

President, McGraw-Hill Book Company (General Books)
11 West 19 St., 3rd floor
New York, N.Y. 10011

7627 Old Receiver Road
Frederick, Md. 21701

Dear Sir or Madam,

John H. Davis has lied to defame me in his Mafia Kingfisher book you published. I wrote his editor, Ms. Lisa Frost about this and other matters February 4. I asked that in any reprinting this defamatory material be removed. I have just received her February 9 letter (she did not respond at all to my January 14 letter, as Mr. Davis did not respond when I wrote him last November) and I find it entirely unsatisfactory. However, she does indicate that the book is being reprinted and I am concerned that despite Mr. Davis' failure to even deny that he lied about me she does not say that this defamatory language will be removed. Instead she says, "we will make any corrections that he feels are necessary." Since writing Ms. Frost the last time I have learned that Mr. Davis states what is not true, that he had a "formal" interview with me. In context, there being no footnoting and in fact no way in which he can justify the defamatory language, this in effect has me as the source of the defamation.

I simplify my position: Mr. Davis is responsible for anything he writes and you are responsible for anything you publish. I believe your own integrity as well as decency and fairness require that you and not Mr. Davis decide whether or not what is defamatory be removed in all subsequent printings, and it is, I think, a concession you did not ask for that I do not ask for any apology to be included.

So you can know before you look into this in your own files, Mr. Davis has the mafia lawyer spending an appreciable part of a year here "foraging" through all my some 60 file cabinets of records. He, Jack Wasserman, was dead before Mr. Davis began his book. So, I am the only apparent source for Mr. Davis' dirty and deliberately dishonest writing. I never spoke to Mr. Wasserman, never met him or Mr. Davis who claims a "formal" interview with me, no less. Mr. Davis spoke to me and we had some correspondence almost all, save for his getting copies of records from me, after he told me his book was due to be in your hands. He never told me that he considered he was interviewing me, never asked for an interview and, where he lists his interviews, he does not include me.

I consider that the Freedom of Information Act makes me surrogate for all the people and I undertake to meet this obligation as best I can. Mostly this means that to the best of my ability I am providing information to those with whom I disagree. It also means that although I am a writer I am making information available to others before I have been able to use it despite the considerable effort and cost entailed in getting that information, not the single lawsuit Mr. Davis refers to but quite a few, some extending 15 years or more.

When Mr. Davis wrote and asked for assistance, enclosing a copy of a letter by your Ms. Frost asking for this help on your behalf, I told him I could not make the searches for him myself because the limitations imposed by my health preclude this. I offered to get a mature college student to work for him, he accepted the offer and hired her, Ms. Amy Stevens. She was his employee, not mine and she spent a considerable amount of time here searching and making copies for him on our copier. I did not read what she copied and have no idea what she copied and sent him save for the few matters she discussed with me. This took a considerable amount of my time, as I indicate in the other correspondence, and neither asked for nor was offered any compensation for my time. Because I was 75 that time was more precious, more valuable to me than younger people may realize. It sometimes was also uncomfortable because of my health limitations and since last November it was more of a problem because of eye surgery on my better eye. (I apologize for my typing - there still are stitches in that better eye.)

As it happens, the only person who has "foraged" through my files in years is your Mr. Davis, through his employee. Others have not spent nearly as much time in them.

I hope you will take the time to read the language I object to most. Frankly, I am at a loss to explain it in any satisfactory way. Mr. Davis was fully informed about the entire thing. The only contact between Mr. Wasserman and me was a couple of letters of which he was provided copies. I made no effort to hide this. I am pretty sure that I provided that with the other records all in a single file folder in what I call a subject file of copies of the records I preserve in exactly the form in which I receive them for historical purity and dependability. They required no searching by me. (I am not able to stand still and may not keep my legs dependent and I can use the stairs to my basement, where most of these records are kept, only a couple of times a day. There is nothing in those letters, I think three in all, that remotely suggests ~~xxx~~ what Mr. Davis just made up and based so much on. (I asked Ms. Frost for copies of them because they are no longer in that file. I presume that Mr. Davis's employee mislaid or misfiled them or inadvertently included them with the copies. She has not even responded to this simple request.)

It is impossible to believe that this deliberate lie is anything else. It surely is not an accident and it is, I think, the kind of defamation of a living person about which counsel if not editors ought ask questions. To have the lawyer for a top mafia person at my home for so long a period of time just rummaging through everything I have is certainly defamatory and is quite hurtful to me and my reputation in the field of my ~~research~~ research and writing. (I am the author of the first and of ~~several~~ other books on the Warren Commission and the official investigations of the assassination of President Kennedy and of a book on the assassination of Mr. King.) I therefore believe it was not an accidental thoughtlessness that kept Mr. Davis from sending me a copy of the book when it appeared or in response to my letter to him of about 10 weeks ago when I had questions asked of me about it.

I do not enclose copies of the correspondence because I think it would be a benefit to you to learn from your copies what if anything was done when my letters were received. And I do hope you will see to it promptly that all references defaming or merely slighting me and my work are removed prior to any further printings. May I also suggest, because all footnotes were omitted, with this as a sample you might be well advised to ascertain what basis there is for other such language addressed to other people.

I look forward to hearing from you at your earliest convenience.

Sincerely,


Harold Weisberg

General Books Division

McGraw-Hill Book Company

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New York, New York 10011
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February 9, 1989

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

I am sorry you have felt it necessary to write a second time with complaints regarding MAFIA KINGFISH. When I received your first letter, about two weeks ago, I sent a copy to John Davis and asked him to let me know whether he would prefer to send a book to you directly or to have us send one. I am just back from vacation now and have not yet had a chance to follow up on this matter. We are truly grateful for any assistance you provided Mr. Davis (without, I must say, much specific knowledge of it) and will be glad to provide this small token--though, regrettably, our being out of stock at the moment may delay this a few weeks longer.

As for the other complaints raised in your letter of February 4, I can assure you that a copy of that letter is being forwarded to Mr. Davis immediately, and we will make any corrections he feels are necessary before subsequent reprinting. I would also like to say, in response to your objection to the book's lack of footnotes, that our decision to publish the book without footnotes (but instead with a comprehensive outline of sources) was made upon considering the interests of the majority of Mr. Davis's likely readers as well as the significant impact lengthy notes would make on the book's list price and bulk. Certainly this was not thought to be somehow a "safer way"--indeed, we and Mr. Davis regretted that we were thus prevented from facilitating further research by scholars of the subjects covered in MAFIA KINGFISH.

If I can be of further assistance, please do not hesitate to contact me again.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Frost", with a long, sweeping horizontal stroke extending to the right.

Lisa Frost
Editor

cc: John H. Davis

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