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Jackie Kennedy's Petition Read In Manhattan Court

NEW YORK (AP) — Mrs. John F. 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 Justice Saul S. Streit, Mrs. Kennedy claimed publication without her approval would be a breach of an agreement between her and the author.

Judge Streit signed a show-cause order directing Manchester and two publishers to appear on 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 portions 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."

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.

Said Mrs. Kennedy 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 avail-

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JACKIE KENNEDY

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able 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."

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

She said she understood that Cowles Communications, Inc., 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 fur-

ther granted Michael Joseph, Ltd., of London the right to publish the book in England.

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 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."

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 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.

Precisely what aspect of the book Mrs. Kennedy objects to has yet to be disclosed.

A highly placed official in President Kennedy's administration said, "The book presents a rather unfortunate picture of President Johnson."

Bennett Cerf, chairman of the board of the Random House publishing firm, told a lecture audience at Yale University on Wednesday the Manchester book describes a tense scene involving the Kennedys and

Johnson at a Dallas airfield after the assassination.

Said the Yale News, a student newspaper: "According to Mr. Cerf's narration of Manchester's book, the Johnson party reached the airfield first, and knowing that President Kennedy was dead, boarded the presidential jet.

"When the Kennedys returned

to the airport with the coffin and discovered the presidential plane was already occupied, they were shocked and infuriated, said Mr. Cerf."

Cerf confirmed the student newspaper's story, but protested, "I was under the impression I was talking off the record."

Mrs. Kennedy's court petition gave no clues to what portions 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.