

Post 1/17/67

# JFK Book Suit Settled Out of Court; 7 Pages Altered to Meet Objections

From News Dispatches

NEW YORK, Jan. 16—Mrs. John F. Kennedy reached an out-of-court settlement today with the author and the publisher of "The Death of a President," clearing the way for publication of the book this spring.

William Manchester, author of the controversial account of the six days surrounding the assassination of President Kennedy on Nov. 22, 1963, said only seven pages of the 700-

page volume were altered to meet Mrs. Kennedy's objections that the book was in poor taste and violated her family's right to privacy.

In late December, Mrs. Kennedy and Cowles Communications Corp. agreed to certain deletions in the abridged version it bought for serial publication in Look magazine. Representatives of Cowles and the Kennedys are attempting, unsuccessfully so far, to halt publication of the unaltered version in the

German magazine Der Stern, which has already printed two installments.

The agreement today, called a "resolution," provides for the destruction within 45 days of all copies of all original versions of the book by all parties except that Harper & Row, the publisher, and Mrs. Kennedy may keep one file copy each and Manchester may retain two file copies.

Manchester said that he had

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voluntarily pledged to safeguard all source material gathered during the writing of the book—all "tapes, documents, exhibits, transcriptions of my 1000 interviews and my manuscript."

He said they would be "catalogued and placed under seal for 100 years" and would be "available to no one without my written permission."

Manchester also agreed to return to Mrs. Kennedy all items under his control that had been deleted by the agreement.

Manchester and Harper & Row agreed to delete passages in the text that Mrs. Kennedy felt were of an intimate, unfair or embarrassing nature constituting invasion of privacy. Most of these episodes were based on material she gave Manchester in an emotional 10-hour taped interview.

A decree, signed by all three parties and approved by State Supreme Court Judge Saul Streit, called upon the principals to assure each other in writing that all original copies of the manuscript, except the four they were allowed to retain, had been destroyed and that every effort would be made to obtain and destroy copies already given to other persons.

Manchester said that last month a statement issued by Mrs. Kennedy's office described parts of the book as "tasteless and distorted," but "that judgment was based on

isolated fragments which had been read to her . . . worse

He pointed out that she had had access to the entire manuscript since last March and yet told the court when she filed suit that she had never read it.

"This may sound baffling, but there is an explanation and it is quite human," he said. "The fact is that those close to her had hoped to

spare her the ordeal of a foul reading."

"In retrospect it seems obvious that had she done so then—had her authority not been delegated to designated representatives of the family—we all would have forgone much anguish.

"However, the dilemma has now been resolved. Since filing her court action Mrs. Kennedy has studied the full text, and I have made certain alterations at her request. Altogether her suggestions comprise less than 1 per cent of the manuscript—that is, less than seven pages out of a 700-page book. Moreover, during the discussions just completed, additional historical material has been added.

"I should like to observe that from the marginal notations on the page proofs examined by Mrs. Kennedy it now appears quite clear she has raised no real objection to either the taste or accuracy of the original manuscript, and that she has found no distortion in my account of the events of late November 1963.

"None of the deletions which have been made during the last few weeks are political in character. . . ."

One of Mrs. Kennedy's objections was Manchester's unflattering treatment of then Vice President Lyndon B. Johnson's conduct immediate-

ly after the assassination. The Kennedy family reportedly was concerned that this could damage Sen. Robert F. Kennedy's political career.

Each book will contain a publisher's note saying:

"Harper & Row wishes to make it clear that neither Mrs. Kennedy nor Sen. Robert F. Kennedy has in any way approved or endorsed the material appearing in this book. The author, William Manchester, and the publishers assume complete and sole responsibility."

A source close to the Kennedy's said, "In fact, there is a lot in the book of which we don't approve."

The agreement includes the publishing of a hard-cover edition under the Harper & Row imprint and, no sooner than one year later, the publication of a soft-cover edition.

A source close to the erstwhile controversy said he had heard that the estimated royalties to Manchester might amount to more than \$2 million from sale of the book. He gave this breakdown of the estimated total:

Paperback editions, \$1.5 million; \$650,000 from Look magazine, \$250,000 from the Book-of-the-Month Club, \$200,000 from rights to foreign publication, \$150,000 from hard-cover sales.