

Dear Jim,

12/2/73

One of the things for which I've had to take time from work is trying to collect some of what I've been gypped out of. The total sum is considerable. Of the larger sums, to my knowledge the statute has run on the smallest only. In that state I have a friend from the past who did look into it and did try to get me New York counsel, without success. I'm writing to ask if you can tell me if there is a general rule of law or you know where I can learn what the California law is on a special case. I spoke to Ed, who is limited because of his firm's clients about several New York things and I hope he doesn't forget.

To a degree I have been successful. I think I have one settlement worked out. It came to a head this past week, a letter was to have been written confirming it and including a release. It did not come, but then on Friday I got a call from the secretary saying the lawyer had been called out of town and saying both were going into that day's mail.

If this goes through as I expect it to, then my immediate problem with the bank will be postponed and I'll be able to pay back the money I borrowed for my last two annual payments to the bank. There may even be enough to finish the repair on the roof and stop the leaking entirely! And the larger number of books sold last weekend than I'd expected, when Bud sends me the money, with be about 3-4 of the interest payment due in a month.

This does give you a notion of the way we live. It is not at all like the fictions that have been bandied about.

Don't take time from what you are doing to research the answer to this California question.

I wrote Bon Treuhart some time ago and he agreed to take that case. We used to be friends during and before World War II, when he was a federal lawyer. In fact, when I was hailed before a supersecret Congressional hearing over one of my irrefutable anti-Nazi corporate exposures, as a personal friend of the editor he was our lawyer at that hearing. He had nothing to do because I took care of us, but that is when we met. He used to come up for Sunday dinner when we were at the farm, which was much later. So, he asked me for a set of the papers and laboriously I copied them all and sent them and got no answer, not even an acknowledgement of receipt.

What is involved is the purchase of books never paid for and never sold. The superficial indications are that this particular wholesaler, who had done well with my earlier books, refused to sell the last. He asked me to get up a special mailing, said he would not include it with his bills but would mail it as a separate thing to attract attention, and I spent something like \$350.00 for this, only to start getting orders directly from his customers. In a short while there were 15 or 16 direct orders, so he was not selling them. Then there came a time when he returned them without getting the customary authorization. Not only that but he returned them to the wrong address, ignoring the change of address we had sent.

When I learned of this and having had large losses from shipping damages, none of which were ever compensated, I made arrangements with the local trucker's claims agent for the books to be delivered only when he and I could go over them on receipt and compute and agree on the damage. He did admit visible damage. Because immediate delivery involved long trips by hand from the road or a special small truck, he agreed to hold off and warehouse until I could clear the lane that was overgrown when we moved in. When I had this done I phoned for them to deliver, after checking with a local lawyer and learning what I had to do to protect my interest, not waive it. Then, instead of keeping the date for this delivery, and all this is recorded, largely in correspondence, the trucker wrote the shipper in California and said that I had refused to accept the shipment and that they would be charged warehousing costs. Instead of checking with me, the California company authorized them to destroy. I wrote them immediately but got no response. This was in 1968, probably.

Intermittently, I dunned the wholesaler for payment, not being able to hire a Calif. lawyer. In response to one such letter they sent a stat of their ledger which is not only inaccurate but is crooked. They took unauthorized discounts in the earlier cases in which they did pay, the first two books and a number of orders, but on their books posted payment for the correct amount. In other words, they were knocking down on us and the state and federal governments. Naturally, this led to an error on their books.

I have feared that the statute had run and that nothing could be done. However, just before Ed came down I got a bill from them for several hundred dollars they claim is due them! Of course we owe them nothing and they owe us something like \$5,000. So, with this explanation which can be of help if you know a California lawyer. I ask does their dunning

me on this transaction constitute proof that the transaction is not consummated, that the statute has not run by their acknowledgement? If this is the case, I should be able to collect, with interest. I hope.

Ed was supposed to tell me the answer but he hasn't. I wrote Treuhart and he also hasn't answered. I did this before Ed got here. Plenty of time for Bob to respond.

My experience with "cause" lawyers in these matters is consistent: they will do nothing. Garry is a minor illustration. It has been months since he said he would help in many ways. I helped him in advance, trusting him with valuable materials without even asking for a receipt. And he is too important to respond to your letters. The LA Free Press has owed me about \$150 for some years. I write Al Wirin, who I knew years ago, sending him proof of the debt and asking that he call to ask for payment. He hasn't even answered my letter. We worked for the Senate together. He was then on the Labor Board payroll.

My experience with the wholesalers is so consistent it is impossible to believe that 100% of them are just crooked all the time. And there is another consistency: when I am able to deal with them directly, as I have been in two cases, I can work things out. In one case, when they were stalling, I forced it to court pro se and as we were about ~~to~~ to enter the courtroom got a $\frac{2}{3}$ % settlement. Which was better than taking a chance on myself as a lawyer!

If I find that this dun from the California wholesaler tolls the statute, I can write him and tell him I'll sue unless he pays up and if he does pay up I'll waive interest, which by now is a tidy sum. If he doesn't do it, I'll need a lawyer out there. I may even get in touch with IRS with this page of his books, which indicates they were pocketing 2% of their business.

On other things, it appears there is not now time to do anything about Ford. Bud's delaying of over a week may be the key factor. He could have made the same call as soon as he learned. You and I both had that in mind. However, it should not be dropped and it may be that the House will not vote that fast. Chalmers Roberts editorial article reflects the urgent liberal feeling that Ford must be confirmed so there can be an impeachment proceeding against Nixon. There seems to be some such deal on the Hill. And Rothschild's greater interest is in what happened to Fortas. I told him that if the key evidence had not been destroyed it might be retrieved, but that if it had not been used in public there would not now be a good chance of its still existing. My feeling is that it is all part of one package, but I did not want to give assurances of being able to do anything. Despite this, he remained interested, I think very interested after we talked. He said I'd hear from Sherrill and if I didn't, he'd be in touch. To this moment, early Sunday morning, no word. That was Thursday night and except for taking Lil to work, I haven't left the house, to be sure to be here to hear the phone ring. I do expect to hear further, for they have other interests where I know I have what should interest, like Mitchell.

Last night I went over what I got from you, including your notes, with more care. In addition to the note on the Northern Virginia Sun, I add that I am of the opinion that the essential element we need is some proof that Ford used any of the work of any of these people, and I remain with the belief that the best prospect is by comparing what was used in the debates. Wyman's connection with Brownfeld goes back to before his impeachment move. And the Florida article was not included. However, unless you have time to check the index when you are near one, it may be that until we hear further we should not take that time. The Hargis stuff has its own connection, besides a remarkable coincidence in timing. Gary used to be in touch with them. From him I have a large Hargis file, including some books. Penabaz wrote one, the official biography. I go into this and more in COUP but now do not recall clearly all I did go into. I did mention the Fortas case then, as part of an authoritarian drive. Retrieval here will not take too long because it is indexed. And I have the Penabaz FBI reports that I believe you later duplicated. They are in the appendix, with one typing Bringuier and Walker in.

I have heard nothing from the others with whom I spoke. I'd expected to from one.

While there can be a considerable element of risk in my talking to Sherrill I will take that risk. There should be enough in what I already have to indicate a pattern in what happened to the people in whom Wolfson is interested, if nothing else, and in a much more sensational way than R. can imagine.

In these kinds of things I have come to have faith in my hunches. This is to say when there seems to be nothing else on which to go. The record is good on them. For a long time this feeling has told me that Caddy is important in all of this and to the degree I could I have been trying. Thus I know that the Post did not make a separate file on him in its morgue and no retrieval is possible there. My early filing on this was worse than the present bad because I have to file in the way I think I'll use, otherwise no retrieval is possible. This newest confirms that my Caddy hunch was right, and I think we are far from what it should yield when we can look into it, even if we will be without the capability of looking into it thoroughly.

There are some things I know that have not been published. And those that have been published have been forgotten. In time I hope to be able to recover what I have that has been published because some time back I segregated those files and when I can am going over them again. This will also isolate all I have on the early reporting on Hunt.

(Here I am positive now that Szulc was and may still be and I think is Agency. I have taken the time to explore in his writings, the book you got me and another, where I also have old files I believe I did not give to Howard.)

At the outset Caddy gave signs everyone missed of being an important person in this whole affair. I remember some of these vividly enough because I was then looking. The offer I made to Bud through you did not include all and he still has the capability, I think, if not the ability. If something comes of this, we have ample possibilities, I think. But as you may have occasion to go over any old files, please be alert to any mention of Caddy and of the firm Hogan & Hartson. There has been no public explanation of why Cox asked Bittman to resign as Hunt's lawyer. I think Caddy is the answer.

Also please be alert to any mention of General Foods. I have come up with another connection of them, this time through the executive vice president. Caddy was said to have represented them at Mullen, to have just had space at Mullen for his work for General Foods. He did nothing with their merchandizing and I'm sure with their normal public relations. This was a front. Nothing else explains it.

When there is time at the library, I think a check of Mindeman should be made in the standard indexes, like of lawyers, writers, NYTimes, etc. You know now that my hunch on his Mexican address was a good one, if we do not know that he was in the same office as Ogarrio ~~St~~ Daguerre. It is quite possible that he also was Agency.

My schedule for the coming week is tighter than usual. We are going out socially this evening, a rarity. I have personal chores to attend tomorrow which will take some of the day. And Wednesday a.m. the reporter I mentioned is coming. He'll be here several days. If this works we'll be getting some good attention of a kind that just got killed in a less reputable but better-paying medium, I suspect directly or indirectly because of the winner's relations with Nixon and his need for favorable federal rulings. I also have a slightly encouraging and somewhat unclear letter from my British agent, to whom I'll write further today.

Smells like Lil has breakfast working.

The city directory checking I asked may be important...I feel that despite the present need I'd best postpone this writing until I work my way to it. This always helps my thinking. I can and with need would skip my way to it, but I think without need I should not and will not. I have the part I've started to finish and one more before I am at that. Meanwhile, I may get more. These parts are really individual books. And for them these interruptions are bad because in a month Lil will be working full-time and will have little time for retyping. Thus the interruptions are very bad. Not long after the tax season starts she'll be working on taxes nights, too. She puts in a helluva season. With all the other stresses and strains, it is remarkable that she can.

The time may come when McCord can help. There has never been a time when he didn't need my help. I made an overture and won't go further now on him. He may regard all of this as giving him a conflict of emotional and patriotic interest. But he has to know much about those who interest us.

Andy St. George says that Szulc was fired over a Miami Cuban story he wrote. I got no details because we were interrupted. Szulc is younger than I, so, with what I know and what I suspect, this can be true. Best,