

JFK Book

Trial Set

with EFB JOURNAL

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NEW YORK (UPI) — Barring settlement, Harper & Row and William Manchester will go to trial Jan. 18 arguing that Mrs. John F. Kennedy actually approved publication of "The Death of a President."

Their defense was made known in court papers filed late yesterday an answer to Mrs. Kennedy's suit to block publication of the book recounting the events surrounding President Kennedy's assassination.

ALTHOUGH lawyers for both sides were continuing negotiations over portions of the text Mrs. Kennedy finds objectionable, State Supreme Court Justice Saul S. Streit scheduled trial for Jan. 18.

"In the event the negotiations are not completed the parties will go to trial," Streit said yesterday following a conference with attorneys.

Harper & Row plans to publish the book in April. Look magazine's four-part serialization begins next week. Look was dropped as a defendant in the case after it agreed to make a number of changes in the text.

MRS. Kennedy's complaint said that Manchester and Harper & Row had breached the terms of an agreement between Manchester and Sen. Robert F. Kennedy. The agreement stipulated that the author's manuscript would not be published (1) without the approval of the senator and Mrs. Kennedy and (2) prior to Nov. 22, 1968.

In their answers, however, Manchester and Harper & Row said Mrs. Kennedy "consented to and-or approved" publication of the book. They did not elaborate but earlier statements made by Manchester cited the fact that a number of Kennedy advisers had suggested changes

in the original text.

Another factor expected to play a part in the defendants' arguments was a telegram sent by Robert Kennedy to the author and the publisher stating that "members of the Kennedy family will place no obstacle in the way of publication."

BOTH Manchester and Harper & Row also argued that Mrs. Kennedy had waited an "unconscionable length of time" before filing suit for a temporary injunction.

They further maintained that issuance of an injunction against publication of the book would deprive both the author and the publisher of their constitutional rights to freedom of speech and the press and to due process of law.

The answer filed by Manchester also argued that Mrs. Kennedy's suit was invalid since Robert Kennedy, a party to the alleged contract, was not a party in the suit.