

Germans to Spurn Jackie Pact

By JOHN GARABEDIAN and NORMAND POIRIER

The West German magazine Stern said today it will not honor the pact reached yesterday by Mrs. Jacqueline Kennedy and the author and publishers of "Death of a President" under which certain passages offensive to Mrs. Kennedy will be deleted.

Stern, which is serializing William Manchester's book, plans to publish still more of the material the Kennedys want deleted, including remarks by Jackie reportedly unfriendly to President Johnson.

And Henri Nannen, editor, said his magazine was not the only one to publish an uncut version of the book. He didn't say who else was publishing it.

Nannen rejected an appeal by a leading German Social Democrat, Dr. Ulrich Lohmar, chairman of the Bundestag Committee for Science, Culture and Publication, asking Stern to make the deletions sought by Jackie and Sen. Robert F. Kennedy.

"I see no convincing political or journalistic argument to disregard Mrs. Kennedy's wishes," Lohmar wrote the editor.

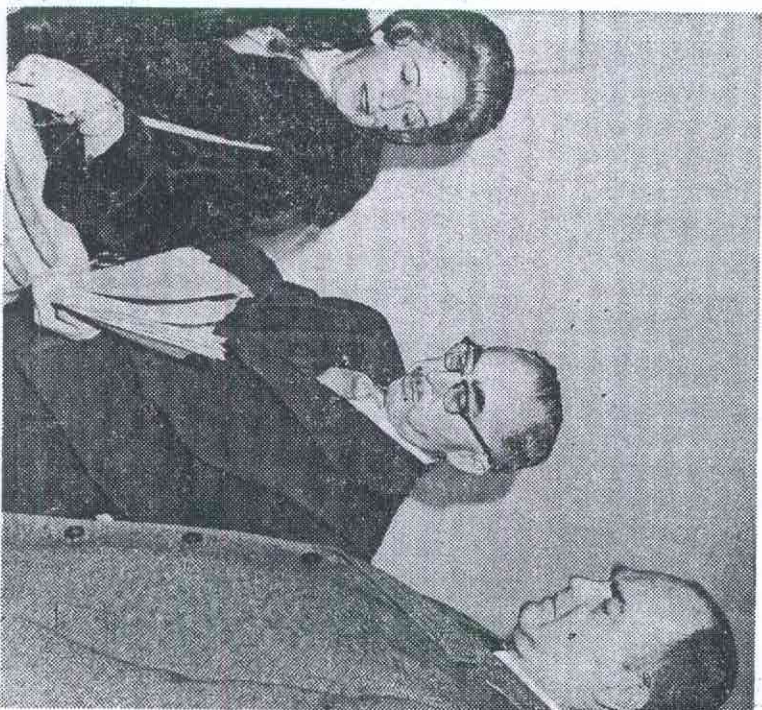
Nannen disagreed. "It is not true that the deletions desired by the Kennedy family touch only on personal feelings of Mrs. Kennedy," he replied. "That would mean that Mrs. Kennedy regards her negative remarks about President Johnson as non-political."

Legal Action Ahead

In a foreword to its instalment yesterday—which carried an uncut version of the way Kennedy and his wife spent their last night together in a Fort Worth hotel on the eve of his assassination—Stern said: "We admire the career of Bobby Kennedy but we will not be steered into news censorship by concern over his success."

Stern faces legal action from Look magazine, from which it bought the serialization, for alleged breach of contract in printing the deleted material.

The settlement reached here yesterday between Mrs. Kennedy and Manchester and his publisher, Harper and Row, came in the form of a consent decree signed by Supreme Court Justice Streit which guarantees that Man-



Post Photo by DeLuca
Lawyers who hammered out a settlement in dispute over William Manchester's book leave Supreme Court. From left, Harriet F. Pilpel for publisher Harper and Row; Simon Rifkind for Mrs. Kennedy; Carlton G. Eldridge Jr. for the author.

chester and the publisher will not publish certain passages objectionable to Mrs. Kennedy. The decree could conceivably be applied as well to other news media.

A section of the decree states that "all persons who receive notice of this judgment by service on them of a copy thereof" are enjoined from publication of the objectionable passages in the same way that Manchester and Harper and Row are enjoined.

No Plans Yet

Mrs. Kennedy's attorney, Simon H. Rifkind, said he had not yet "formulated any plans" for serving a copy of the decree to others, but he said the order "could apply to excerpts appearing in the U. S. press."

The decree, said Rifkind, had advantages over a legal agreement. "It protects Mrs. Kennedy from invasion of her rights even from strangers to the contract," he said.

"That's why the decree was sought, instead of a memorandum of agreement between the parties in the lawsuit."

With the decree, Rifkind said, Mrs. Kennedy could stop publication in New York State by the news media of excerpts from foreign publications. "And," said Rifkind, "we can get very quick relief in any other state of the U. S."

The spokesman for the Kennedy family said flatly,
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William Manchester announces the settlement with Mrs. Jackie Kennedy.

Post Photos by Jacobellis



"I have made alterations . . ."



"She found no distortions . . ."



"... a perplexing affair . . ."



"One cannot always be sensible . . ."

'Stern' Printing More

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"We do not intend to sue the news media," but also indicated "we will sue if unusual circumstances arise."

A spokesman for the Kennedy family said Mrs. Kennedy had "no intention of bringing future law suits," and hoped the court decree would be "respected."

Neither Rifkind nor the Kennedy spokesman would describe the settlement, which ended one of the bitterest battles of recent publishing history, as a Kennedy victory.

Rifkind said, "I never like to speak in terms of victory or defeat in a law case. I'll just say we are satisfied."

The Kennedy spokesman said, "It's not a victory, but a sad experience for the Kennedys. It's difficult to understand how changes so easily made after the law suit were not made at all before in the six or seven months of personal pleas by Mrs. Kennedy."

Looking back over it all, the Kennedy spokesman said he felt sure Mrs. Kennedy believed it had been a "mistake" to enter into an agreement with Manchester for a book about the assassination.

But the spokesman said the Kennedy family felt it had accomplished much in that considerable objectionable material was kept out of print and that which appeared in print did so in a "fragmentary, transitory form, rather than in any historical document."

The agreement brought about the removal of "25 major objections" to the text, said the Kennedy spokesman. Manches-

ter described the affected section as "less than 1 per cent of the manuscript, less than seven pages out of a 700-page book."

Under terms of the agreement settling the dispute, all copies of the original manuscript will be destroyed in 45 days, with the exception of four copies, one each for Mrs. Kennedy and Harper and Row, and two for Manchester.

All source material is to be safeguarded by Manchester, all personal letters returned to Mrs. Kennedy, and 10 hours of tape recorded conversations placed under seal at the Kennedy Library in Cambridge, Mass., for 100 years.

Mrs. Kennedy, Harper and Row and William Manchester issued joint and separate statements yesterday. The joint statement said: "Mrs. John F. Kennedy, Harper and Row and William Manchester have resolved the differences which led to legal action. Certain personal passages of concern to Mrs. Kennedy have been deleted or modified by mutual agreement of all the parties. Therefore, Mrs. Kennedy has terminated her law suit."

The statement added that all felt the historical record had not been distorted in any way, and regretted the dispute couldn't have been settled earlier.

Manchester, in his statement,

noted that descriptions of his manuscript by Kennedy spokesmen as "tasteless and distorted" were "based on isolated fragments" read to Mrs. Kennedy, and insisted that Mrs. Kennedy "raised no real objection to either the taste or the accuracy of the original manuscript, and ... found no distortion in my account of the events of late November, 1963."

No Further Comment

A Kennedy family spokesman said Mrs. Kennedy saw no need to alter her previous statements about parts of the book being "tasteless," and would have no further comment on the matter.

Manchester said, he, like Mrs. Kennedy, was distressed by "flagrant publicity, and the notoriety of recent weeks which, he said, may have "unjustly stung" President Johnson, who was, he said a "victim of unauthorized, false, and malicious versions of the manuscript's content."

Mrs. Kennedy brought suit against Manchester, Harper and Row and Look Magazine last Dec. 16, asserting that publication of the unapproved manuscript by Manchester violated her rights.

Look removed or modified passages objectionable to Mrs. Kennedy five days later.