

Exhumation of Kennedy Crash Victim Next Move?

NEW BEDFORD, Mass. (AP) — Dist. Atty. Edmund Dinis, who has asked for an inquest into the fatal accident involving Sen. Edward M. Kennedy, was reported Saturday to be considering exhuming the body of the victim, a young secretary.

Dist. Atty. Blyth Evans of Lucerne County in Pennsylvania, where Mary Jo Kopechne is buried, said Dinis telephoned him Friday to pave the way for possibly exhuming the body for an autopsy.

"I said I would cooperate with him to the fullest extent of the law," Evans said, "but I also asked him to send me a written request for assistance."

Dinis was unavailable for comment.

Meanwhile, the New York Post reported that a second judge has turned down Dinis' request for an inquest into the accident.

Dinis said he sent letters Friday to Chief Judge Kenneth L. Nash of Massachusetts District Court, and Judge James A. Boyle of Dukes County District Court on Martha's Vineyard Island.

Court sources said neither letter arrived in the Saturday morning mail.

However, the Post reported Judge Nash declined to intervene saying the responsibility

rested with Judge Boyle's court.

Boyle also might turn down the request, the newspaper said, on grounds he had already acted in the case and the responsibility then would turn to a special justice of the court.

Judge Nash was reported on vacation in Vermont and not available for comment.

Dinis had scheduled a news conference Saturday to explain his request, but called it off saying he wanted to allow time for the letters to reach the judges.

Kennedy pleaded guilty July 26 before Judge Boyle in Edgartown to a charge of leaving the scene of an accident on Chappaquiddick Island, Martha's Vineyard, in which a car he drove went off a bridge into a pond. Miss Kopechne, 28, of Washington, D.C., drowned.

Judge Boyle sentenced the senator to the minimum two months in jail and suspended sentence for one year.

Dinis had first asked Superior Court to order an inquest but was turned down by Chief Justice G. Joseph Tauro who said an inquest petition should be filed in Edgartown District Court.

Dinis said he applied to both court leaders because he believed the law was "ambiguous" on jurisdiction.

The inquest, if granted, for the death of Miss Kopechne, as distinct from determining the medical cause of her death through an autopsy.

Dr. Donald R. Mills of Edgartown, a medical examiner, ruled Miss Kopechne drowned. He said he asked the district attorney's office if an autopsy was needed and was told no.

The district attorney said later he would have ordered an autopsy if he had known Sen. Kennedy had been driver of the car.

State police Friday impounded the car involved in the accident and took it to the State Police barracks at Oak Bluffs on orders by Dinis.