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Kennedy Plans to Inform Florida That He Won't Seek Nomination

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By R. W. APPLE Jr.

A spokesman for Senator Edward M. Kennedy of Massachusetts said yesterday that the Senator would sign this week an affidavit stating that he is not now, and does not intend to become, a candidate for the 1972 Democratic Presidential nomination.

The affidavit will constitute the strongest evidence to date that Mr. Kennedy, as he has been insisting publicly and privately for months, has no intention of running this year. But it would leave open the possibility of a draft by a deadlocked national convention.

Mr. Kennedy's name was one of a dozen proposed yesterday by the Florida Secretary of State, Richard Stone, for inclusion on the Democratic ballot in that state's primary election on March 14. Speaking at a news conference in Tallahassee, the state capital, Mr. Stone said he had listed him because "the press continually keeps

Senator Kennedy in the forefront of the candidates" despite the Senator's denials.

Richard Drayne, Mr. Kennedy's press secretary, said Mr. Stone telephoned Mr. Kennedy's office on Monday to inform the Senator of his decision. At the request of Kennedy staff members, Mr. Stone promised to send a blank affidavit by airmail immediately.

Mr. Drayne said the affidavit would be completed and returned as soon as it arrived in Washington.

Senator Kennedy, according to Mr. Drayne, will take similar steps wherever they are necessary to keep his name off primary ballots. There are nine states where he might be listed automatically — Florida, Wisconsin, Massachusetts, Tennessee, North Carolina, Nebraska, Maryland, Oregon and New Mexico.

In eight of them, anyone

Continued on Page 18, Column 3

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KENNEDY TO FILE FLORIDA AFFIDAVIT

Continued From Page 1, Col. 3

listed on the ballot can remove his name by filing a disclaimer or an affidavit. But in Oregon, whose primary is scheduled for May 23, the Secretary of State, Clay Myers, a Republican, will decide the ballot line-up. No withdrawals are permitted.

Mr. Myers has hinted that he will include Mr. Kennedy's name, but Mr. Drayne said he was hopeful that "by that time we'll have gotten the point across that he isn't running, and maybe they will leave his name off."

Mr. Stone's list included everyone who has announced for the Democratic nomination and several who have not. The other 11 names were the following:

Senators Vance Hartke of Indiana, Hubert H. Humphrey of Minnesota, Henry M. Jackson of Washington, Edmund S. Muskie of Maine and George McGovern of South Dakota; Mayors Lindsay of New York and Sam Yorty of Los Angeles.

Also, Representatives Shirl Chisholm of Brooklyn and Bur D. Mills of Arkansas; former Senator Eugene McCarthy of Minnesota; George C. Wallace.

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