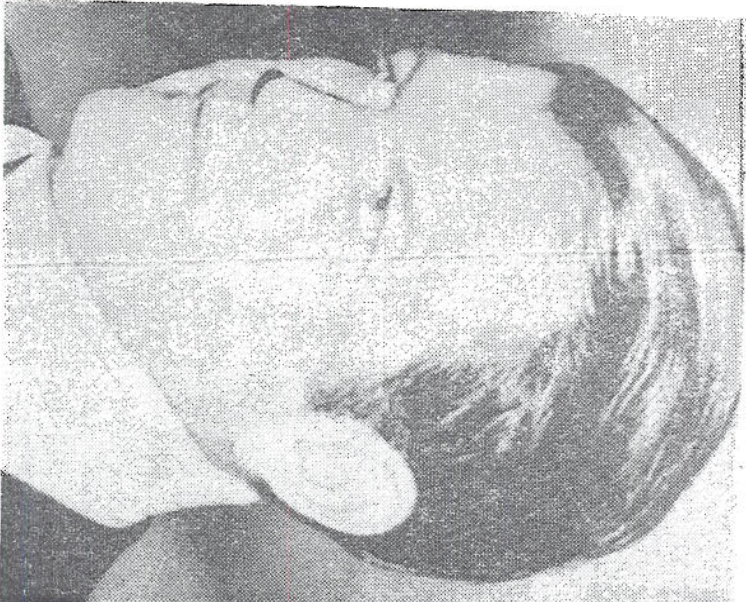


31 August 1969

*Five weeks ago Mary Jo Kopech-
ne was killed in Senator Edward
Kennedy's car.*

*The accident remains a web of
confusion, rumors and speculation.*

*Next Wednesday an inquest be-
gins. Here are some perplexing
questions it must answer . . .*



The Naggings Questions

By Philip Balboni

EDGARTOWN (Mass.)—(UPI)—With the death of pretty Mary Jo Kopechne, some say, Ted Kennedy lost the White House — perhaps forever.

But even the long-range national impact of this dramatic political reversal has been dimmed by the tangle of confusion, rumor and speculation which willy-nilly has followed each other on an unending merry-go-round since the tragic events of July 18-19.

What incredible circumstance, people ask, made 37-year-old Edward Moore Kennedy decide not to report the fatal crash for 10 hours? Whatever it was, Ted Kennedy appeared ready to take his legal medicine.

Edgartown District Judge James A. Boyle echoed the feelings of many when, after handing down the minimum two-month suspended sentence, he observed that Kennedy "has already been and will continue to be punished far beyond anything this court can impose."

Inquest Begins Wednesday

Now Kennedy and all those involved in the accident on little, lonely Chappaquiddick Island off Martha's Vineyard will have to re-live those two days in the minutest detail when an inquest, set to begin Wednesday, gets under way in the town's 111-year-old, colonial style courthouse.

Many ask what such a judicial review can accomplish, and why Edmund S. Dinis, the bachelor district attorney whose political forays in Massachusetts even predate those of the fabled Kennedy family, waited a full two weeks to ask for one.

Regardless of Dinis' motivation, some facts about the inquest are certain. Ted Kennedy will have to come face to face with the distortions of truth — some would say deliberate lies — in his two public statements about the accident.

Others will have to break their silence for the first time.

Kennedy's lawyers say he will appear at the inquest to testify. And if he doesn't show up, Judge Boyle says he will subpoena him.

Some Nagging Questions

Among the nagging questions which the inquest should answer are:

- How Kennedy could have turned off Chappaquiddick's only paved road onto a dirt track and then travel more than one-half mile without realizing he was going in the wrong direction to catch the ferry back to Edgartown, his stated destination?
- If Kennedy had some other reason for going down this road with Miss Kopechne at an hour close to midnight, what was it?
- Was there someone else in the car with Kennedy and Mary Jo that night, someone about whom he has remained silent?
- How could the Ted Kennedy, brought up



Mary Jo Kopechne was 28

in a home where courage was a household word, walk away from a fatal accident and not report it for 10 hours?

● How could Joseph F. Gargan, a lawyer and Kennedy's cousin and closest friend, and Paul F. Markham, another close friend and a former U. S. attorney, compound the error by not advising Kennedy to report the accident immediately, or failing to convince him, report it themselves?

Why Did He Wait?

● Was Kennedy drinking heavily the night of the accident, heavily enough to impair his ability to drive safely?

● Why did Kennedy say he was in a state of shock in his two public statements when his television address and the accounts of those who saw him after the accident show almost conclusively that he was fully aware of what had happened?

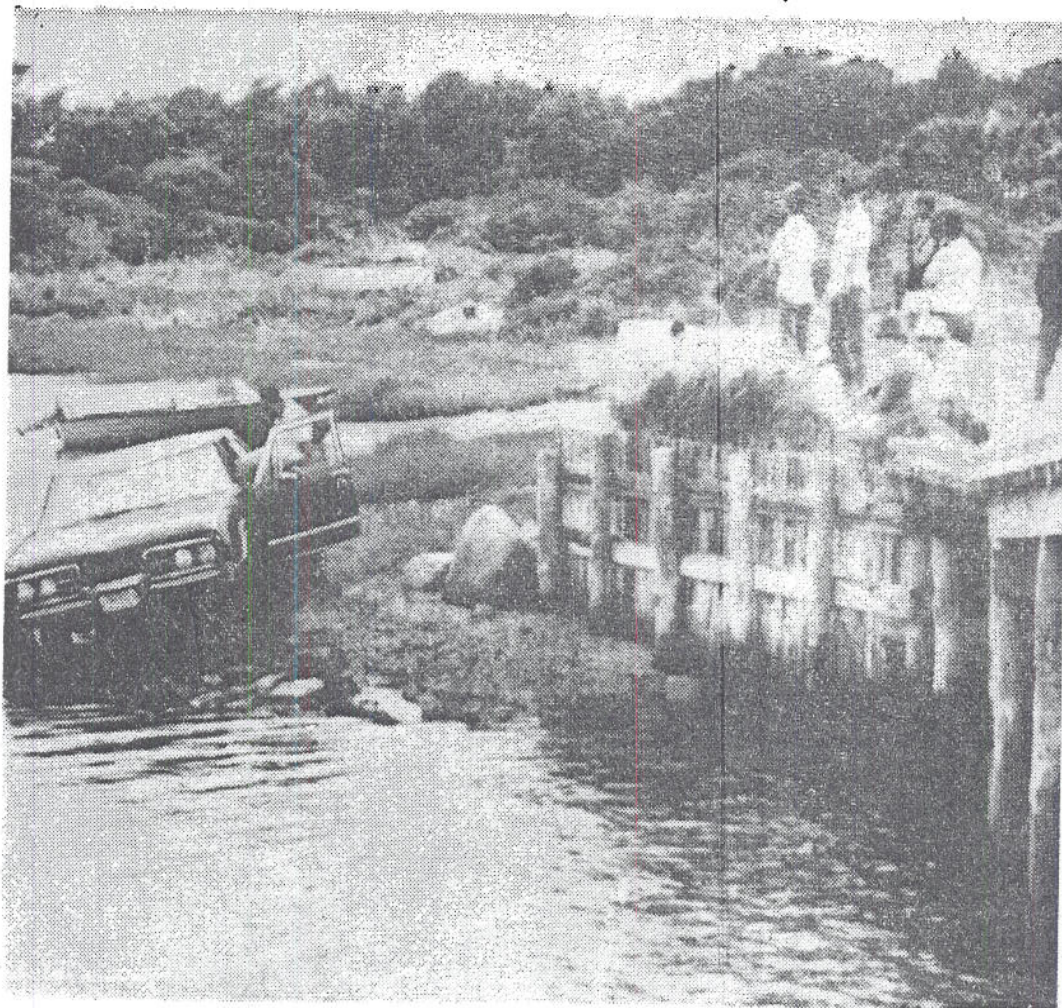
● Why did he return to Chappaquiddick the morning after the accident and wait there for more than 30 minutes before finally going to police?

● Why did Kennedy make such an incredibly incomplete and misleading statement to police and then wait a week before speaking out more fully, but then only to raise more questions than he answered?

Finally, is there some strange and mysterious circumstance about the accident, something so far hidden and known only to the Kennedy intimates, something which Ted Kennedy will not discuss because it would hurt someone else?

Like Grand Jury Quiz

If these questions are answered, what happens then? Could Kennedy, Gargan, Markham or some of the others involved face new charges?



Sen. Kennedy's car is hauled from salt pond after crashing off bridge

A prominent Boston trial lawyer who knows both Dinis and Kennedy explained the mechanics of an inquest.

The best way to think of an inquest, he said, is as a "one-man unorthodox Grand Jury investigation. In an inquest, rules of evidence do not apply. Objections do not apply. The prosecution are detectives in a sort of way, looking to get at the bottom of an incident."

Judge Boyle, who will preside and file a concluding report with the clerk of the Superior Court in Edgartown, may allow questions as he sees fit, can ask questions himself and, theoretically, does not have to permit witnesses to have counsel. The witnesses, however, can plead the Fifth Amendment.

"The probe can be as elaborate or limited as the judge sees fit," the lawyer said. "Since there is no determination of guilt or innocence, there is no recourse to rights.

Judge Holds the Power

"The judge's report after the inquest can find anything. He can find criminal negligence,

conspiracy to hide the facts — can file a devastating report if he wants to, he said. Or he can report without finding anything — "without drawing conclusions and just say the death was accidental."

The district attorney, however, is not bound by anything Judge Boyle finds. He could, on his own initiative, call for a grand jury and seek an indictment against Kennedy or others.

The lawyer said Dinis would concentrate on Markham and Gargan as key witnesses. "Watch for Dinis to go after these two as to why they didn't report the incident. I would think they would have to come up with some pretty good arguments," he said.

He added that a conspiracy indictment might come out of the inquest.

"Remember the conspiracy laws. They are quite broad and cover almost anything," he said.

The inquest probably will take at least three days with Dinis calling 20 or more witnesses including those who attended the cottage cookout-reunion on Chappaquiddick before the accident.

Court Open to Press

Others certain to be called are John N. Farrar, a scuba diver who recovered Mary Jo's body; Dr. Donald R. Mills, the medical examiner who pronounced her dead due to drowning, and Christopher Look Jr., a deputy sheriff who says he saw Kennedy's car before the accident Friday night.

Thomas A. Teller, clerk of the Edgartown district court, said after Boyle makes his report to the superior court, it may be weeks or even months before its contents are released. Then, Dinis would make a final determination.

But regardless of what happens to the official probe, the unfolding of the inquest will be also the unraveling of events surrounding the accident.

While the general public will be barred from the courtroom, accredited members of the news media will be allowed entry, a diversion from normal judicial procedure which Boyle apparently took to avoid any criticism of secrecy.

'Everything—Good or Bad'

The inquest literally will bring hundreds of reporters from across the country and many foreign nations. All will be seeking an answer to the puzzle of the Kennedy accident, a puzzle whose nagging qualities were so well summed up recently by Mrs. Joseph Kopechne, Mary Jo's mother, when she told a newsmen:

"It's confusing, reading all the different versions of what happened. It really gets you confused.

"I would love to sit down and listen to the whole story. I'd like to hear it all, everything, good or bad, about how it happened. I'd love to hear all of them, all of it pieced together."