

Suit Could Cost Jackie \$5 Million Indemnity

N. Y. News 12/21/66 By RICHARD MATHIEU

A spokesman for Look magazine said yesterday that Mrs. Jacqueline Kennedy could lose a fortune—possibly \$5 million—if she wins a temporary injunction and later loses her suit to halt publication of William Manchester's "The Death of a President."

The magazine will file papers with an affidavit in Supreme Court tomorrow documenting its losses if it does not publish the Jan. 10 issue in which serialization of sections of the book was to begin. The magazine spokesman said it is standard procedure for the judge hearing such a case to set an indemnity bond. The magazine estimates its losses at the \$5 million figure.

However, if the court refuses Jackie's suit for a temporary injunction, the magazine's estimated 8 million copies will be distributed. In this case, there would be no multi-million dollar loss.

The losses, the magazine said, would be in advertising, circulation and other items. The bond would be held, the spokesman said, until the final court decision in the case.

Supreme Court Judge Saul S. Streit will hold a hearing Tuesday on Mrs. Kennedy's request for a temporary injunction to halt publication. Streit promised speedy decision.

Negotiations to settle the dispute over the book-ground slowly on in secret as the hearing date drew nearer.

A spokesfan for the Kennedy family said he "assumed the parties in the dispute were trying to reach a settlement." He indicated that if William Manchester remains firm in his stand op-

posing any more changes in his manuscript, Mrs. Kennedy and Sen. Robert Kennedy (D-N.Y.), her brother-in-law, will press to block publication.

"Nobody—that's both sides—wants this brought to court," the spokesman said. "Hopefully it will be settled."

Sources close to the Kennedy family say Jackie's objections are to personal things that she thinks are not needed to give a true historical picture.

Don Congdon, literary agent for Manchester, said the author is determined to resist further changes in the book demanded by Mrs. Kennedy.

"He is trying to protect his integrity," said Congdon, "You must understand, this book is his offspring."

Mrs. Kennedy, in trying to stop publication, contends that Manchester violated an agreement with her that gave Sen. Kennedy and her the right of final review of the manuscript before publication.

The opposing parties, Look



William Manchester

A question of 10,000 words

magazine, Harper & Row, publishers of the book, and the Kennedy's representatives all agreed that negotiations were continuing. It appeared likely, however,

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(Associated Press foto)

Jacqueline Kennedy—The negotiations go on.

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the 300,000-word book in hard cover next April, would be willing to go along with the changes hammered out by the Look representatives and Goodwin or other Kennedy representatives.

Look is going ahead with plans to publish 60,000 words from the book beginning Jan. 10.

One source reported last night that the Kennedy family appeared to have yielded slightly in the negotiations in the past few days.

"I think there was a lot of misunderstanding before," said another source. "That's been cleared up. Now that everybody has had a chance to talk, things are a lot better. So long as people talk, there are indications there might be a settlement. Good will is being shown. I think everyone is trying to be reasonable."

The source added that efforts were being pushed to reach an agreement before papers are filed by the defendants in court tomorrow—which he said would lead "to a hardening of positions."

While Look and Mrs. Kennedy appeared approaching an agreement, Don Congdon, literary agent for Manchester, said the author was determined to resist changes in the book demanded by Mrs. Kennedy, who alleges invasion of privacy and breach of agreement.

"We've been talking a long time about phrasing," said one source in on the negotiations. "But don't forget it's Manchester's prose. He has the final word on what's going into it."

But the World Journal Tribune, quoting well-informed sources, reported today that un-

authorized copies had been obtained by publishing houses in Formosa which plan to print the excised material in a 16-page edition.

A source close to the Kennedy family said Mrs. Kennedy's main objections center on details dealing with the disposition, preparation and burial of her husband's body.

"Also," the source said, "she objects to reporting of the extent of the President's injuries, which is clinical, gruesome detail, and a couple of letters among other thing."

Goodwin said Mrs. Kennedy decided for herself what paragraphs she wanted deleted from the manuscript of the book.

"I read Mrs. Kennedy every passage in the book of a personal nature or gave her a detailed

summary of those passages," Goodwin said. "She then made the decision on what she thought was too personal, of no historical importance, and should not be included in the book."

From various persons who have read the manuscript, it was learned that Mrs. Kennedy specifically had objected to these other sections:

Her reaction to being informed that Lee Harvey Oswald had been identified as her husband's assassin. "That's absurd," she was reported to have said. "He (President Kennedy) didn't even have the satisfaction of being killed for civil rights. It had to be some silly little Communist."

Manchester's detailed account of how she used petroleum jelly to slip her wedding ring from her finger and place it on her husband's hand. Her ring was later removed from the President's hand at Bethesda Naval Hospital. This has been widely reported previously.

A portion dealing with how her daughter, Caroline, then 5, should be told that her father had been killed. Caroline's nurse, Maud Shaw, told Caroline.

An account in Mrs. Kennedy's own words of the last night she spent with the President before moving on to Dallas on Nov. 22, 1963.

A source said members of the Kennedy family also were upset about the references to President Johnson in the book, that they felt Manchester had treated Johnson in an unfair manner and that once the book was published it might have an adverse effect on Robert Kennedy's political future.

"The family decided that they would have to let that go," the source said. "They couldn't put Jack through a lawsuit just for the sake of somebody's political career."

"At one point late last week, Mrs. Kennedy said, 'the only way I can protect my privacy is to sue,' and Bob said, 'That's right,' and that was the final decision to file a suit."

A Kennedy aide said that "all Mrs. Kennedy has ever asked for are deletions about her personal feelings."

"She has said there may have been distortions and inaccuracies with respect to other persons (presumably including President Johnson), but that there is no law suit on this."

Mrs. Kennedy and Sen. Robert Kennedy have insisted that they did not clear the manuscript as outlined in a memorandum of understanding with the senator and Manchester signed March 26, 1964. The memorandum specified that the book not be published before Nov. 22, 1968, and that it must

be approved by the Kennedys.

If Look were restrained by the court from using the series, it could be costly to either Mrs. Kennedy or Manchester, depending on the outcome of appeals.

Look officials estimated yesterday their losses would run from \$3 million to \$5 million if it is restrained, since, they said, there would be no time to put out a substitute issue. Look had planned to file tomorrow a schedule of these estimated losses in the State Supreme Court.

If Mrs. Kennedy were upheld

in the hearing and the two publishers appeal, Mrs. Kennedy could be asked to post an indemnity bond equal to Look's losses. If Look won an appeal, it would collect the bond, whose amount would be set by Saul S. Streit, the ranking justice on the State Supreme Court.

Under Manchester's contract selling serial rights to Look for \$665,000, he is liable for the expenses of any court action if he were to be defeated in court. He also would be deprived of possibly millions of dollars in further earnings.