

Suit Can Cost Kennedys \$5 M

Would Forfeit Bond by Loss

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NEW YORK (UPI)—It will cost the Kennedy family as much as \$5 million if it loses its suit to prevent publication of "The Death of a President," one of the defendants in the case said today.

A spokesman for Look Magazine said the amount would represent losses on advertising, circulation and costs on the magazine's Jan. 24 issue, due to carry the first serialized version of the book. If Mrs. Kennedy wins an injunction in State Supreme Court next Tuesday she would have to post an indemnity bond covering this amount.

Look, Harper and Row publishers and author William Manchester plan to appeal the injunction, if it is granted. If the Appellate Division should reverse the lower court's action, Look Magazine would collect the Kennedy money, unless the Kennedys decided to continue the litigation.

Sen. Robert F. Kennedy (D-N.Y.) said Manchester and his publishers apparently had rushed the book into publication without authorization of Mrs. Ken-

nedy and the family in the belief that the Kennedys could not afford to sue. However, he said, his family was driven to suing by the defendants' actions.

The exact amount Look will ask for as an indemnity bond will be submitted to Justice Saul S. Streit, who will make the injunction decision, when the defendants' answer to his show cause order is submitted for the judge's study Thursday. The Look spokesman said it would probably run between \$3 and \$5 million.

JFK Book's Publishers State They'll Go Ahead

★ JFK BOOK

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Hopes for an out-of-court settlement seemed more remote than ever, lost in the crossfire of angry charges of deceit, ignorance and avarice. But informal negotiation between attorneys for the opposing sides continued, mostly by telephone.

Unless the unexpected occurs soon, it seemed likely that one week from today the court proceedings Mrs. John F. Kennedy describes as "horrible" will take place to resolve the dispute author William Manchester calls "cruel and unjust."

Sen. Edward M. Kennedy said last night in a Boston television interview that he hoped a compromise could be reached on an acceptable version of the book and that "someday the book will be published."

His brother, Sen. Robert F. Kennedy, said the family had tried to avoid litigation.

"They (the author and publishers) did not think that we could afford to sue to the point of not letting anybody see the manuscript they now plan to publish," Robert Kennedy said. "This is what pushed us to the suit. We didn't want to go through with a suit and we spent a lot of time trying to avoid it. But not letting us see the manuscript, after they supposedly made corrections and deletions, drove us to that point."

The widow has petitioned the court for an injunction to block publication of Manchester's 300,000-word book and its serialization.

Harper & Row is scheduled to publish the book in April

and the start of a four-part serialization in Look Magazine is due on the newsstands Jan. 10.

The latest round in the painful dispute came last night with the announcement by Cass Canfield chairman of Harper & Row's executive committee, that the firm would bring out the book as planned "in the interest of historical accuracy and of the public's right to know the true facts of the awesome tragedy."

Canfield suggested that if Mrs. Kennedy or Sen. Robert F. Kennedy (D-N.Y.) would read Manchester's account instead of remaining ignorant of it, the current controversy might be settled.

"Unfortunately, the members of the Kennedy family

were unwilling to read the manuscript themselves and hence they designated representatives to do this for them," he said. "Had they read it themselves, the present situation might have been avoided."

In response to Canfield's statement, a spokesman for the Kennedys snapped back: "No amount of rhetoric about 'historical accuracy' or the 'public's right to know' can alter the nature of the 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 publication of intimate details of their lives at a time of great sorrow—details which bear no conceivable relation to history."

The spokesman continued, paralleling the remarks of Canfield: "Although neither

Sen. 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 Mr. 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 he nor Harper & Row, nor Look Magazine, has done so, nor have they even, in the period of this dispute, permitted Mrs. Kennedy or her representatives access to the manuscripts.

Prior to Canfield's statement and the reaction from the Kennedys, reports circulated yesterday that an out-of-court settlement was in the works. Chances for a peaceful settlement, however, later seemed doomed.

The Kennedys implied that there were commercial motives behind the rush to publication before the agreed-upon Nov. 22, 1968, date. Robert Kennedy said of Manchester: "He kept saying that he didn't want to make a penny out of it, but apparently \$650,000 makes a difference."

Canfield, however, denied that Manchester got any amount remotely resembling this as an advance on the book. He said Harper & Row had actually given the writer \$40,000.

"Harper & Row was not

motivated by profit when it undertook publication of the book," said Canfield. "On the contrary, all Harper profits will go to the Kennedy Library except for a small return to the firm on the 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."

In Washington yesterday, Mrs. Kennedy's brother-in-law, Sen. Edward (Ted) Kennedy (D-Mass.) accused Manchester of deceiving her. "Relying on protection of his word, she unburdened herself of her personal memories in order to give him some background for his historical research," the younger Sen. Kennedy said.