

# Kennedy Book Suit Answer Readied

NEW YORK (AP)—“There’s never been a case like this before,” said the attorney for the publishers trying to bring out the book “Death of a President” over the objection of Mrs. John F. Kennedy.

The lawyer, Edward S. Greenbaum, representing Harper & Row, said yesterday he would file an answer to Mrs. Kennedy’s suit this week, probably Thursday.

“You’ll know what tack our defense will take when you see our answer,” said Greenbaum, Harper’s counsel for 40 years. He was an Army brigadier general in World War II and is a former member of the U.S. delegation to the United Nations.

## Reading Court Documents

Greenbaum, 76, was spending the weekend at his Princeton, N.J., home relaxing and reading the court documents filed by the former First Lady.

Mrs. Kennedy asked the Manhattan Supreme Court Friday to bar publication by Harper & Row and Look Magazine of William Manchester’s account of the assassination of President Kennedy.

Mrs. Kennedy charges breach of contract, invasion of privacy and infringement of her copyright by unauthorized use of her name in advertisements and promotion. She names Harper & Row, Cowles Communications Inc. and Manchester as defendants.

In a 10-page affidavit, she said publication would cause her “great and irreparable injury” and “result in precisely the sensationalism and commercialization which we—Robert F. Kennedy and I—have sought so strenuously to avoid.”

## Senator’s Affidavit

Sen. Robert F. Kennedy, D-N.Y., the late President’s brother, sent in a five-page document with the court papers agreeing with her.

In his affidavit, Sen. Kennedy indicated the family does not intend to block publication of the book permanently. Rather, the aim is to stop publication of the manuscript in present form.



—Associated Press

Mrs. John F. Kennedy leaves 48 Wall St., New York City, by the Pine Street door yesterday in an effort to avoid newsmen after visiting the offices of Judge David Peck in connection with the suit over publication of William Manchester’s book, “Death of a President.”

Justice Saul S. Streit, ranking justice of the Manhattan court, said he would “decide the matter shortly” after a Dec. 27 hearing.

The Manchester book was, in effect, commissioned by Mrs. Kennedy because she wanted an account assured of “accuracy, good taste and dignity.”

In return for cooperation of the Kennedys and others involved in the events surrounding the assassination, Manchester signed an agreement giving Mrs. Kennedy and Sen. Kennedy the right to approve the work before publication, which was not to come before Nov. 22, 1968.

Mrs. Kennedy gave Manchester 10 hours of tape-recorded interviews during which, friends say, she made no attempt at self-censorship of her deepest thoughts.

A highly placed official in

President Kennedy’s administration has said: “It’s clear that Manchester took stuff from the tape recorder when Mrs. Kennedy was not in control of her emotions.”

The source said the book also “presents a rather unfortunate picture of President Johnson.”

In her court affidavit, Mrs. Kennedy said: “I am shocked that Mr. Manchester would exploit the emotional state in which I recounted my recollections to him early in 1964.”

One source close to the case



said he expected there would be telephone calls between the opposing lawyers. Asked if that meant a compromise, or out-of-court settlement, he replied: "Well, that's the purpose of phone calls."

#### Scheduled by Look

If Mrs. Kennedy is upheld by the court, and appeals fail, the effect would be felt immediately by Look which paid \$665,000 for serial rights to the book. It has scheduled a four-part series of 80,000 words taken from the 300,000-word book—beginning with the Jan. 24 issue due out Jan. 10.

Spokesmen for the magazine, owned by Cowles Communications Inc., said there is every indication the issue would be canceled in that event. Parts of the issue have already been printed and there would not be time to prepare a substitute, they said.

The loss in advertising and circulation revenue would be a "stunner," said a spokesman. The magazine averages \$3 million an issue in advertising revenue.

Since the controversy began, Manchester has been in seclusion. His wife, reached by telephone at their home in Manchester, Conn., was asked about a report that he had left the country.

"No, he's still here," she said, "But that's an idea."

Legal sources were widely quoted as saying Mrs. Kennedy has a strong case.

One factor cited in her favor is a telegram Sen. Kennedy sent to Harper & Row last Aug. 5 reminding the publishers that they must obtain his and Mrs. Kennedy's permission before publication and "that has not been given."

Another, according to the legal sources, is Mrs. Kennedy's charge that her rights under the New York State Civil Rights Act are being violated by use of her name by Look in advertisements and promotional circulars.