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Kopeczne Inquest Is Set for Sept. 3

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EDGARTOWN, Mass., Aug. 8

—Judge James A. Boyle of the Edgartown District Court set Sept. 3 today as the date for an inquest in the death of Mary Jo Kopeczne, the secretary who drowned in an automobile accident involving Senator Edward M. Kennedy on July 18.

The judge, who imposed a suspended sentence of two months in jail on Mr. Kennedy after he pleaded guilty to leaving the scene of an accident, said he would preside over the inquest. In passing the sentence, Judge Boyle had said that Senator Kennedy had "already been and will continue to be punished far beyond anything this court can impose."

The date was set after Judge Boyle conferred for about three-quarters of an hour with District Attorney Edmund Dinis, who required the inquest under provisions of Massachusetts law.

Judge Boyle said that he would allow accredited members of news media to attend the inquest. All other persons not officially required to attend will be excluded, he said.

To Call 15 Witnesses

Mr. Dinis said he expected to call about 15 witnesses. He said he had "no intention of calling Senator Kennedy at this time."

As for an autopsy for Miss Kopeczne, Mr. Dinis said he would file a petition with the court here. But the responsibility of granting permission for an autopsy, he said, rests with the Pennsylvania authorities.

Miss Kopeczne, 28 year-old former secretary to Senator Robert F. Kennedy, was in a car driven by Senator Edward Kennedy on the night of July 18 when it plunged off a narrow bridge on Chappaquiddick Island, near here, and plunged into a salt pond. She is buried in Larksville, Pa.

The accident went unreported for nearly 10 hours. Then Mr. Kennedy appeared at Edgartown police headquarters and gave Police Chief Dominick J. Arena his version of the accident.

On July 25, after pleading guilty in District Court here, Mr. Kennedy made another statement on nationwide television, asking the voters of Massachusetts to advise him on whether to resign from the Senate. He returned to Wash-

ington and his duties several days later after expressions of overwhelming support came from his constituents.

Mr. Dinis came from his home base at New Bedford today in a seaplane that landed off Chappaquiddick. He came across to Edgartown on the ferry that Mr. Kennedy said he was heading for on the night of the accident.

Judge Boyle, in shirtsleeves, met Mr. Dinis at the courthouse door and escorted him upstairs to his chambers. The judge, appearing in his robes afterward, invited newsmen to enter the courtroom. He explained that court had been recessed before noon, rather than adjourned, because he was about to make an official statement.

The Statement

He then read this statement: "I have received a communication from District Attorney Dinis requesting that an inquest be held in the death of Mary Jo Kopeczne.

"Wednesday, September 3, this year, is set for the date of the inquest in this room at 9:30 A.M. and will be presided over by me. The statutes permit exclusion of all those not required to attend. I have decided to exercise some discretion in that regard and to exclude all except legitimate and accredited members of the press, television, radio or other news media. There are to be no questions. We now adjourn court."

Later, on the courthouse steps, Mr. Dinis, who sat impassively behind dark glasses upstairs, repeated Judge Boyle's statement with some revision of the language but not the content.

Asked about the possibility of Judge Boyle's having pondered disqualifying himself because he sat at the July 25 hearing, Mr. Dinis said he had confidence in the judge's ability to preside.

Kennedy Denies Article

Senator Edward M. Kennedy yesterday labeled as "false" an allegation in a syndicated column that he had asked his cousin, Joseph F. Gargan, to "take the rap" by claiming that he, rather than the Senator, had driven the car in which Mary Jo Kopeczne was drowned on Chappaquiddick Island.

In an impromptu interview at the Capitol in Washington with a Columbia Broadcasting Sys-

tem reporter, John Myer, the Senator was asked his impression of the column. He replied:

"I wouldn't expect to make any comment on the column other than it's untrue. It's false."

Senator Kennedy added that he had "no idea" why such an allegation would be published.

On Thursday night, Mr. Gargan emphatically denied there was any truth in the column's allegations.

The Drew Pearson-Jack Anderson column, this one written by Mr. Anderson, said that after the Senator's car went off a narrow bridge and the Senator made repeated attempts to rescue Miss Kopeczne, he lay "exhausted" and in "panic" beside the pond.

"In this state," the column said, "he conceived a preposterous, absurd idea. He would ask his cousin, Joe Gargan, to take the rap for him. Gargan had always been there when the Kennedys needed him."

"At the cottage," the column continued, "he summoned Gargan and another trusted intimate, Paul Markham, a former United States Attorney for Massachusetts. Gargan grimly said he would admit to driving the car. The three men then returned to the scene of the disaster to make certain that Gargan would be totally familiar with the circumstances surrounding 'his' unfortunate accident.

"It is entirely possible that Markham and Gargan attempted to retrieve the girl's body as Kennedy claimed in his second statement. After rehearsing the details of the accident, the three men left the scene.

Kennedy decided to face the "In the cold light of dawn, consequences himself, and he filed his terse statement with the Edgartown police at 10 A.M."

From his home in Hyannis Port, Mass., Mr. Gargan issued the following statement:

"There is absolutely no truth whatsoever in Anderson's story of the events following the accident on Chappaquiddick Island."

Mr. Anderson also wrote that the Senator, who "did his share of drinking" at the cookout, had invited Miss Kopeczne to "join him for a midnight swim" and had driven toward the beach at the end of Dyke Road.