

Lawsuit is settled in favor of former Secret Service agent

Book claimed man
accidentally fired bullet
that killed Kennedy

By MICHAEL JAMES
SON STAFF

A retired U.S. Secret Service agent has been paid an undisclosed sum of money by the publishers of a book that claimed he fired the bullet that killed President John F. Kennedy, an allegation that prompted the agent to sue.

The obscure book, "Mortal Error: The Shot That Killed JFK," claimed that George W. Hickey Jr. slipped during the confusion on Nov. 22, 1963, and accidentally pulled the trigger of his high-powered AR-15 rifle. Kennedy, according to Missouri-based author Bonar Menninger, was hit in the head by the bullet.

Hickey, who lives in Abingdon, filed a libel suit in U.S. District Court in Baltimore. He has received a confidential monetary settlement in the case, according to attorneys representing Hickey and St. Martin's Press, which published the book.

"We're very satisfied with the settlement," said Mark S. Zald, Hickey's attorney in Washington, who called the book's claims "ridiculous."

"To think that someone could have fired an AR-15 rifle on that day and that no one would have noticed, of the hundreds of people that were watching on either side of the street, just bends the imagination," Zald said.

David N. Kaye, chief attorney for St. Martin's, said yesterday that the book "never said Mr. Hickey did anything wrong" and instead portrayed his role in "a tragic accident."

The decision to settle the case was made because "lawyers are expensive and we have no quarrel with Mr. Hickey," Kaye said.

John Sargent, chief executive officer of St. Martin's Press, recently sent a letter to Hickey saying the book "was in no way meant as a criticism of you. ... We know of no information that denigrates your dedication to the Secret Service, President John F. Kennedy or this country."

St. Martin's ended off the litigation in September, when a U.S. District Court judge dismissed the suit, ruling that Hickey had waited too long to sue. The book was published in February 1982, and Hickey sued April 21, 1985, exceeding Maryland's one-year statute of limitations for defamation claims.

Zald appealed the case, intend-

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ing to argue that other book sellers have republished Menninger's allegations in reference works and encyclopedias. Zald argued that the original publisher should be held liable for republication.

The settlement was reached before paperwork was filed with the 4th Circuit Court of Appeals.

On the day of the assassination, Hickey was a 40-year-old Secret Service agent assigned to Kennedy's Dallas motorcade. Menninger wrote that Hickey grabbed an AR-15 assault rifle after Lee Harvey Oswald fired at Kennedy and that Hickey's rifle discharged when the car he was riding in, behind Kennedy's, changed speed.

Menninger couldn't be reached last night. Hickey, through his lawyer, refused to be interviewed. He retired in good standing from the Secret Service in 1971.