

# Mrs. Kennedy Asks Court to Stop Book

## Files Petition for Permanent Injunction Against Manchester and Publishers

NEW YORK (AP)—Mrs. Jacqueline Kennedy appealed to a Manhattan judge Friday to forbid publication of a controversial book about the assassination of her husband.

Mrs. Kennedy's petition said publication of the book, "Death of a President" by William Manchester, would violate her privacy and destroy her contractual rights.

She has further complained that the book exploits "her emotional state during an interview" with Manchester in 1964 giving her recollection of the assassination in Dallas Nov. 22, 1963.

In the petition filed with Manhattan Supreme Court Judge Saul S. Streit, Mrs. Kennedy contended publication without her approval would be a breach of an agreement between her and the author.

### Includes Look

Judge Streit signed a show cause order directing Manchester and two publishers to appear Dec. 27 and explain why he should not issue an injunction against publication.

The publishers are Look magazine, which is reported to have paid \$665,000 for the right to serialize parts of the book starting with its Jan. 10 issue, and Harper & Row, a publishing firm which plans to bring out the full hard-cover version in April.

Mrs. Kennedy said in an affidavit supporting her

petition that in return for her help in preparing his manuscript, Manchester agreed not to publish until he obtained "my express consent and approval as to the mode, time and text of any publication."

### Not Cleared

She said she had not given her consent, and in a second supporting affidavit her brother-in-law, Sen. Robert F. Kennedy (D-N.Y.) swore that he had not cleared the manuscript either.

Mrs. Kennedy said in her 10-page affidavit:

"After the death of President Kennedy our family became concerned about the spate of sensational and highly commercialized writings which we knew would appear concerning that event.

"In an attempt to make available to the public at least one work of accuracy and good taste which would be presented in a dignified manner, the family decided to assist defendant Manchester, a recognized author, in the preparation of an account of the circumstances and events surrounding the death of President Kennedy."

### Discusses Veto

She said a guarantee that she would have veto rights over the finished product was part of an agreement entered into between Manchester and Sen. Kennedy.

Mrs. Kennedy asserted

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that both publishers had "refused to recognize my rights."

She said she understood that Cowles Communications, publishers of Look, had contracted to pay Manchester the \$665,000 for the rights to extracts totaling no more than 80,000 words. She added that she understood Manchester had further granted Michael Joseph, Ltd., of London the right to publish the book in England.

### Sensationalism Seen

Mrs. Kennedy asserted that publication of the manuscript as it stands "will result in precisely the sensationalism and commercialism which we—Robert F. Kennedy and I—sought so strenuously to avoid."

Such publication, she declared, "is in total disregard of my rights, if it goes forward, will utterly destroy them."

Sen. Kennedy said in his affidavit he understood that Manchester and the publishers thought the agreement had been superseded by a telegram he sent Harper & Row on July 28. He denied that such was the case.

The senator said he sent the telegram after "I was told by Harper's representative that Manchester was becoming ill from an obsession with the thought that the book might never be published."

### Quotes Telegram

Sen. Kennedy quoted his telegram as saying that he had not read the manuscript but "I know of the (late) President's respect for Mr. Manchester as an historian and reporter."

He said the telegram went on to say:

"However, if Mr. Manchester's account is published in segments or excerpts, I would expect that incidents would not be taken out of context or

summarized in any way which might distort the facts of, or the events relating to, President Kennedy's death."

In a second telegram to Harper & Row on Aug. 5, the senator said, he noted that the publishers must obtain his and Mrs. Kennedy's permission before producing the book "and that has not yet been given."

### Neither Appears

Neither Sen. Kennedy nor the President's widow appeared in court.

During the day the senator twice declined to discuss either the book or the court action with newsmen. He said he did not plan to issue any statement on the subject.

Mrs. Kennedy's court petition gave no clues to what parts of her 1964 interview with Manchester she objected to seeing incorporated in the book.

In a press statement Thursday announcing her intention to sue, she said:

"I am shocked that Mr.

Manchester would exploit the emotional state in which I recounted my recollections to him early in 1964."

A publishing official—not one of the defendants—who has read Manchester's book, commented Friday:

"I think Mrs. Kennedy is just having second thoughts that she was too emotional and outspoken in her interview with Manchester.

"She never asked to see the manuscript. I think it is too bad. She has been ill-advised."

Neither Harper & Row nor Look had any immediate comment on the court action.

In a taped radio interview broadcast by station W CBS Thursday night, Manchester said he wanted to make it clear that the Kennedys did not hire him

to write the book.

### Received No Money

"I never received any money from the Kennedys or from the government," Manchester told interviewer Robert Trout.

The interview was taped Nov. 16 aboard a ship on which Manchester was preparing to leave for a trip to Europe.

Meanwhile, a highly placed official in President Kennedy's administration described a secret conference which—inadvertently—may have led up to Mrs. Kennedy's legal action.

"The question of a lawsuit was put down as a last resort," the anonymous former official said. "It was only mentioned."

### Compromise Effort

He said he is "sure" that the publishers of the book learned of the sense of the meeting. And he said he believes they therefore concluded that they could resist further requests by Mrs. Kennedy for revisions or deletions in the manuscript of the book.

When efforts to compromise failed, he said, Mrs. Kennedy brought the suit.

The former official gave The former official gave this version of the conference:

It was held last October in Sen. Kennedy's New York City apartment. It lasted five hours.

Mrs. Kennedy did not attend. Sen. Kennedy was present "only a short time."

### 'Difficult State'

The meeting was called "because things had reached a difficult state with respect to certain parts of the book. The purpose was to work out compromises on them."

The group included Richard Goodwin, Theodore Sorensen, Pierre Salinger, Arthur Schlesinger Jr., Burke Marshall, James Greenfield, John Douglas and John Seigenthaler.

All had held important

positions in the Kennedy's administration. Salinger, former White House press secretary, and Greenfield, former assistant secretary of state, considered the meeting of such importance that they flew to New York from California to attend.

#### Read Parts

A few of those at the conference had read the whole book. Others had read the parts of it which had come into dispute. "Some of it was read in the meeting."

The ex-official described the books as "beautifully written," adding, "there's a headline in every page."

But, he continued, referring to Manchester's two interviews with Mrs. Kennedy, "It's clear that Manchester took stuff from the tape recorder when Mrs. Kennedy was not in control of her emotions.

"Also, the book presents a rather unfortunate picture of President Johnson."

Nonetheless, he said, the sense of the meeting was to try to work out

compromises on the disputed passages and not to take the case to court.

"Until a couple of weeks ago," he said, "I had the impression that things were getting along pretty well on that. They must have run into a real snag."

He said he felt certain the publishers got wind of the meeting and felt a lawsuit was unlikely. "I'm sure somebody called and told them about it," he said. He did not say who he thought might have "leaked" the information.