

HARPER'S DEFENSE OF BOOK EVOKES KENNEDY RETORT

Publisher Says People Have
'Right to Know the Facts'
of Assassination Story

SENATOR IN A REBUTTAL

Says Company and Look
Forced Suit by Refusing to
Let Family Check Script

*Canfield text and Kennedy
family reply, Page 35.*

By JOHN CORRY

Harper & Row, Publishers, Inc., defended yesterday its decision to publish "The Death of a President," and said that the people had a "right to know the facts of the awesome tragedy" — the assassination of President Kennedy.

Cass Canfield, the chairman of the executive committee of Harper & Row, softly criticized the Kennedy family by suggesting that, if any of them had read the book rather than leaving it to their representatives to do so, "the present situation might have been avoided."

He also said that he joined the author, William Manchester, "in defending the book's right to live."

A spokesman for the Kennedy family, however, said last night that "no amount of rhetoric" could alter the value of the issue—whether Mr. Manchester and his publisher broke a written agreement.

In turn, Senator Robert F. Kennedy said in Sun Valley, Idaho, that Look magazine and Harper & Row had "pushed us into the suit" because they had refused to allow representatives of the Kennedy family to see "The Death of a President" until Mrs. John F. Kennedy filed a suit to prevent its publication

last Friday.

Contract Violation Larger

Mrs. Kennedy based her suit on the contention that William Manchester, the author of the book, had violated his contract with Senator Kennedy. The contract said the book must not be published before Nov. 22, 1968, and that it must be approved by Mrs. Kennedy and Senator Kennedy.

In return, the Kennedys promised that they would cooperate with no other authors on an account of the assassination.

There have been persistent reports that Look magazine, which wants to begin a four-part, 80,000-word serialization of the book in the issue on sale Jan. 10, Harper & Row, and the Kennedy family are eager to avoid a court battle.

Nevertheless, Simon H. Rifkind, the attorney for Mrs. Kennedy, said yesterday that he knew "nothing about any efforts at a settlement."

However, a source close to the participants in the suit said

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that "contacts, informal contacts" were being made on both sides.

Mr. Canfield made his statement at the Overseas Press Club, 54 West 40th Street before about 40 reporters. Afterward he declined to answer any questions either about the statement or the book.

More

He said that his "experience in connection with 'The Death of a President' has been the most trying and distressing one in a 40-year publishing career."

"The principals involved in this dispute are all people for whom I have such deep regard and admiration," he said, adding that the book "is a moving, sincere and outstanding piece of writing."

Mr. Canfield said Mr. Manchester had been "subject to many repeated pressures for many months" because of the book, and that he himself felt "very badly" that Mrs. Kennedy was disturbed.

Fines Privilege Abused

Mrs. Kennedy filed the suit, she said, because Mr. Manchester had abused her confidence by using her personal recollections "without regard to accepted standards of propriety and good faith."

The suit is to be heard on Dec. 27 before Saul S. Streit,

the ranking justice of the state Supreme Court. If Mrs. Kennedy is upheld, Look, says, it will not have time to prepare alternate pages and it will be forced to cancel an issue.

Harper & Row, Mr. Canfield said, "was not motivated by profit" when it undertook to publish "The Death of a President."

"On the contrary," he said, "all Harper profits will go to the Kennedy Library except for a small return to Harper's on our first printing."

Mr. Manchester, Mr. Canfield said, "is also making substantial contributions to the library from his earnings on the book." Harper & Row's advance to Mr. Manchester, he said, was \$40,000 "and not the \$675,000 erroneously reported by the press."

Look magazine has paid \$665,000 to serialize the book, which is virtually certain to be a best seller. Look has already received half the \$665,000 back in its sale of its European rights.

Mr. Canfield apparently offered his statement more in sorrow than in anger yesterday. It is known that Harper & Row had not expected Mrs. Kennedy to press her suit, and that Senator Kennedy had been reluctant to see her do so.

The book is said by some persons to present President Johnson in an unfavorable light, in some situations, and to speak of hostility that the Kennedys felt toward him. This, the Senator and his advisers thought, could only increase political tensions between the Kennedys and the Johnsons.

Nonetheless, the Senator is said to feel that a suit was not the appropriate action.

Besides politics, the dispute over the book touches persons who are connected through marriage, friendship and business.

Was 'Deeply Distressed'

Last week Mr. Canfield said, he was "deeply distressed over the fact that Mrs. Kennedy is upset because I have great respect and admiration for her."

Mrs. Kennedy's sister, Mrs. Stanislas Radziwill, was once married to Michael T. Canfield, the son of Mr. Canfield, who is the grandfather of their son Anthony.

The memorandum of agreement signed by Mr. Manchester and Senator Kennedy stipulates that, "at the request of the Kennedy family, the publisher will be Harper & Row." Mr. Manchester was asked to get a written release from Little, Brown & Co., which was then his publisher.

Evan Thomas, the vice president of Harper & Row, is also an old friend of the Kennedys. He edited "Profiles in Courage," for which John F. Kennedy re-

DRIVEN INTO SUIT, KENNEDY CHARGES

He Says Publishers Barred
Access to Manuscript

By MARTIN ARNOLD

Senator Robert F. Kennedy said last night that neither the publisher of "The Death of a President" nor Look magazine had allowed representatives of the Kennedy family to see the versions of the works they now plan to publish until after a lawsuit was filed last Friday.

"They did not think that we could afford to sue. They did not think it, to the point of not letting anybody see the manuscript that they now plan to publish," the New York Democrat said in a telephone interview from Sun Valley, Idaho, where he is vacationing with his family.

"This is what pushed us to the suit," Mr. Kennedy said. "We didn't want to go through with a suit, and we spent a lot of time trying to avoid that.

"But not letting us see the manuscript, after they supposedly made corrections and deletions, drove us to that point of suing."

Saw Original Manuscript

Senator Kennedy added that, after Mrs. John F. Kennedy's original complaint was made known to the author, William Manchester, and to the publisher, Harper & Row, Publishers, Inc. she was told by Harper & Row that her representatives could not see the manuscript. The book deals with the assassination of President Kennedy.

Last Friday Mrs. Kennedy filed a suit in State Supreme Court to prevent both the publication of the book and the serialization of parts of it in Look magazine. Her suit was based on the contention that Mr. Manchester had violated a contract with Senator Kennedy which provided that the book could not be published before Nov. 22, 1968, and that it must be approved by Mrs. Kennedy and the Senator.

Early last summer representatives of the Kennedy family were allowed to see the manuscript as originally written, the Senator said in the interview last night.

When objections were then made, presumably changes were made, he said, but no Kennedy representative was allowed to see the re-edited manuscript.

On Saturday Mrs. Kennedy, Simon H. Rifkind, her attorney, and Richard N. Goodwin, an adviser, reviewed some passages from the book that are scheduled to appear in Look.



Associated Press Wirephoto

CAUCUS ON THE SKI SLOPES: Senator Robert F. Kennedy giving two of his children some tips yesterday as they continued holiday vacation in Sun Valley, Idaho.

Representatives of the Kennedy family have not yet seen the revised manuscript that Harper & Row plans to publish, but that apparently has been made available to them.

Senator Kennedy said last night he had not seen a statement by Cass Canfield, chairman of the executive committee of Harper & Row, defending the company's decision to print the book. However, a statement by a family spokesman was issued at Mrs. Kennedy's office.

The statement said that Mr. Manchester, Harper & Row, and Look had not permitted Mrs. Kennedy or her representatives to see the manuscript "despite repeated assurance throughout the entire period by Harper & Row that the contract would be honored." It said:

"The question is not the book's 'right to live'—no one had denied that right—the question is the right of Mrs. Kennedy and her children to live with a minimum of privacy and dignity, free from the publication of intimate details of their lives at a time of great sorrow—details which bear no conceivable relation to history."

Senator Kennedy insisted in the interview that until the suit was filed "our representatives saw only an earlier draft of the manuscript."

His remark that neither the publisher of the book nor Look thought "we could afford to sue" was a reference to the political situation.

The Senator declined to comment on that point. But it is known to be the belief of the Kennedy family that both the publisher of the book and Look magazine had gambled on the fact that the Senator would not push the lawsuit because he was afraid that the ensuing publicity would hurt his political ambitions.

Kennedy in Ski Mishap

SUN VALLEY, Idaho, Dec. 19 (AP) — Senator Kennedy took a bad spill today when he avoided a collision on a steep expert ski slope at this Idaho resort. Neither he nor the other skier was injured.

After the spill, Mr. Kennedy went back up Rock Garden Slope and made the fast downhill run in good form.

RUBY ASKS WORLD TO TAKE HIS WORD

Dying, He Claims Sole Guilt
for the Murder of Oswald

DALLAS, Dec. 19 (AP) — Jack Ruby appealed to the world today to believe that he and he alone had been responsible for the murder of Lee Harvey Oswald.

Intimates said Ruby, doomed by incurable cancer, is obsessed with the desire to make it fully and finally clear, before he dies, that the shooting of the man named as President Kennedy's assassin was not the result of a conspiracy.

Ruby's brother, Earl, a Detroit businessman, said:

"Jack has told me a dozen times or more he prays to be given a final lie detector test so people will be convinced that there was no plan on his part, or conspiracy of any kind, to kill Oswald. It is his last wish."

Ruby remained in serious condition today in his room at Parkland Hospital.

Hearing Asked on Report

WASHINGTON, Dec. 19 (UPI) — Representative John W. Wydler, Republican of Garden City, L.I., called today for public Congressional hearings on what he termed controversial aspects of the Warren Commission's report on the assassination of President Kennedy.



The New York Times
PUBLISHER COMMENTS:
 Cass Canfield, head of Harper & Row, defending William Manchester's book at news conference yesterday.

Text of Statements by Publisher and

Following are the texts of a statement issued yesterday by Cass Canfield, chairman of the executive committee of Harper & Row, Publishers, Inc., and of a statement by the Kennedy family in the dispute over the book, "The Death of a President":

Canfield's Statement

My experience in connection with "The Death of a President" has been the most trying and distressing one in a 40-year publishing career, and Evan Thomas, the editor of the book at Harper & Row, shares my distress. We take great pride in being the publishers of President Kennedy's great book, "Profiles in Courage," and of books by Senator Robert F. Kennedy. When the Kennedy family asked us to publish the Manchester book and we agreed to do so, they were asking us to assume the responsibilities of a publisher. It is a function we have exercised honorably and professionally over nearly 150 years.

I want to stress how very badly I feel that Mrs. Kennedy, for whom I have such deep regard and respect, is so disturbed about the book. The principals involved in this

dispute are all people for whom I have deep regard and admiration. Mr. Manchester's book itself is a moving, sincere and outstanding piece of writing. He has been subject to many repeated pressures for many months. He was asked to prepare for publication an accurate account of the events of the assassination and he was assured that his role as an author would be respected.

Understandably, the members of the Kennedy family were unwilling to read the manuscript themselves and hence they designated representatives to do this for them. Had they read it themselves, the present situation might have been avoided.

Harper & Row was not motivated by profit when it undertook the publication of this book. On the contrary, all Harper profits will go to the Kennedy Library except for a small return to Harper's on our first printing. In no event will this limit be exceeded. Mr. Manchester is also making substantial contributions to the library from his earnings on the book. Incidentally Harper & Row's advance to him was \$40,000

ously reported by the press.

In the interest of historical accuracy and of the people's right to know the true facts of the awesome tragedy—the right to know which led the Kennedy family to request Mr. Manchester to write his book and us to publish it—we join with him in defending the book's right to live, and not the \$675,000 errone-

Kennedy Family's Statement

No amount of rhetoric about "historical accuracy" or the public's "right to know" can alter the nature of this controversy — whether Mr. Manchester and the publishers broke the written agreement, from which breach enormous profits will apparently flow.

The question is not the book's "right to live"—no one has denied that right—the question is the right of Mrs. Kennedy and her children to live with a minimum of privacy and dignity, free from the publication of intimate details of their lives at a time of great sorrow—details which bear no conceivable relation to history.

Although neither Senator

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the Kennedys

Kennedy nor Mrs. Kennedy has read the Manchester manuscript in its entirety—authorized representatives having done so—both Manchester and the publishers knew that Mrs. Kennedy was well aware of the personal passages to which she objected. Indeed, Mrs. Kennedy spoke directly to Manchester on at least one occasion, outlining her objections to those parts of the manuscript which

she felt unnecessarily invaded her privacy and that of her children. And although he agreed to delete them from the published version, neither Manchester nor Harper & Row nor Look magazine has done so, or have they even, in the period of this dispute, permitted Mrs. Kennedy or her representatives access to the manuscript. And this despite repeated assurance throughout the entire period by Harper & Row that the contract would be honored. Since representatives of Harper & Row participated in making the agreement this law suit is based on, it is surprising that Mr. Canfield's statement does not mention it."