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21 DEC 1966

EA165

U R G E N T
FIRST LEAD KENNEDY BOOK

BY GEORGE ESPER

ASSOCIATED PRESS WRITER

NEW YORK, DEC. 21 (AP)—MRS. JOHN F. KENNEDY AND LOOK MAGAZINE APPEARED TO BE APPROACHING AN AGREEMENT IN THEIR DISPUTE OVER "THE DEATH OF A PRESIDENT," AS LAWYERS FOR BOTH SIDES SAID THEY WOULD MEET TODAY FOR SETTLEMENT TALKS.

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FORMER FEDERAL JUDGE SIMON H. RIFKIND, ATTORNEY FOR THE WIDOW OF THE LATE PRESIDENT, SAID HE WOULD CONFER WITH LOOK COUNSEL DAVID W. PECK TO SEE "IF A SENSIBLE PACKAGE" COULD BE WORKED OUT.

RIFKIND, WHO DISCUSSED THE WILLIAM MANCHESTER MANUSCRIPT WITH MRS. KENNEDY AND PECK SATURDAY, SAID "MANY OTHER THINGS ARE INVOLVED" BESIDES THE TEXT.

"A LOOK SPOKESMAN COMMENTED THAT TALKS BETWEEN REPRESENTATIVES OF THE KENNEDYS AND THE MAGAZINE WERE CONTINUING IN "COMPLETE COMMUNICATION".

"WE THINK THINGS ARE PROGRESSING NICELY," THE SPOKESMAN SAID. HE ADDED HOWEVER THAT "IT WOULD BE PRESUMPTUOUS FOR US TO MAKE A UNILATERAL STATEMENT."

ONE HIGH SOURCE SAID IT IS POSSIBLE THERE MAY BE AN ANNOUNCEMENT TODAY.

THE SAME SOURCE SAID THAT EFFORTS WERE BEING MADE TO EDIT WORD-BY-WORD AUTHOR WILLIAM MANCHESTER'S BOOK, "THE DEATH OF A PRESIDENT," WHICH IS ABOUT THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

"LOOK IS MAKING EVERY EFFORT TO SAFEGUARD THE PERSONAL FEELINGS OF MRS. KENNEDY," OTHER SOURCES SAID.

SECRET NEGOTIATIONS WERE HELD YESTERDAY IN THE OFFICES OF COWLES COMMUNICATIONS, INC., THE PUBLISHERS OF LOOK, BY TOP EDITORS AND RICHARD GOODWIN, A FORMER AIDE TO PRESIDENT KENNEDY WHO IS ACTING AS ONE OF MRS. KENNEDY'S ADVISERS DURING THE MEETINGS AIMED AT SETTling THE CASE OUT OF COURT.

ANOTHER ROUND OF NEGOTIATIONS WAS SET FOR TODAY IN HOPES OF EFFECTING A SETTLEMENT BEFORE COWLES AND HARPER & ROW, PUBLISHERS OF THE BOOK, GO INTO COURT TOMORROW TO ANSWER CHARGES MADE BY MRS. KENNEDY LAST FRIDAY IN HER SUIT TO BLOCK PUBLICATION.

ATTORNEYS FOR MRS. KENNEDY HAVE DRAWN UP A MEMORANDUM OF LAW THAT THEY PREPARED FOR COURT TODAY CITIING LEGAL PRECEDENTS FOR HER SUIT AND OUTLINING THE LEGAL BASIS.

A HEARING ON THE SUIT IS SCHEDULED FOR NEXT TUESDAY.

IT WAS REPORTED THAT HARPER & ROW, WHICH PLANS TO BRING OUT 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.

EA43

LOOK IS GOING AHEAD WITH PLANS TO PUBLISH A FOUR-PART, 60,000 (CQ)-WORD SERIALIZATION OF THE BOOK BEGINNING IN THE ISSUE SCHEDULED TO HIT THE NEWSSTANDS JAN. 10.

REGARDLESS OF SETTLEMENT ARRANGEMENTS, LITERARY PIRATES WOULD PROBABLY BE ABLE TO PUBLISH PORTIONS OF THE MANUSCRIPT, THE WORLD JOURNAL TRIBUNE, QUOTING WELL-INFORMED SOURCES, REPORTED TODAY.

IT SAID UNAUTHORIZED COPIES HAD BEEN OBTAINED BY PUBLISHING HOUSES IN FORMOSA WHICH PLANNED TO PRINT THE EXCISED MATERIAL IN A 16-PAGE EDITION.

WHILE LOOK AND MRS. KENNEDY APPEARED APPROACHING AN AGREEMENT, DON CONGDON, LITERARY AGENT FOR MANCHESTER, SAID YESTERDAY 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."

MANCHESTER WAS UNDERSTOOD TO HAVE BEEN ABSENT FROM YESTERDAY'S MEETING. BUT IT WAS SAID THAT HE WAS BEING KEPT INFORMED.

A SOURCE CLOSE TO THE KENNEDY FAMILY SAID LAST NIGHT HER MAIN OBJECTIONS CENTER ON DETAILS DEALING WITH THE DISPOSITION, PREPARATION AND BURIAL OF HER HUSBAND'S BODY.

"ALSO," THE SOURCE SAID, "SHE OBJECTS TO THE EXTENT OF THE PRESIDENT'S INJURIES, WHICH IS CLINICAL, GRUESOME DETAIL, AND A COUPLE OF LETTERS AMONG OTHER THINGS."

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. MRS. KENNEDY REPORTEDLY WORE THE DIAMOND, EMERALD RING MONDAY NIGHT WHEN SHE ATTENDED A PERFORMANCE HERE OF THE BROADWAY MUSICAL, CABARET.

--A PORTION DEALING WITH HOW SHE SHOULD TELL HER DAUGHTER, CAROLINE, WHO WAS FIVE AT THE TIME, THAT HER FATHER HAD BEEN KILLED. MRS. KENNEDY REPORTEDLY ASKED HER MOTHER, MRS. HUGH D. AUCHINCLOSS, WHETHER SHE FELT IT WOULD BE BETTER FOR CAROLINE'S NURSE TO TELL THE GIRL OR WHETHER SHE SHOULD TELL CAROLINE HERSELF. MRS. AUCHINCLOSS REPORTEDLY TOOK MATTERS IN HER OWN HANDS AND ASKED THE NURSE, MAUD SHAW, TO TELL CAROLINE OF THE PRESIDENT'S DEATH.

--AN ACCOUNT IN MRS. KENNEDY'S OWN WORDS OF THE LAST NIGHT SHE SPENT WITH THE PRESIDENT BEFORE MOVING ON TO DALLAS ON THE TRAGIC DAY OF NOV. 22, 1963.

--QUOTATIONS FROM A LOVE LETTER TO HER HUSBAND.
Another source close to the Kennedy family said yesterday
~~GOODWIN SAID YESTERDAY~~ MEMBERS OF THE KENNEDY FAMILY ALSO WERE UPSET ABOUT THE REFERENCES TO PRESIDENT JOHNSON IN THE BOOK, THAT THEY FELT MANCHESTER HAD TREATED THE PRESIDENT 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," ~~GOODWIN~~ *the source* SAID. "THEY COULDN'T PUT JACKIE THROUGH A LAWSUIT JUST FOR THE SAKE OF SOMEBODY'S POLITICAL CAREER."

~~GOODWIN~~ *the source*
~~GOODWIN~~ ADDED:

"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)."

SEVERAL PERSONS WHO HAVE READ THE BOOK REPORTED THAT IT IS UNSYMPATHETIC TO JOHNSON AND SHOWS A HOSTILITY BY THE KENNEDYS TOWARDS HIM. IT IS FELT IN SOME POLITICAL CIRCLES THAT PUBLICATION OF THE BOOK COULD FURTHER STRAIN THE POLITICAL RELATIONSHIP BETWEEN ROBERT KENNEDY AND JOHNSON.

A KENNEDY AIDE POINTED OUT LAST NIGHT 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," THE AIDE SAID.

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 SHONE. I THINK EVERYONE IS TRYING TO BE REASONABLE."

THE SOURCE POINTED OUT 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."

IN HER SUIT FILED IN MANHATTAN SUPREME COURT LAST FRIDAY, MRS. KENNEDY CHARGED BREACH OF CONTRACT, INVASION OF PRIVACY AND INFRINGEMENT OF HER COPYRIGHT BY UNAUTHORIZED USE OF HER NAME IN ADVERTISEMENTS AND PROMOTION. SHE SAID IN HER SUIT: "I AM SHOCKED THAT MR. MANCHESTER WOULD EXPLOIT THE EMOTIONAL STATE IN WHICH I RECOUNTED MY RECOLLECTIONS TO HIM EARLY IN 1964."

MANCHESTER ALSO WAS NAMED AS A DEFENDANT IN THE SUIT. HE ISSUED A STATEMENT LAST SUNDAY INSISTING THAT "IN THE SUMMER OF 1966, AUTHORIZATION WAS GIVEN BY THE FAMILY FOR PUBLICATION OF THE BOOK IN EARLY 1967, TO BE PRECEDED BY SERIALIZATION IN LOOK MAGAZINE."

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."

LOOK GRANTED MRS. KENNEDY, HER ATTORNEY, SIMON H. RIFKIND AND GOODWIN ACCESS TO THE MATERIAL IN DISPUTE LAST SATURDAY.

THE LETTER MRS. KENNEDY OBJECTED TO BEING USED WAS SAID TO BE ONE SHE WROTE THE PRESIDENT FROM GREECE THE SUMMER BEFORE HE WAS ASSASSINATED.

GOODWIN SAID THAT MRS. KENNEDY NEVER GAVE THE LETTER TO MANCHESTER OR EVEN SHOWED IT TO HIM.

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"SOMEBODY ELSE GAVE IT TO HIM," GOODWIN SAID, "AND TO THIS DAY WE DON'T KNOW WHO."

MRS. KENNEDY CLAIMED IN HER SUIT THAT MUCH OF THE INFORMATION SHE GAVE MANCHESTER IN THE INTERVIEWS WAS FOR BACKGROUND PURPOSES TO HELP HIM GAIN A PERSPECTIVE. SHE SAID IT WAS NOT TO BE USED

IN THE MANUSCRIPT BECAUSE IT WAS PERSONAL, AND NOT HISTORICAL.

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 MRS. KENNEDY AND THE SENATOR.

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 WHO SET THE HEARING DATE FOR NEXT TUESDAY.

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.

A71

DELL BOOKS REPORTEDLY HAS BID \$1 MILLION FOR PAPERBACK REPRINT RIGHTS. THE BOOK OF THE MONTH CLUB HAS OFFERED TO PAY HARPER & ROW \$250,000 FOR PERMISSION TO DISTRIBUTE THE BOOK TO ITS MEMBERS. THE \$250,000 WOULD BE DIVIDED EQUALLY BETWEEN MANCHESTER AND HARPER & ROW.

HARPER & ROW HAS GIVEN MANCHESTER AN ADVANCE OF \$40,000, WHICH WAS TO BE DEDUCTED FROM HIS SHARE OF THE ROYALTIES. THE FIRM HAS ANNOUNCED THAT ITS FIRST PRINTING OF THE BOOK WOULD TOTAL 10,000 COPIES, BUT THE PUBLISHER WAS UNDERSTOOD TO BE PLANNING TO INCREASE THE SIZE OF THE FIRST PRINTING TO ABOUT 250,000 COPIES.

CASS CANFIELD, CHAIRMAN OF THE EXECUTIVE COMMITTEE OF HARPER & ROW, ISSUED A STATEMENT MONDAY SAYING THAT THE FIRM WAS "NOT MOTIVATED BY PROFIT WHEN IT UNDERTOOK THE PUBLICATION OF THIS BOOK."

"ON THE CONTRARY," HE SAID, "ALL HARPER PROFITS WILL GO TO THE

KENNEDY LIBRARY, EXCEPT FOR A SMALL RETURN TO HARPER'S ON ITS FIRST PRINTING. IN NO EVENT WILL THIS LIMIT BE EXCEEDED."

CANFIELD SAID THAT "MANCHESTER IS ALSO MAKING SUBSTANTIAL CONTRIBUTIONS TO THE LIBRARY FROM HIS EARNINGS ON THE BOOK."

✓ THERE HAVE BEEN AT LEAST TWO REPORTS THAT MANCHESTER WAS NOT THE FIRST CHOICE OF THE KENNEDY FAMILY TO WRITE THE BOOK.

✓ MRS. KENNEDY WAS SAID TO HAVE FIRST APPROACHED THEODORE H. WHITE, BUT HE THOUGHT THE CONTRACT WAS TOO RESTRICTIVE. WHITE HAD WRITTEN "THE MAKING OF A PRESIDENT," THE STORY OF KENNEDY'S 1960 CAMPAIGN.

✓ THE KENNEDYS THEN REPORTEDLY SOUGHT OUT WALTER LORD, AND HE ALSO DECIDED AGAINST IT BECAUSE HE DID NOT LIKE CERTAIN TERMS OF THE CONTRACT.

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