

Kennedy Case Back to Court

BLOOD REPORT WINS DA AUTOPSY HEARING

WILKES-BARRE, Pa. (AP)—Dist. Atty. Edmund Dinis was granted a new hearing today on his petition for an autopsy on the body of Mary Jo Kopechne after he filed an amended version that said a certain amount of blood was present in the mouth and nose of the dead girl.

Judge Bernard C. Brominski of Luzerne County Common pleas court set Sept. 29 at 10 a. m. for the hearing requested by the New Bedford, Mass., prosecutor.

Dinis also said, in applying for an autopsy on the dead girl's body, the white shirt she was wearing when Sen. Edward M. Kennedy's car went off a bridge was stained with what appeared to be blood.

Miss Kopechne, a Washington, D. C., secretary, was found dead July 19 in Sen. Kennedy's car which had gone off a bridge into a pond on Chappaquiddick Island off the Massachusetts coast.

AN INQUEST into her death was postponed earlier this month.

Dinis' disclosures were contained in a four-page letter sent to the Luzerne County,

Pa., Court of Common Pleas, where a judge demanded more evidence from Dinis before granting permission for a hearing to determine if an autopsy was necessary.

"There appears on the white shirt worn by Mary Jo Kopechne 'washed out' reddish brown and brown stains on the backs of both sleeves, the back and collar; that these stains give positive benzedine reaction, an indication of the presence of residual traces of blood; that said residue is of insufficient amount to make further tests as to specific origin or type," said the letter released by Dinis' assistant, Armand Fernandez.

The letter continued:

"INVESTIGATION HAS revealed there was present a certain amount of blood in both Mary Jo Kopechne's mouth and nose, which may or may not have been consistent with death by drowning."

The letter said these facts were not available to Dinis until after the girl was buried in Larksville, Pa.

"IF THE AUTOPSY should disclose that

her death resulted from some cause other than drowning, the inquest may then proceed in the direction appropriate in the light of information thus revealed," said Dinis, in detailing his reasons for requesting the autopsy.

He said, "In order that the circumstances of death be clearly established and the doubt and suspicion surrounding the death be resolved, an exhumation and autopsy will be required."

On Oct. 8, Kennedy's lawyers go before the Massachusetts Supreme Judicial Court to detail their opposition to the ground rules for the inquest Dinis sought.

Edgartown District Court Judge James A. Boyle ruled that Kennedy's lawyers could not cross-examine witnesses, and that more than 100 newsmen, but not the public, would be admitted to the courtroom.

The day before the inquest was to open, Supreme Court Justice Paul C. Reardon granted the request of Kennedy's lawyers that the full bench review his claim that his constitutional rights would be violated

because of Judge Boyle's inquest ground rules.

The disclosure by Dinis of apparent bloodstains on the dead girl's clothing was the first time any mention has been made in the case regarding blood.

Dinis' petition said the two statements Sen. Kennedy made about the accident "are silent on many important details of the accident, and the events immediately preceding and following it."

He was referring to Kennedy's dictated statement to police when he reported the accident more than eight hours after it happened, and then in a nationally televised speech July 25.

The television appearance came several hours after he pleaded guilty to a charge of leaving the scene of an accident and received a suspended sentence of two months in jail.

IN AN APPARENT reference to Kennedy's companions, Paul Markham and Joseph Gargan, Dinis' letter said, "There are

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persons not directly involved in the accident who were cognizant of it soon after it occurred but who did not call the authorities."

Dr. Donal Mills, the associate medical examiner who viewed the body, ruled that the girl died of drowning.

Neither Dinis nor Fernandez could be reached to comment on how their office learned of the blood or from whom.

Lance Garth, assistant to Dinis, said he had done some work on the autopsy petition but did not know how Dinis learned about the blood.