

Settlement Held Likely Today in Kennedy Suit

12/21/60

By Andrew J. Glass
Washington Post Staff Writer

Direct negotiations resumed yesterday in a final effort to settle the dispute over William Manchester's "The Death of a President" to avoid what Mrs. John F. Kennedy fears would be a "horrible" court trial.

The negotiations were aimed at striking a compromise that would protect both Mrs. Kennedy's privacy and the historical accuracy of Manchester's 700-page account of President Kennedy's assassination.

A source close to the situation expressed optimism that the line-by-line effort to edit the controversial manuscript would succeed. An announcement was expected today.

The secret negotiations took place in the New York offices of Cowles Communications, Inc., which last August purchased the serial rights to Manchester's book. Look Magazine, published by Cowles, intends to bring out an 80,000-

word version in four parts beginning with the issue to go on sale Jan. 10.

It was understood that Harper & Row, Manchester's publishers, would be willing to incorporate the changes hammered out by Cowles and a representative of Mrs. Kennedy in the 300,000-word version scheduled to be published April 7.

The negotiators were working against a Thursday deadline. On that date, lawyers for Harper & Row and Cowles were due to appear in New York State Supreme Court to answer, in a series of legal briefs, Mrs. Kennedy's contention that the book's "threatened publication is in total disregard of my rights and, if it goes forward, will utterly destroy them."

"Legal documents of this kind are quite strong," an informant noted. "They have to be self-serving. After they are made public, it will become very difficult to reach a settlement."

Attorneys for the defendants are expected to argue that Mrs. Kennedy is "without legal

See KENNEDY, A7, Col. 1

**KENNEDY—
From A1**

Book Settlement Likely

standing" in the dispute because she was not a party to the agreement between Manchester and her brother-in-law, Sen. Robert F. Kennedy (D-N.Y.), which launched the writing project in March, 1964.

Thus, the lawyers are expected to maintain that the Senator, now on a skiing vacation in Sun Valley, Idaho, should have filed the suit—and not Mrs. Kennedy.

In response, Mrs. Kennedy's lawyers could cite, in legal terms, the "valuable consideration" that she provided Manchester in granting him 10 hours of taped interviews—sessions that yielded the intimate details of her thoughts and actions that she is seeking to suppress.

Furthermore, Mrs. Kennedy's lawyer, former Federal Judge Simon H. Rifkind, has stressed that the President's widow never authorized the Manchester draft even though the original accord with the author specifically called for her approval before the manuscript is published.

But the defendants could be expected to claim that Mrs. Kennedy, in effect, waived her rights when the Senator last July responded to pressure from the publishers and sent a telegram saying that the family "will place no obstacle in the way of publication."

May Seek Federal Court

Since Manchester, 44, is a resident of Middletown, Conn., his lawyers could also move to take the case to Federal Court. In taking such a step, they could attempt to seek to disqualify any Federal judge who was appointed during the nearly four years that Kennedy served as Attorney General.

Finally, it could cost the Kennedy family as much as \$5 million if it loses the suit. If Mrs. Kennedy wins an injunction next Tuesday, she would



Associated Press

MUSICAL INTERLUDE — Escorted by Kingsbury Smith, former publisher of the New York Journal-American and now European director of the Hearst Corp., Mrs. John F. Kennedy leaves New York's Broadhurst theater after attending a performance of the Broadway musical "Cabaret."

have to post an indemnity bond for this amount covering Look's potential losses in advertising, circulation and production costs.

It was with these factors in mind that the negotiations pressed toward an accord yesterday. Any such agreement would, of course, be subject to Mrs. Kennedy's approval.

Presumably, the Manchester text would be purged of its description of how her daughter, Caroline, then 5, was told of her father's death by her nurse, Maud Shaw, after Mrs. Kennedy found herself unable to tell the child.

Also deleted would be Mrs.

Kennedy's reaction to being informed that Lee Harvey Oswald was identified as her husband's killer.

"That's absurd," she reportedly said. "He didn't even have the satisfaction of being killed for civil rights. It had to be some silly little Communist."

Used Jelly on Ring

Although it has been previously published, Manchester notes, in a detail, that she used petroleum jelly to slip her wedding ring from her finger and place it on her husband's hand.

The ring was later removed

from the President's hand at Bethesda Naval Hospital, where his body was prepared for burial. Mrs. Kennedy wore the diamond and emerald ring Monday night when she attended a performance of the Broadway musical "Cabaret."

The two men who earlier read "The Death of a President" for Robert Kennedy—Edwin O. Guthman, national editor of the Los Angeles Times and John Seigenthaler, editor of the Nashville Tennessean—let this material stand.

They are known to have felt that, above any question of taste, Manchester's account was relevant, of genuine historical interest and acceptable when viewed within the entire context of the book.