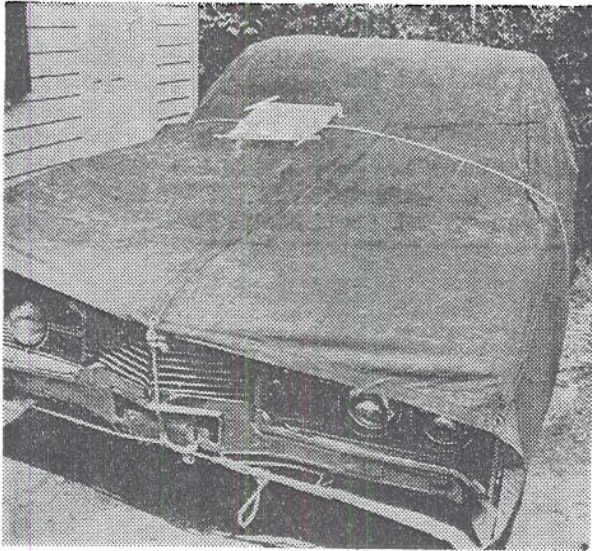


# Police Check Those 9 Hours, Calls by Ted



Car driven by Sen. Edward M. Kennedy is covered with a tarpaulin to save it from souvenir hunters.

—AP Photo

Examiner News Services

EDGARTOWN (Mass.) — Police concentrated today on tracing the movements of Sen. Edward Kennedy from the time his car plunged into a pond, killing a young woman passenger, until he reported the accident nine hours later.

Authorities said they would subpoena a list of all phone calls made last Friday night to Saturday morning from Kennedy's hotel here and from a cottage on nearby Chappaquiddack Island — the scene of a party Friday night attended by the senator and the accident victim, Mary Jo Kopechne, 28, a blonde secretary.

Edgartown Police Chief Dominick Arena said a listing of the calls could possibly help determine whether Kennedy actually was in a state of shock — as he reported early Saturday — or whether he phoned someone about the mishap.

The five other men who attended the party are expected to make statements to police within the next few days.

#### To Produce Five

Kennedy's attorneys apparently decided at a conference yesterday to produce the five for questioning by Chief Arena.

The men have been identified as Joseph Gargan, first cousin and close personal friend of Kennedy and the man who rented the cottage where the party was held; Paul Markham, former U.S. attorney for Massachusetts and another close Kennedy friend; Ray LaRosa and Charles Tretter, who, with the other three, had crewed Kennedy's boat in a yacht race earlier Friday off Edgartown and John Crimmons, Kennedy's driver.

Chief Arena and Dukes County Prosecutor Walter Steele emphasized they be-

lieved no criminal charges will be brought against Kennedy for negligence in driving the sedan when it somehow toppled off a 10-foot wide bridge into the shallow salt water pond.

Stating he was proceeding only on the charge of leaving the scene of an accident, Steele said, "You can't rule out other charges. But we have not a scintilla of evidence to point to any other charge."

#### No Negligence

Arena reiterated the stand he has taken repeatedly since the accident that no negligence was involved on Kennedy's part.

An application for a motor vehicle complaint already has been filed against Kenne-

dy, 37 year old Senate whip and a leading contender for the Democratic presidential nomination in 1972, charging him with "leaving the scene of an accident after having done bodily harm."

A probable cause hearing has been set for Monday to determine whether the complaint will be issued.

A preliminary investigative report by the Massachusetts Registry of Motor Vehicles yesterday found Kennedy at "serious fault" for the accident.

#### Pending Hearing

His license was suspended pending a registry hearing. Temporary and immediate suspension of a license is required by state law when serious fault is found.

The report said the license will be revoked for at least six months if the hearing supports the findings of the preliminary report. If there is no finding of serious fault, his license will be reinstated, the report said. No date for the hearing has been set.

Arena announced Kennedy has retained Robert Clark Jr., former district court judge from Brockton, and his son, Robert Clark III, to appear at the hearing in his behalf "in concert and conjunction with" Richard McCarron of Edgartown, the attorney who requested the hearing for Kennedy.