Richard Gallen
260 Fifth Ave.,
New York, NY 10001

7/8/94

Dear Richard,

As I read the note you wrote on my unanswered letter of 6/1 it is "Harold, I am rendered silent by your fusilade of complaints. I don't have time to correspond with you. I am very angry at your ungratefulness. Richard."

If you interpret as a complaint my desire to know that you are going to keep your word to publish NEVER AGAIN! this September when I see no sign of any preparation for it, ~~a complaint,~~ and when I seek the assurance that it will be done as non-fiction books normally are as a complaint, is there anything at all abnormal in an author seeking this kind of information? Particularly in the light of our inital discussion about what became the book NEVER AGAIN!? Particularly after how Case Open appeared?

You were very kind and very helpful in many ways years ago and I was clearly grateful. But you feel silent when that could not be attributed to any complaint, any real one in any event. And over this very long period of time I've made many efforts to learn what is bugging you. Now I learn you believe it is "complaints." Once before you said I did not trust you. But in all this time you've not indicated anything else and both are just not true.

I trusted you enough not to speak to anyone else on nothing but your word that you could be interested. I trusted you enough to say I did not need a contract and even to decline any advance. This is a complaint or lack of trust?

Because of how I always felt about you I was deeply troubled and I was more troubled by your resolute nonresponsivness when I tried to find out what is on your mind and by you not doing what one does expect of a friend, that if he has something on his mind he say it without having to be asked.

Still not knowing what your complaints are I am left to conjecture. Busy as you are, and I know a little about being busy and about finding time, I doubt that for all these months you have been so busy you could not tell me what your complaint is, in some meaningful way. So, I will try to recall what could reasonably be called a complaint and because I do leave an archive for history and also the real questions on this subject in publishing and non-publishing, what could be and was published and what was not, I want that to be a record others can understand. Whether or not you, busy as you are, take the time to read it I believe my executors will and I want them to know what I believe is the truth.

NEVER AGAIN! is what I am concerned about and thus wrote you about so I begin with that.

It was when you were here with David the July 4 holiday period in 1992 that I told you what I would be doing, what I believed its importance and value would be and I told you

it would be very controversial but also factual and accurate. It was near and in the coffee shop of the local Red Horse Inn. It had just opened. It opens at 7 a.m. When you said you could be interested, I said that my interest is in making the record for history and I want to be here when it appears so that if it is attacked I could defend it. You merely nodded your head. I realize that is ambiguous, as I then did not think. I took it to indicate assent. It could have meant only that you understood that. But in a work as topical I had no reason to believe that it would not appear, if you went for it, until eons later. Topicality is important in value and in sales, and sales for me is what gets the word out. You never bothered to tell me a thing about your plans, if you had any, or your lack of them if you did not. You had that, essentially, in January of 1993. It would have required no great effort to have it out that July and if that had happened its effect on history and on the market could have been significant. It would have been the only honest and factual book at the time of the anniversary and it would have been the only book by which the others could be measured. There was not a single good book among them and most were from bad to very bad, some repulsivly indecent.

Unlike the treacle, scrimshaw, trash and atrocities that appeared, it had the best of possible peer reviews. It would have been the only book on the subject with any at all. And those who did that reading are the best qualified among professional historians. As you know, one of them Prone, when he read the first of those chapters, was so taken with them, on his own he found the time to retype it on his computer. It is an exceptional book and it stands on its own, from those peer reviews and one from another professor, also a subject expert, who read most but not all of it in rough draft. Because it is factual and accurate and because it is not of conspiracy or non-consipracy theorizing, it would have been there for the others to be compared with and that would have been an excellent prospect for it. It was not until toward the end of the year at the earliest when I learned that you then planned it for this September. What you have now declined to confirm.

While last August or September I disagreed with some of the editing, I was told that the editing would be as I asked and there was no dispute about that. The book could have been out easily before it was edited. With a topical book that would have been the norm.

Quite aside from the topicality of the book and its expert-established value and importance, if we assume that what I said about the editing, and by this I mean what it was agreed was unjustified cutting out, I can think of nothing that a reasonable man can regard as a complaint.

Let us examine this from the side of the author. As you know, I've been on borrowed time for years. As you also know, I've been growing weeker. All authors want to be alive when their work appears, those who can anticipate contention even more so. I wrote that book in a great rush. Before I started writing it I was hemorrhaging on mere contact. If a forearm touched a round door knob, as often happened when I left my small office the skin peeled back for several inches. My skin is so friable and has been since before I

began that writing there were months it was difficult to see skin on my arms for the compresses on them. For several years I've had to keep a pad in the car because the seat belt can cause this kind of injry. Any of these things can have serious consequences. A bump that others would not be aware of can be fatal to me, as you've known. I have not driven out of Frederick in 17 years and inside Frederick I avoid the main highways. This as you know is what my survival requires because of the potential of a simple accident. Other medical problems of which you know can end my life at any time, more so since as you also know, 1989 and that heart surgery. I am fortunate to have survived all that I have. So is it unreasonable to expect that any publisher, not only a man who had for so long been so good a friend, would want his book to appear while he is still alive? I'm 81 and you will not say. But for a year and a half, until I asked for assurance, there was nothing I can think of that you can reasonably call a complaint, part of that "fusilade" you refer to.

There is no question but that you were a very good and a very helpful friend before the question of publishing. There also is no question but that I was grateful for that help. You should remember that I also wrote it in to be published in a comprehensible form. Unasked. That is not being ungrateful.

Could you have the reprinting of my King book in mind? I did not ask for that. When I agreed to it I told you personally that it required an updating and that I would provide it in an oral history that could be edited to your satisfaction. You agreed. It did not happen. It was needed and I had asked nothing for doing it. So there is no ungratefulness there.

I did not ask for Selections from Whitewash to be published. I had refused to have Whitewash reprinted and I explained the reasons. One is that at our age and in the state of our health and with all else we have to do the confusion and the extra work required of Lil and me were much too much for us. We are old. We are frail and weak. There is so much we should do that we cannot and do not do. We just could not face that. But I did agree to Selections and the selecting was excellent. I've had nothing but compliments about it. But despite my strong refusal to agree to the reprinting of Whitewash lo and behold, I start getting letters about the reprint. I then find from a friend, long before it appeared, that you have announced it, His book store's computer told them. That was wrong and it was hurtful to us. It not only was not authorized-it was refused. I then learned that the selections were being titled "Whitewash". Of course I had to notify you that the agreement was violated and it was. That I was not listened to cost the changing of the inside title and the title across the top of every other page. But that is not any kind of ungratefulness on my part. It should not have happened and it had to be corrected.

I forgot something. As I have been consulted on nothing and informed about nothing I was surpised at the title of the King book reprint and when I saw it in poor light I

got an incorrect impression of its darkness. When I saw it in a good light I wrote and apologized immediately. If there had been the norm, minimal communication with the author, that would not have happened.

In all those months, including of your silence, when I saw something that iddicated there might be a book in it I sent it to you. One that I remember clearly is the Post story on John Newman's Congressional testimony. I recall some of the others. Newman told me, and I am not suggesting that there is any connection because I do not know, that he has contracted with C & G for a book on the newly disclosed Oswald records. I have I think been of some help to him.

When you phoned and told me you were interested in my book on Posner, which was ever so much more than that, you asked me if I would be willing for C & G to be copublisher. I said that if they could consider publishing a book by the man of whom they had published what that maniac Livingstone said about him (and I did not say without the slightest effort to learn if as little as a single word of it was true, as it isn't) I supposed I could agree for them to, You then Put Herman Graf on his phone into the line. I asked when it would be published. Herman said in March. You said you'd have to edit it. I agreed. It needed editing, It was a rough draft written in great haste without any outline so that it could appear while there was the controversy about it. (As I'm sure you know I took it that you meant editing in the normal sense, and that I wanted and did not get.) I said I'd get it retyped here. I had already arranged for a friend to do that but first there were the Jewish high holidays and then her son needed a cancer operation, after which she Nursed him back to health, but that would have been slow. I meant I'd get it done professionally, and expense I'd not have gone to without assurance the book would be published. You said you'd have it done up there. I agreed, a little uneasy because my typing and my handwriting are so poor. I asked that I have three copies of the retyped rough draft for the record for history, a concern you seem not to share, for our precious history. Remember what Santayana said about those who do not remember it? I care, as you well know. I'm sorry you do not! You agree. It has not been done yet.

Some time passed and then I got from Raphaela Seroy, of whom I have formed the highest opinion, as incredible a beginning of that retyping as I have ever seen. The poor woman had been told to do it on a computer with which she had no familiarity at all and almost anything appeared on paper. All sorts of odd things, capitals were there were none, running on and on. I went over it, corrected it and returned it. I did not complain against her and I do not. She is a fine person. and I'm sure if she had been told to do it on a typwriter she'd have done a first-rate job. But she had never looked at a computer at all before. She was learning how to use that strange beast on this manuscript. And did it show it!

Time passed, quite a bit of time with a Serious book to be published in March, and

I got not another piece of paper. I phoned you, to ask for the rest. You were not in. David answered the phone while he was on another phone. I told him I was waiting and anxious to get the rest to go over and ~~correct~~correct. Before returning to his other call he told me, as I now recall, that she had access to the computer only two days a week and then if there was no other urgent need for it. He also said he would tell you. I never heard from you.

Instead, after quite an additional amount of time passed, I got what later turned out to be the book that was published, typed or computered. You did not tell me that was all of it that you were going to publish. There was much in it to correct. I did that as rapidly as was possible for me and returned it. Hearing thereafter nothing at all about anything at all. Then after more time passed I got the page proofs, as I recall on a Thursday, with the message that they had to be returned the coming Tuesday. I was within that very unreasonable deadline in their return.

But I was shocked! There were many errors, most typos, and of those at least 75 remain in the very small book you published.

There was no table of contents! No conclusions. A serious work of nonfiction with no conclusions? No index. How many people look at a work of nonfiction and regard it as serious and worthwhile when it has no index? And it has two different subtitles! The conclusions for the book you did not publish obviously could not be used. But you neither told me or in any way indicated what you were going to do with the book or asked me to write new conclusions. I said in returning the proofs that I would and I did and I sent them by express mail the next day. The book appeared, you axed the conclusions and after axing them had 12 blank pages in so small a book!

In saying you would edit the book, and you'd seen only a small part of it then, you said you wanted it to appear as a lawyer's brief. Although I knew I was writing it that way, you are a lawyer, I am not, and I assumed you meant you would sharpen it that way.

But you did no editing and you eliminated the real lawyer's brief I wrote in making an entirely different book of it. Most of the book you published is those first chapters I'd sent you, what I then had written when you asked to see them. You added two more chapters from what I wrote later, without any continuity and not in the sequence in which they were written.

(That second subtitle on the title page has no relevance to the book at all! And then there is the Library of Congress description of it!)

With all of this secret from me you phoned me and told me that Charlie Winton had an interest in the subject and wanted some things added. You asked me if I'd consider this and if I'd talk to him. I agreed and he did phone me. I did get the impression that he had a genuine interest in the subject, I did listen to the things he had in mind, and I did go about doing that immediately, although I did not consider what he was talking about as more than greasy kid stuff in the book I had written and on the subject. It was the kind of things that appeals to these who theorize conspiracies like

would-be Perry Masons. This is no reflection on him. I got the impression that he is a very, very bright and able man. It reflects only what he has been subjected to, possible from the crap he's read and from what those he holds in high regard told him.

But here you are in the brief note you scrawled on my letter telling me you are too busy, you do not have the time to tell an author what all authors want to know and are entitled to know and at the same time, knowing full well that you have already cut the hell out of the book, with no intentions of even giving it conclusions, and you set an old, ill and weak man on such a wild-goose chase, wasting all that time for me! I did get in touch with those who had the kinds of things Charlie wanted added and I did write and send that.

On that call, when I asked you when you'd publish the book, it being that close to the date Herman promised without any sign of close publication, you said September. Two books by the same author on the same subject by the same publisher in one month? I discussed with Charlie what could launch the book with a genuine controversy, that there was an announced Wolper/NBC-TV miniseries on Posner and featuring him, set and announced for February and the internal competition for September and he agreed it had to be sooner. He thought March, as I recall, too.

Editing? Lawyer's brief? The duplication I wanted eliminated in those first chapters I sent you is still there, as is more that is inevitable in the speed with which I wrote. There was no editing. There was merely meat-axing ~~and that is~~ what was eliminated, what was unique and of special importance in the book I wrote, as distinguished form the long magazine article that you published. You knew this was my approach in NEVER AGAIN! because I told you in advance of it and because you read it. I used Posner and his contrived and dishonest case against Oswald as a defense lawyer would and the book I wrote is an exculpation of Oswald from the official evidence only. That was never done before. I had not done it before. That is important for our history. You without a word to me eliminated that entirely. That is not editing in any legitimate sense of the word.

But you cannot have this in mind in your "fusillade of complaints" because I did not make that complaint.

What I wrote and gave you needed to be edited to make it a lawyer's brief?

Here are the last words in your short note of February 2, after saying it would be better if we have contracts and sending them and saying, your emphasis, "I think you did a great job": "You would have been a notable lawyer in the Clarence Darrow mold." (I think that in returning the contracts I told you I appreciated that much, especially coming from you.)

And at the same time you were eliminating all of that Clarence Darrow bit, from the book and from our history.

What I said in returning the proofs was not a "complaint." That was corrections or what should never have existed to be corrected, what the publisher is supposed to do.

Wrone, who is a profesional historian and a legitimate subject-matter expert who teaches the subject and is the coauthor of the only professional bibliography on the subject had so high an opinion of what I did he thought it should be submitted for a Pulitzer. Eliminating that is what you meant by editing.

And now you belabor me for a "fusilade of complaints" when having no real choice I said nothing at all about it!

Perhaps you regard as part of your "fusilade" my regular requests for copies of any notice sent to the trade of the book's appearance that I could include in my correspondence? The output varies from day to day but there is always some and there are not infrequently a dozen a day. For negligible cost I could have put in the hands of those with an expressed interest in the subject what could lead them to buy the book. I did not ask you for those copies but I made a number of requests. I never got them. Several hundred books could have been sold that way and to people who talk to others about the books they get.

This is consistent with other things that reflect no serious effort to sell the book.

I sent you the draft of a lengthy article that I thought might be published and would promote the book, "Senator Russell Dissents." You did not even acknowledge receipt of it.

I said I could write a magazine article about Posner and his book. I did. You did not say a word nor did anyone else.

Perhaps there is what I do not remember, but I see nothing that you can honestly call a "fusilade of complaints." I see some I could have made and didn't.

Like eliminating the CIA from the subtitle and pretty much from the book. The book I wrote made a legitimate case of the CIA's participation in what I referred to as a "Hoax" and I stated that appropriately in the subtitle that could help sell books, "The Gerald Posner/Random House/CIA JFK Assassination Exploitation." The book I wrote also contained reasons for the CIA's giving Posner such exceptional help.

Then there is what else I did not complain about what has to be without much competition as the most outrageous, monstrous publishing indecency, that crazy book that is less of a book than a Sears catalogue but has the sole merit of being self-descriptive as Killing the Truth.

It says of me and not of me alone the most terrible things that can be said about any American, that I am a coconspirator in the assassination of the Presidnet! It says many other things about me that range from gross distortions to outright lies.

The very first thing in it refers to me as "an agent," meaning for the government.

Next it thanks you because you "extended good advice and help."

Did that "good advice" have anything to do with what he said about me or about what you knew about me, the many he has part of the assassination of a President and other terrible things? The man of whom Kent Carroll told Publishers Weekly "put out a lot

of disinformation, furthering the conspiracy" to kill the President?

Your could believe these things about me? After all these years?

Knowing me all these years you as Carroll & Graf's counsel could not say that you knew me and those things were very hurtful, very false, some impossible?

You could not as their counsel counsel them to do some checking or to ask me and the others if they were true?

With this you could help Livingstone and are thanked for that help?

I said not a word about that to you. That is not part of your "fusilade of complaints" you attribute to md, is it?

There is no question of malice for that is well established. There is no question of both untruthfulness and of his being informed in writing in advance of its untruthfulness. Did your advice and counsel extend to asking if your friend had confronted those despicable allegations and if so, what he had said?

Or were you content to know that I was not in a position to do what I could have done about being falsely, knowingly falsely, accused of the most terrible thing of which an American can be accused, of being part of a ~~conpx~~ conspiracy to kill his President?

To say nothing of the other despicable untruths of which at least 50,000 copies were to be printed in hardback, according to Carroll. Nothing about Posner repeating them. Nothing about your eliminating my response to them from the book you published with Carroll & Graf. Also not part of your "fusilade of complaints," is it?

Or is it that there are two different Richard Gallens. The Richard Gallen who ~~that~~ in private life is a wonderful human being, the best kind of friend one could have, the kind of friend who need be asked nothing but seeing where he can be a helpful friend is unstintingly helpful and seeks nothing in return. Without thought of its cost, that kind of friend, too.

That is not the publishing Richard Gallen I have seen.

When we chatted at breakfast at The Red Horse, with David asleep, you paid me as high a compliment as I can remember. You said that what I say may seem to be exaggerated but that it turns out to be conservative, In that sense, you told me, I am "the most comservative man I know."

I proved this to you in two books. They are much more and much more important than I told you they would be. This is not my evaluation alone. There are none more expert than the others who read them in full in rough draft.

And this about what is so important in our country few things can be more important, if any, about what was a coup d'etat. In the field in which so much has been written, with the worst finding a ready ~~market~~ publisher and the best going begging. Publishers being what they are on this subject.

In this coup d'etat a man was falsely accused-framed. That is insignificant in this country? That is insignificant as a book that proves it with the official evidence only?

The unquestionable official proof of this is what you eliminated from Case Open. Without consulting me, the author. And leading me to believe the exact opposite in saying you wanted it to be like a lawyer's brief.

Three learned and well-read college professors told me they are not aware of anyone ever doing to a book what I did to Case Closed. So that "~~alawyer's~~ lawyer's brief" editing, if editing that was, eliminated it.

Aside from all the other things in NEVER AGAIN! it states and proves one government conspiracy, documenting it thoroughly entirely with official documents. It also makes out the case it presents as a question, "Was There a Military Conspiracy?"

Such a book is an everyday matter in publishing?

Have you even heard of such a thing? Even in our history? And that with what was a coup d'etat?

As you know I love this country and you know why. We have discussed it. And you know that aged, weak, weary and ill rather than doing and enjoying those many things we gave up to do what we have done Lil and I continue trying to do what we can. For her in the past year despite two eye operations and right now despite a broken wrist. For me when I am not only under a medical prohibition against lifting more than 15 pounds - it is now too much for me.

When you sit on a book like NEVER AGAIN! that is not an expression of love for your country.

Nor is it something for which I should be grateful, grateful as I am for so much else. And as Lil reminds me she also is.

I hope the Richard I loved and who more than earned that love will respond to my seeking assurance that NEVER AGAIN! will be published as promised this September and that it will be published as serious works of nonfiction are published by serious publishers.

Sincerely,

Harold

Harold Weisberg

If you have any real complaints, I'm sorry and I would like to hear them.

I remember something else from that breakfast at The Red Horse.

After you said you could be interested in NEVER AGAIN! I made a suggestion that came from my news and public-relations experience.

I urged that if you decided to do the book you publish it with a publisher's note in which you'd say that because of my age and the precarious state of my health and because of the importance to the country of what the book says you have published a corrected rough draft so that it could be out that much more rapidly than is possible for a long book that is edited.

You did not say that you would do that. Nor did you say that you would not.

In telling you this, however, I did tell you what was important to me and I think without question was important to the success and influence of the book.

It is, as I told you, truthful and too often what it truthful and natural is overlooked in promotions. And advertising.

It was a natural for what in my news days was called a "human interest story."

And it is not very often that an octogeniarian writes so long and detailed a book and that in so short a time.

It could have been on the bookshelves a year after the first JAMA story.