

4/21/89

Mr. John H. Davis
20 East 10 St.,
New York, N.Y. 10003

Dear Mr. Davis,

Your letter of the 19th and the enclosed changed xerox of page 414 are not acceptable and I do not accept them. They also do not respond to my other complaint, other language that I asked McGraw-Hill to eliminate in all further printings.

What I asked of your editor is that both passages just be removed. The second adds to the defamiation and makes me part of it.

As I thought about why you would not just do as I asked an explanation became apparent. First you were using me to give credibility to your theory and now you consider that it still requires buttressing. I won't be any part of it and because there are all those copies already distributed the only way not to compound the damage you have done me is to just eliminate what you do not like being called lies so I'll just say are fabrications, because there can be no real question about that.

Because I am sending copies for those to whom you sent copies I'll explain.

Wasserman was never in touch with me. I got in touch with him for my own reasons. I've asked twice for the return of copies of those letters because the woman you had working here either misfiled them or by accident sent them to you. You do have this slight communication you inflate by the way you put it and continue to misrepresent. He was never here. He asked nothing of me. He sent nobody here. He had no interest at all in what HSCA said about Marcello and to the best of my recollection, it was my own idea to send him the additional copies of records, few in number altogether. He made no use at all "of the FBI files" that were not "released to the public as a result of my FOIA activity and it was not a "request," it was more than a costly and time-consuming decade of litigation. Some of what was disclosed to me ^{was} also placed in the FBI's public reading room, not all, but copies were not distributed wholesale of "to the public." People have to go there to be able to see some of what was disclosed to me.

There was nothing in the brief exchange with Wasserman, on my initiative, not his, that can in any way justify what you say, his "attempt to retrieve every FBI document that could relate to the possibility of his client's having been involved in the assassination." As you know, had this been the case, he could have sent someone here or asked me to do as I did for you, get someone to do the searching and copying. As you also know, he did not.

However, they were NOT "put at the disposal of Carlos Marcello's attorney." They would have been but he didn't ask it. In context, however, all of this defames me. More so when you also thank me for a "formal" interview when there was nothing that could fairly be described as an interview and you never asked me for an interview or told me that you regarded asking me questions in consultation as an interview. The combination is more defamatory and it just is not true, in part or in all. You spell my name correctly, and that is about it.

Oh, yee, that business about "throughout the summer and fall." Where in the world did you get that? This is not a fabrication? More so when elsewhere you describe this prestigious immigration lawyer as the mafia guy's "top" lawyer.

All of this is hardly only "unclear language," your characterization in your letter of the 12th. You just made it all up in an effort to give substance to your theory and to misuse it in your book.

I know what heavy correspondence is and I know the demands of appearances. I doubt you did either as intensively as I but if at the cost of sleep I never neglected letters like you have and given the character of what you did to me I do not regard being busy

as an excuse. and now you say of the language I refer to above that it is all just a "misunderstanding." And that "forage"- Wasserman spending most of a summer and fall "foraging" through my files when he was never here - that was only ~~and Wasserman was~~ "unclear language." Unclear hell! You just made it up! And now you persist in it, slightly modified.

Paul Hoch's opinion on this is immaterial and valueless. He believed you when you fabricated. Thus, in your own words, or your quotation of his, he believed that all of this happened and that it "is simply that Wasserman and Marcello were concerned about HSCA and its findings." So interested they were never here. I never had any contact of any kind with Marcello.

I know that authors get only so many freebies and I've had to buy enough myself because of that. But I wasn't cheap and I did. I did not buy yours when it came out because I wasn't really interested in it. I wrote you when I began to hear of its content and by then I was also angry. I spent many unpaid hours trying to help you even though, as you knew, I disagreed entirely with what you were writing. I did make arrangements for you to have unsupervised access and copies of whatever you wanted. I don't know what you got after the first few times when I had to spend time with Amy and I placed no limitation of any kind. When I am 76 and in impaired health and limited in what I am able to do and can't find time to do what I want to do, this was not an inconsiderable amount of time you got from me, not to say the other things that also were free. So, frankly, having been through those long hours and many letters and appearances, I think it is self-importance and cheapness. and what you could bring yourself to make up and publish after that - what kind of man are you, to have done that then and persist in it still?

You've got a fiction you palmed off ~~me~~ as nonfiction and this fabrication involving me and defining me is one of the means by which you pretended it was not fiction. You simply made up this nonexistent Wasserman great interest to "retrieve every document that could relate to the possibility of his client's having been involved in the assassination" when he hadn't asked for a single thing of me and now, with so little tangle to support your fiction, you cling to this fabrication which strongly supports it but isn't so. You have so little you don't want to take this out. Well, none of it is true and it has defamed me and will defame me more if you do not take it out, in its entirety. along with what makes me part of it, that untruth about that nonexistent "formal" interview that is not even listed in your lists of interviews. I want them both out. The rest of your book I don't care about, that is your affair.

Of course I was offended. Now you insult my intelligence on top of it. In your second paragraph you say, "I stated that in 1979 'Jack Wasserman foraged in Mr. Weisberg's files'" but "did not intend to give the impression that Mr. Wasserman was physically present in your basement searching through your FBI file." How in the hell was he going to do it then? By some magic or remote control? Especially when what you actually said and omit from your quotation of yourself is that "throughout the summer and fall" he "foraged" in them.

Aside from the fact that this is not in that minuscule correspondence, why did you say of it "that I examined" if you intended no hurt? What do you imply by that? Not that you had free access to everything here. Rather does it suggest that it was some big secret, nasty stuff that you next say it was.

I had complained only about what you said about me but as I look at this page now you have nothing else to support what is above it on that page, after the spacing. What else is there that is the "solid evidence" you refer to that proves what you next say and isn't true, that "Wasserman immediately set about obtaining the available files on the Kennedy assassination....." (And, I repeat, he did not such thing, as the correspondence you have makes clear. I first wrote to him. He never approached me or asked this of me.)

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I am your so-called "solid evidence." ^N Nothing else and nobody else.

It is not "unclear language." It is deliberate and you knew it was not true and you certainly knew it wasn't true when you finally wrote me and now with your still wrong and unacceptable proposed change in foreign and paperback reprints.

All of this is bad enough but when you know my condition and circumstances, know that as it shows I can't even sit directly in front of the typewriter but must keep my legs elevated when I type you add this to it:

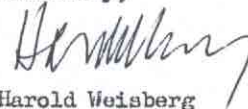
What was shameful you make more shameful. What was indecent you make more indecent.

I repeat, what you propose won't do it. I want all of what I go into above out of any other printings or uses of any kind. Considering what you have done I believe this is quite modest and more than fair.

I look forward to getting this assurance from you and ask in addition that if you replace it with anything else even remotely suggesting me that you get my approval in advance. I see no reason why you need involve me in any way in any replacement. What you say just isn't true and there is no way you can make it true.

and I ask again for copies of that correspondence. It is only a few pages.

Sincerely,



Harold Weisberg

P.S. I'm surprised that it never occurred to anyone connected with the publishing that if this had been true in any degree, all Wasserman had to do was buy the entire set of records from the FBI. They don't cast that much and Marcello is hardly a poor man.