

Jan. 5 Inquest Set in Kopechne Case

EDGARTOWN, Mass. (AP) — Judge James A. Boyle announced today that the long-delayed inquest into the death of Miss Mary Jo Kopechne will begin Jan. 5.

Boyle's announcement followed by only 24 hours a judge's refusal in Wilkes-Barre, Pa., to permit an autopsy on Miss Kopechne's body.

Miss Kopechne was the 28-year-old Washington, D. C., secretary who died when Sen. Edward M. Kennedy's car plunged off a bridge on Chappaquiddick Island last summer.

Boyle, who will preside at the inquest, made no other comment. This was taken to mean that he still intends to hold the proceeding here on Martha's Vineyard, rather than move it to the mainland.

The inquest was sought by Dist. Atty. Edmund Dinis of New Bedford, who also had filed the petition in Wilkes-Barre for exhumation of the body and the autopsy.

Its purpose will be to determine the legal cause of

Miss Kopechne's death, as opposed to the medical cause.

REACHED BY telephone at his home, Dinis had no comment on Boyle's announcement.

Boyle's clerk, Thomas A. Teller, said Judge Boyle told him of his decision this morning. He said he was instructed to notify the attorneys of record and the news media. The matter of notifying the witnesses will be left to the attorneys, he added.

The inquest will be closed to newsmen, in line with a ruling from the Massachusetts Supreme Court.

THAT PROVISION had been sought by attorneys for Kennedy and others expected to testify at the proceeding who said the inquest was tantamount to an "accusatory proceeding" as it applied to Kennedy.

Sources close to Boyle said the judge expected the inquest to last for four or five days.

Teller said Judge Boyle planned to announce later

rules that would apply to news coverage of the inquest.

THERE HAD BEEN talk of moving the inquest to the mainland because of the snowstorms that often travel up the New England coast between December and March.

The storms often disrupt travel to the Vineyard, which can be reached only by boat or plane.

Miss Kopechne's body was sent to Pennsylvania for burial without an autopsy. A medical examiner ruled beforehand, however, that her death was due to drowning.

The decision rejecting Dinis' request for exhumation and an autopsy was handed down by Judge Bernard Brominski in Common Pleas Court in Wilkes-Barre.

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KOPECHNE INQUEST WILL START JAN. 5

Massachusetts Judge Acts in Kennedy Accident

EDGARTOWN, Mass., Dec. 11 (UPI)—District Judge James A. Boyle, acting 24 hours after an autopsy on Mary Jo Kopechne was denied, today set Jan. 5 for the start of an inquest into her death in Senator Edward M. Kennedy's car.

The inquest will open at 10 A.M., Clerk Thomas A. Teller announced. It is not known if a list of the witnesses subpoenaed for the inquest will be made public, he said.

The date was set for the second time—after Bernard C. Brominski, the Presiding Judge of the Luzerne County Common Pleas Court at Wilkes-Barre, Pa., turned down a request by

District Attorney Edmund S. Dinis for exhumation of the body of the 28-year-old Washington secretary. She was buried July 22 in Larksville, Pa.

Mr. Dinis declined comment on the setting of the inquest date. Edward B. Hanify of Boston, Senator Kennedy's chief lawyer, also declined comment.

Miss Kopechne was a passenger in the Senator's car after a party July 18 at a rented cottage on Chappaquiddick Island. The car plunged off a bridge and into a tidal pond. Senator Kennedy escaped. He reported the accident about nine hours later.

The inquest originally was to open Sept. 3 but Senator Kennedy's attorneys appealed to the Supreme Judicial Court of Massachusetts, arguing that the Senator's rights would be violated under ground rules set up by Judge Boyle.

The court upheld the Senator's request for a closed inquest. The press and public will be barred.