

TED ASKS DELAY OF INQUEST

Plea Made On Eve of Hearing

BOSTON — (UPI) — Lawyers for Sen. Edward Kennedy petitioned the Massachusetts Supreme Court today for a restraining order to block temporarily an inquest into the death of Mary Jo Kopechne—which was set to open in less than 24 hours.

A hearing on the petition was scheduled for this afternoon today before justice Paul C. Reardon.

Lawyers for Kennedy, alleged his constitutional rights would be impaired if the inquest were conducted under ground rules laid down last week.

Kennedy's defense team argued last week that the basic guarantees of a criminal trial — the right to question witnesses and present evidence, among others — should apply to the inquest.

Meet Held

The lawyers said unless the rights were guaranteed, the inquest would be more like a criminal proceeding, with accusations against the Senator, instead of a preliminary inquiry to determine the legal cause of Miss Kopechne's death.

Attorney John Harrington appeared in the court clerk's office this morning and met in Judge Reardon's chambers for more than 30 minutes.

In a petition filed by Harrington, Kennedy's battery of lawyers asked for the temporary restraining order and for a writ of certiorare so the State Supreme Court could examine the records of the case.

Miss Kopechne, a 28 year old Washington secretary, was killed when a car driven by Kennedy plunged off a

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Court Asked To Block Inquest

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bridge on Chappaquiddick Island July 18.

All parties involved in the inquest — including Edgartown district judge James Boyle and Dist. Atty. Edmund S. Dinis — were asked to appear for the afternoon hearing.

Edgartown police chief Dominick Arena said he was making careful security precautions to protect Kennedy and Dist. Atty. Edmund Dinis, whose life has been threatened.

"Nobody has asked for special protection," Arena said. "But we're taking precautions to protect everybody — naturally Kennedy and Dinis especially.

Arena said he would have nine state police troopers and 10 local policemen from other towns on Martha's Vineyard to supplement his five-man force.

Dukes County prosecutor Walter Steele said attorneys for the five girls who with Miss Kopechne, attended a party before the accident on



TED KENNEDY
Tomorrow the inquest

Chappaquiddick Island, met here yesterday for a strategy session.

Steele also predicted the inquest would run from four to five days. "It will go no less than four days," he said.

The influx of newsmen from across the county and several foreign nations continued today with at least 300 expected to be on hand tomorrow. The 111-year-old Edgartown courthouse, however, seats only 150 and all seats have been spoken for by some 105 news agencies.

Kennedy Case

Trial Not a Hearing?

EDGARTOWN (Mass.) — (CDN) — The inquest scheduled here tomorrow ostensibly is meant to determine the cause of the death of Mary Jo Kopechne.

But to the public the hearing is really a trial to determine the political future of Sen. Edward Kennedy, who was driving the car that plunged off a bridge last July and in which the 27-year-old secretary was drowned.

The inquest is expected to answer some of the questions that Kennedy left unanswered in his two prepared statements on the accident. And if the answers prove embarrassing, they could put a big dent in Kennedy's political ambitions.

Kennedy's first statement was released by Edgartown police on July 19, several hours after Kennedy reported the accident.

The other statement, which raised as many questions as it answered, was delivered by Kennedy over nationwide television July 25. The day he pleaded guilty to leaving the scene of an accident and received a two month suspended sentence.

Some of the unanswered questions may have to be answered by Kennedy himself, who has been ordered to appear at the hearing by district judge James Boyle, who will conduct the inquest.

The Kennedy Story

Fifteen persons have been subpoenaed to appear at the hearing and six others have been "invited" to appear.

Among those expected to testify are Dr. Donald Mills, the assistant medical examiner who declined to perform an autopsy on Miss Kopechne; John Farrar, the scuba diver who recovered her body; and Edgartown police chief Dominick Arena.

The basic story, according to Kennedy, is that he was driving Miss Kopechne from a party late July 18 or early July 19 when the car went off a narrow wooden bridge on Chappaquiddick Island.

Kennedy said he dived repeatedly in an effort to recover the girl's body and then located two friends, Paul Markham and Joseph Gargan, who were at the party at a nearby cottage.

Markham and Gargan also dived unsuccessfully for the girl's body, Kennedy said, and then took him to the ferry landing where he "impulsively swam across" to Edgartown.

Kennedy said he was overcome "by a jumble of emotions" and failed to report the accident until at least 10 hours later after returning to Chappaquiddick Island to make a call to Burl Marshall, the Kennedy's legal adviser.

Questions Listed

As reporters descended on this island community today, their major concern was over whether the inquest would answer such questions as:

- Why did Kennedy make a hard right turn onto a dirt road and travel seven-tenths of a mile without realizing he was headed away from the ferry landing? Kennedy made no mention of the wrong turn in his televised statement.

- Assuming Kennedy was in shock, why didn't Markham or Gargan report the accident, call for help or convince Kennedy to report the accident?

- Is there a chance that Miss Kopechne could have lived if Kennedy or his cronies had called immediately for help?

- Why did Kennedy return to Chappaquiddick to call Marshall before reporting the accident to police?

Kennedy's incomplete statement has provoked a raft of speculation by newspaper columnists.

Jack Anderson, an associate of the late Drew Pearson, said he has learned that Kennedy and Miss Kopechne had intended to take a midnight swim at the deserted beach on the other side of the wooden bridge.

After the accident, Anderson said, Kennedy asked Gargan to take the rap for him but changed his mind the next day. Anderson also said that Kennedy did not swim to Edgartown but took boat with Markham and Gargan.