

THE KENNEDYS

End of the Affair

As untidily and unsatisfactorily as it began, the legal inquiry into the incident at Chappaquiddick came to an abrupt end last week. After a few hours of fruitless probing, a grand jury appointed to investigate the death last July of Mary Jo Kopechne adjourned in frustration without clarifying any of the mystery that still surrounds her death.

The grand jury, sitting in Edgartown, Mass., began its work with high hopes. Foreman Leslie Leland, a Vineyard Haven druggist, pledged a complete and independent investigation; many jurors were apparently in an indicting mood. Their ambitions were quickly dashed by State Superior Court Justice Wilfred Paquet, 67, a no-nonsense jurist with a reputation for running a tight courtroom. Somewhat Churchillian of mien and manner, Paquet swore the jurors to secrecy, warning them that their lips were "sealed not for a month, not for a year, but forever." He also narrowed the scope of their investigation by informing them that they could consider only those matters brought to their attention by the superior court, the district attorney or their own personal knowledge.

Paquet's charge left the grand jury with few options. Only three charges were possible against Senator Edward Kennedy: manslaughter, perjury or "driving to endanger," a traffic offense that is generally combined with other charges, notably drunken driving. Citing a ruling by the state's Supreme Judicial Court, the judge denied the jurors' request for a look at the transcript of the January inquest into the accident. District Attorney Edmund Dinis, who had access to both the transcript and the report on the proceedings by Presiding Justice James Boyle, told the jurors there was not enough evidence to indict Kennedy on any of the charges. The jurors themselves made no move to call anyone involved in the events surrounding the accident; four new witnesses, who testified for less than 20 minutes in all, provided nothing useful in the way of evidence.

Case Closed. With that, the grand jury gave up. Accompanied by a sheriff in formal dress, the ten men and ten women assembled glumly before Judge Paquet in Martha's Vineyard's 112-year-old courthouse. The judge asked Foreman Leland if the jury had any presentments to make. "I have nothing to present," said Leland quietly. "Not you," snapped Paquet. "Does the grand jury have anything to present?" Startled, Leland said that the answer for the grand jury was the same. His reply came as a relief to Dinis, who has become an increasingly reluctant participant in the drama involving Massachusetts' most powerful political family. "The case is closed," he said.

The doubts remain. Several grand ju-



JUSTICE PAQUET

The jury had nothing to present.

rors believed that Kennedy should have been brought before a court to answer for events that they still find inadequately explained. Many were disappointed at their inability to return an indictment against him. "Most of us felt Kennedy was morally responsible for the death of that girl," said one woman juror, ignoring Paquet's warning about sealed lips. Said a male juror: "I don't believe this will ever be resolved as far as some people are concerned."

The case is resolved, however, as far



SHERMAN SKOLNICK

Only the archives can tell.

as the courts are concerned. Dinis' statement that no further action is planned clears the way for the release of the inquest transcript and Justice Boyle's report. All that stood in the way of the release was resolution of the kind of dispute that typifies courthouse politics in Massachusetts. Freelance Court Stenographer Sidney Lipman, following a well-established Bay State practice, made arrangements to offer the 764-page transcript for sale at \$1.05 a page, or \$802.20 a copy. He has sued to halt its publication by the court at the bargain-basement price of \$75 a copy. Rejecting his suit, the state has gone ahead with its plans to release the inquest documents this week. Few expect the transcript to produce any surprises or further clues to what really happened at and after the tragic party for the boiler-room girls.