

11/1/71

Dear Mr. Supferman,

Since last we spoke, which was long ago, I have continued my work with results exceeding my expectations. I now have what all the copouts were clamoring for, "new evidence" and of the most sensational and probative character, if you continue to have the interests you once did in the political assassinations. I am talking about what is so "hot" it was denied even the Warren Commission, if this is a correct way of putting it, for had their lawyers done their jobs, nothing could or would have been withheld from them.

You told me your field is publishing law. Among the many problems this kind of work makes inevitable are legal ones that must be resolved in New York. So long ago I fear he may have let the statute run I engaged a lawyer, who extorted a 50% deal from me, to pursue so flagrant a case that I had a copy of a printing of one of my books the publisher never acknowledged. The count was that crooked. And the publisher was so unconcerned about ever being brought to book he swore to a sale, in a court proceeding in another state where he never expected me to see his affidavit, that is actually about twice what he has admitted in his accounting to me. In another case, where I had a contract for use of some of my work in an anthology, I have never been paid for what was contracted and used and, of course, not paid for what was used and not contracted for. As I say, these things may be legally dead now.

Recently new and serious legal problems of similar character have come up. The breach of contract is gross and overt. It extends to what I believe, as well as a non-lawyer can have an opinion on such matters, to fraud and that perpetrated by mail.

As you may or may not realize, it is about impossible to have an agent in this field. I have had a couple who really tried and then gave up. So, I have had to represent myself. The professionals soon learn the realities. I'll never forget my first contact with a lawyer on this subject, arranged by a mutual friend, also a lawyer. It was on the occasions of the breaking of the contract for WHITWASH, back in mid-February 1965 (it was contracted for and was then completed). The person to whom he sent me, with a major firm and connected with major publishers, did give me advice, did tell me if I couldn't place the book to return, and then never took a call from me again. Yet this fine and principled lawyer confessed the deepest misgivings about the Warren Report and had volunteered help in getting the book published, considering it the kind of subject that required full exploration.

So, I write to ask if you can help me with this new legal problem. I also tell you that I am more than broke, having worked all this years without income or subsidy. My debt exceeds the assessed value of my property, which has been security for my work and has made it possible. The amount involved, aside from the possibility of damages from non-performance, is \$4,200.00. And with this book, the publisher arranged no single promotion, despite a vigorous one promised, including sending me around the country for appearances, killed the first one I arranged, discouraged others friends and I arranged, and perhaps most incredible of all, when I was made up and about to appear on camera and he and I learned that Percy Foreman had flown to New York from Houston to appear on that show and literally fled the studio when he learned he was to confront me, the publisher absolutely refused to call the papers and wire-services when this was in plenty of time for the first morning editions, as of the Times. A natural story of the kind that could be used on this

subject, all it would have cost him is a few minutes, for even the phone was then free, and he couldn't be budged. Naturally, I couldn't do it when I had to appear at any moment before the camera, to confront Arthur Hanes, another (racist) lawyer, which I did. I had agreed to this gangup, and Foreman wouldn't even face with with help. Which is one way of telling you something about that book, on the "ing assassination.

On two occasions I first asked for and then demanded a press conference. First was on appearance. I had sued the Department of Justice, successfully, for some of the evidence in this book. One result was something a bit less ordinary than breathing. I got a summary judgement against it. It was unreported, hence still news with the publication of the book. The cost would have been peanuts. He refused. The second was when the New York TV station, quite frankly and openly fearing the cost of defending a spurious suit by Foreman, who had threatened it, was arranging still another gangup, this time without me even present. I demanded a press conference for the day after airing of that scheduled show and was again refused. So, I used a bit of the Foreman method, having personally arranged a couple of radio appearances in New York. The station soon got the idea that it might find black picket lines around its studio and agreed to have me appear under restrictive conditions to which I agreed. It then restricted them even more, rigged the editing (in fact, the taped sequences ran about a third long to provide for this editing), and I still ruined William Bradford Huie and his partner, the former prosecutor then a judge of the court before which the appeal was scheduled to be argued. What admissions and eruptions I forced from both would have made news, but I couldn't even get the publisher or any representative to attend the taping.

For two weeks after contracted last date of publication I arranged to be able to get to Memphis for a hearing. I had asked that judge to be heard as amicus curiae, had not been turned down, and had sent him a set of proofs. He promptly turned them over to the prosecution, which stupidly admitted it to a local attorney. There was an order against publicity the prosecution claimed was still in effect, although it was making the most incredible appearances itself, with the attorney general using public facilities and sequestered evidence before all sorts of groups, up to and including all elements of the state bar, and including such things as pictures of the King autopsy. Aside from the fact that the prosecutor was saying other than he had alleged in court, I had him on tape, so there was no doubt about my facts. I wanted to speak out in Memphis (the book was delayed in appearing but had been manufactured), dare citation for contempt, and had arranged for a lawyer to defend me. I was not only forbidden but the promised copies of the book were never sent me. So, aside from everything else, there I was in Memphis, at the time of a covered hearing, with the book that provided (literally, again) the defense, and not even a copy of it or the proofs to use for backgrounding the local press and that, too, was also forbidden. Need I say more about the publisher?

Mac Mathias was a pretty good friend. He read the ms. of WHITEWASH in 1965 and tried to help. to interest the Judiciary Committee, of which he was a member. He even tried with some of his media connections, making personal visits to some. He wound up telling me what I was reluctant to believe, that every time I walked out of a publisher's door, an FBI agent walked in. If I am not persuaded it happened with this book, is the distinction of any meaning?

So, in seeking your help, I also tell you the problem. I hope you can find it possible. If you cannot or will not, I would appreciate any recommendation you might feel able to make. And if you retain the interest you once had in this subject, if and when I am in New York again, I will update you. Almost nobody is doing any current work besides me. I have the hottest book of all now and see no possibilities for it. It embodies this "new evidence".

Thanks, and best regards,

Harold Weisberg