and then mailing it to Scott so he could use it before returning it to me. He is so self-important that even a list that can't really be essential to his book he has to deny students who really have no money. I had that copy made just so the various kids could borrow it. I have the original and need no copy for any other purpose.

The kids, by the way, seem to be good about returning what they borrow. Floyd and Scott have both returned the slides they borrowed. Scott got a book time before last and returned it last time he was here.

Best,