

Route 8, Frederick, Md. 21701
7/28/73

Dear Mr. Kabak,

A layman doesn't have to tell a lawyer the problems of the indigent would-be litigant. I have them. Perhaps your recent interest in the subject to which I have devoted the past 10 years (almost) and some of the recent disclosures relating to the Watergate may suggest to you, as they now have to me, that my problems may not be only commercial crookedness.

In any event, I need help, I am broke, and I believe enough is collectable to pay a lawyer.

The latest case involved E.P. Dutton & Co. They took over Outerbridge & Lazard, successors to Outerbridge & Dienstfrey, who screwed me in just about every way possible. In doing this, they committed fraud, according to a Washington lawyer, a lawyer on the N.Y. D.A.'s staff (who said is it commercial, not criminal fraud under New York law) and mail fraud, according to the U.S. postal inspector in Washington. He took a case and then dropped it. When my Senator asked for an explanation, he was lied to. "Those who prosecute mail fraud cases are not fond of me."

This most recent of many incidents, with Dutton, has to do with non-delivery of my purchase, under the contract, of the about 3,000 copies of my book *Frame-Up*, when Outerbridge decided to remainder it. Instead of shipping, as he said he would, having accepted as a down payment money he admitted owing me, he proceeded to sell 1,000 or thereabouts. When I hollered, he apparently didn't dare let go of the rest. Aside from the contract, this was repeated in writing. In this correspondence I also asked for all later returns and was assured, in writing, that I would get 100% of stock and returns.

In early May I had a conference with Mr. Jack Macrae, III, Dutton president. We worked out an agreement under which they would ship prepaid all the remaining copies of this book, pay me what had been received for the copies I had bought and Outerbridge had sold thereafter, and in return I would release them from any obligation for the 1,000 sold copies, which have a retail price of \$1,000. He said Outerbridge had separate counsel who would reach an accord with me on the other issues. This has not happened. In fact, he has been silent for more than two months, despite a letter from Dutton's counsel, dated June 22, saying, "He will be in touch with you very shortly and I am sure this matter will also be resolved in the near future." Prior to this, under date of June 19, Dutton wrote to confirm the shipping of the books, which I was told "should be arriving shortly." They even made arrangements to transfer the shipment to a local deliverer, but it hasn't happened. I have received no book and no single word.

If you have read *Frame-Up*, I think you know that those who have an interest in the only remaining copies disappearing are few. To date it is the only book of this content. There is no prospect that there will be another, not for years, anyway. (Incidentally, Ray has been in solitary for more than a year, law or no law, and has deteriorated considerably.)

I have just finished writing Mr. Macrae. Having no funds, I can't pay anything for any help on getting these copies and I do not now ask that. However, there should be cash that can be collected on all the other Outerbridge matters, including about \$3,500 of unpaid "advance", plus interest and a few spurious deductions and charges. Several other publishers, none Viking, are involved in other claims where I think, as best a non-lawyer can, that I have solid evidence. These were left hanging because the lawyer to whom I had gone was disbarred for some years and was apparently ashamed to tell me.

While I have copies of just about everything he has, I can't afford the cost of duplicating them. I have written him again and again I have no response. I spoke to him when I was in New York in May. He did not tell me of his difficulties and could not keep an appointment we had because his mother dies. (Ever read Sholem Aleichem?)

Please do not assume that what follows means I am undiplomatic or a nut until you read it. Rather it is that you are a young man and I believe you should know that I have powerful enemies. And the one thing I have, aside from debts, is integrity.

The Department of Justice regards me as a problem, especially now that I have what will be the basic test case on the "investigatory files" exemption of the Freedom of Information Law headed for the Supreme Court. On the 11th there was an en banc rehearing by the court of appeals. I had won from the panel of three. The case had been remanded to the judge who just happens to be the Watergate judge, who has gotten the best part of his education after his error in my case. The decision directed him to give me full opportunity to explore charges I made against the FBI.

Whether my phone is tapped or not I don't know. When I received what the police regarded as threats against my life over my assassinations work, with the assent of the local phone company I had my own phone wired for direct taping. The man who did this made a broad hint that it was tapped outside my home, by a pair on the automated exchange. Whether or not this is the case, I have been tapped in conversations with two former JFK aides, the tapping of whose phones is one of the Watergate disclosures. In another case, another phone, I have had my conversations reported faithfully to me by one who said the information came from federal sources. The person who told me this confessed to working for federal agents, on me. And in still another case, I have carbons of surveillance on me for the CIA.

In short, while I am in need, I must also tell you that should you or the firm for which you work be willing to undertake to try to help me, you would be taking on a very unpopular client, not just an impoverished one.

And if this is not discouraging enough, I have written perhaps 20,000 words of a Watergate book. I have evidence that has not come to light, of still other criminality, of kinds not yet even suggested. I was working on what has come to light about the federal money spent on Nixon's personal property a year ago, and the White House knew it. I had gotten to where I made an FOI request. The answer came from Dean.

So, whether or not my phone is still tapped, I have few secrets.

I have been getting up early and staying up late in order to write and still keep up with developments. Had it not been for this, I would have written you about what follows. After you have read what you have, if you want to go further, I have some unprinted works you might want to read, parts of which I still have to spare, and I have some documentation the likes of which I think you would be unwilling to believe had not been destroyed. With a chain of possession. On your promise to maintain these things in confidence, you would be welcome to examine them here. My car, depending on the car, driver and time of what day, it is about 4-5 hours from either tunnel. Superhighway to about seven minutes away. There is no connection with help. You may still do this if you want to and can't help me. We can also provide simple accommodations. This is not an exceptional offer. I'm the opposite of paranoid. Besides, some day you may bump into someone who can do something about his interest. And I don't think I'm done at 60.

Sincerely,

Harold Weisberg