

Paul, Howard, Dick

9/1/70

Dear Gary,

By the time you get back from the north of the north woods I'll probably be deep into things again and will not have time to report a few interesting things. This morning's weather is about like yours, a cold wave having come in behind a really powerful and quite frightening lightning storm that ruined our night before last's sleep. Right now it feels, before the sun, as though there will be no swimming today. I've come to find it important, more than just pleasant. It is good therapy for both of us, and I feel it tends to deter the stiffening of which I am becoming more and more conscious, which is, I suppose, natural as one begins to push 60. Although I've been busy and haven't caught up on those things I wanted to have up to date, I'm taking off after breakfast each morning for a brisk walk, fast as I can go, up the mountain. I use the time to listen to the radio news and, although it tires, enjoy it.

Bud is in Tennessee for the new Ray hearing tomorrow. While there is no way of predicting its outcome, I've again armed him, again at the cost of my own book. I think that if Ray lives, this one we can see through. Without intending it, the DJ has been helpful. Intending it, I've educated them. There is a new and major development that should not be mentioned. Privately, they are now taking the position this is an open case—that there was a conspiracy. This alone is, I think, worth my trouble and cost. Cost has, for me, been considerable. I did some rough figuring preparatory to writing one of the eminent scum last week and calculate that for just the mileage this one thing has costs, I've done the equivalent of driving to Denver. I've a notion to try to educate them further by filing a suit for damages the record being so clear that a) they violated the law b) on purpose c) for the illegal purposes they almost accomplished which, I think, makes it a tort. Right now there is a weird situation where they seem to be indicating they may appeal the summary judgement I have won. If you can find time, bow to the east and supplicate Allah, for at this point that is all it would take to give me the press I've not gotten on what, on any other subject, would have been a major story. I learned this in a rather odd way, not entirely clear yet, mail from Washington having not gotten here in three days. I wrote Kleindienst, Mitchell and Rolapp, each about a different thing. Bud phoned me Saturday about Ray material and then told me he has a letter from Kleindienst, who has not written him on my case in almost a year, asking that he get me not to write Kleindienst but to add his highness through Bud, because that is proper in a case still in litigation! Still in litigation when there has been a judicial decision? That can mean only that they plan an appeal. I'm awaiting receipt of the letter before responding, through Bud. I think we'll enjoy this more than Kleindienst! Unless, of course, he has been responsive to Bud about all those things on which he has not responded to me. Including repaying my costs. That an opportunity!

We have filed two more suits and the others await editing. Jim Lesar did a very good job on the one on the clothing/picture of, so, although it means more delay, I'd rather have him do the editing than attempt it myself. It is always better to have another judgment and another perspective, and it is so much better when it can be by direct contact, when each point can be discussed. Bud has promised to shake him loose from his volunteer work on Ray after this hearing. That remains to be seen. The original arrangement, now two months or so overdue, was that Bud would do this. Bud was not going to handle more of the suits, but he was so taken with that on the spectro he decided to handle it, and I'm letting him do it his way, which is not the way I'd preferred. However, what I'd done and he didn't use constitutes most of his preparation of the case. So, it is not wasted.

I've sent my carbon of the spectro suit to Paul. The clothing/pix suit was filed for me, pro se, by Jim, when I spent most of that day at SS, rather well, I think, and I've got a carbon of that, but it is not clear. Jim was to have xeroxed the ribbon copy. I'll probably go down to see Bud and Jim after they return. Bud said he'd phone me as soon as he gets back. He also asked me to stay home during the hearing so he can consult me instantly by phone. Undoubtedly he has gotten some things on his own, but I've given him both his case and his client. Since writing what you have read, in addition to getting things from DJ I've pieced together other things I've not added to the over-long book but may, in a few cases, be able to get into the appendix.

I've now gone over the editing of the book and returned it and written the finale ultimo, a seeming necessity with all writing in this filed that attempts to stay current. The editing again disappoints me. I long so for imaginative editing that is also tough. This is pedantic, unimaginative and consists of two things, essentially: eliminating what is in part II that is not essential to the King-Ray part and adding the superfluous, like extra "that"s, the things that are inherent and need not be repeated, states when they are not needed, the years of dates when there is no doubt of it, and a miscellany of other verborosities that interrupts the flow. When this guy got to the evidence, he got scared, and that part was the beginning of a rough period for me, for I had to get it back pretty much as it was without offending him. His heaviest cutting and editing was in the Foreman chapter, where it seemed purposeless. There I had an independent judgement, a Bantam vp who had read that chapter and phoned me to tell me how much he enjoyed it and the writing, which he went out of his way to praise. To give you an example of the editing judgement on the chapter on the successful suit and what it yielded he proposes as an appendix! He'll die when he gets the 50 pages of new copy 'til has half completed! I've never met this guy, but I've got both a mental picture and an estimate. I believe he is thin build, scholarly, very nice, the kind of guy you'd expect to have spent a lifetime preparing texts on mata and German for printing.

He is, nonetheless, excited about the book. Each of his brief notes praised it in some way. It remains a very powerful work but, alas, not really improved by the editing. And when I consider that it was completed so late, not even begun until several days after completion had been promised, this delaying it very much, I'm real unhappy about the change in timing of its appearance. It could have been all done before now and would have been out if they'd kept their word. Now the timing is perfect, but it is far from out. New date for production, as distinguished from the official publication date, is mid-October, the delay being to permit opportunity for serialization and other collaterals. They think they can sell a chapter to Playboy.

Experience with these guys fortifies the pre-existing conviction there is no such thing as an honest publisher. The first contract provided 35% of the agreed advance, at which my hackles rose. They promptly upped it, without either protest or comment, to 62%. We had agreed to an advance equal to the cost of my printing a 5,000-copy editing like WW. I've just gotten back a report on the best and cheapest estimates I can get, and their new figures are \$2,850 too low. They have not yet returned the signed contracts, which I amended to include the formula rather than their figure, and to include provisions on which we'd agreed that they hadn't incorporated, like I can sell the book when I get unsolicited orders. I don't want 'til to be spending time sending out books, but I also am not going to be engaged in all the correspondence this will require of me just forwarding orders to them, for no return for my time. I know the kind of mail my appearances can generate. It takes an enormous amount of time. I get so few free copies, eight, I'm going to be in the embarrassing position of not being able to give them to friends without discriminating and having to buy the copies I'll need for myself if I give any. Eight isn't enough to take care of my family.

Do not take it from this there the book is beset with major problems. There is but a single major one money. I'm going to insist on the original agreement for a number of reasons, none new, all specified to begin with. Of course, ours needs are urgent. Of course, I want to deal with people who keep their word and whose word I can take and go by. But I'm going to do all I can to avoid a repetition of my experiences with Dell and Canyon who did, Dell, virtually nothing to promote the book and nothing at all in the Canyon case, where they didn't even make the formal trade announcements and I would up with the cost of placing an add in the trade directories. Perhaps most important of all, and as I told them to begin with, I want them to have enough of an investment to have to work to get it back. Otherwise, they are but primers. On the editing, in each case I gave reasons where I disagreed, and these were a small proportion, and in each case I said I'd leave it up to them, so that is no problem. They do what I ask or what they prefer without having to consult me. Also, as is customary, the contract requires me to offer them my next work. I want an established mutual relationship for that, not one in which they can chisel again. I can have another book for them in a clear month, so this, too, is important, for if they do anything with FRAMEUP, they'll want the next book. The situation is excellent for this book now. My greatest apprehension on reception is the endless shit that gets attention, as in Computers. We've made some progress with the press. The Washington Post is undergoing a change of attitude and did do one major story, to which we put them on, and did it honestly. CBS would have done a bit on the filing of the suit if I'd not been committed to this guy on the Post, who was then sick. I'll phone that guy again in a day or two.

The editor, who is also the second partner in the firm, is due to come here in about a week. From experience, I'd say it will be later. We will then agree on what goes into the appendix. I've got great stuff for it, the problem being space, which affects the cost of the book.

Meanwhile, Mary is due the end of the week, and I'm looking forward to it. She has been besieged with company, as I was also for a while. She used up her vacation on the vacations of others. While I'm sure she enjoyed having Sylvia and Shirley, I'm also sure she would have been better off, given her problems, had she had her own vacation.

Lil is making breakfast and I've got to stop. One new thing Bud has finally come around to my point of view (I hope it lasts), that, in order to recapture what credibility we can we must resort to the courts and stay away from publicity except where we are really solid.

I've not heard from Paul for so long I'm getting concerned. I intended phoning him Sunday, but with the time lag, by the time I got finished the work I had to get done and the unexpected company left, it was too late.

Schedule on suits: next one on the Ferrie docs. I've much for that.

Best regards,