

JAN 8 1970

## KENNEDY INQUEST NEAR CONCLUSION

Dinis Reported Considering  
Seeking an Indictment

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Special to The New York Times

EDGARTOWN, Mass., Jan. 7

The inquest into the death of Mary Jo Kopechne approached an end today.

None of the 18 witnesses heard during the first three days of the closed inquest has apparently made any striking contribution to the sketchy account of the tragedy.

On the night of last July 18, Miss Kopechne, a 28-year-old Washington secretary, was drowned when a car driven by Senator Edward M. Kennedy plunged off Dyke Bridge on Chappaquiddick Island.

Two close friends of Senator Kennedy, Paul F. Markham and Joseph F. Gargan, testified Tuesday that they believed the Senator was going to the police when he dived into the channel separating the island from Martha's Vineyard. The Associated Press reported.

End Predicted Tomorrow

District Attorney Edmund Dinis, who ordered the inquest, was running out of witnesses and predicted that the inquiry would end tomorrow afternoon. Still to be heard were four of the five young Washington secretaries who were at the cookout attended by Senator Kennedy and Miss Kopechne on the night of the accident. There was a possibility of one or two surprise witnesses.

Mr. Dinis's staff obtained a subpoena for Tony Bettencourt, caretaker of the municipal dump on Chappaquiddick. They had noted that a book on the tragedy, "The Bridge at Chappaquiddick," by Jack Olsen, a senior editor of Sports Illustrated, had reported that Mr. Bettencourt had raked up three unopened bottles of gin at the dump near the cookout cottage rented by the Kennedy party.

The Senator, in a television statement a week after the accident, said he was not under the influence of liquor at the time of the incident.

It was also reported that Mr. Dinis was considering a subpoena for K. Dun Gifford, a legislative aide to Senator Kennedy. Mr. Gifford arranged the shipment of Miss Kopechne's body to Larksville, Pa., the day after her body was recovered. Subsequent efforts by Mr. Dinis to have the body exhumed for autopsy were defeated by a Pennsylvania court.

May Seek Indictment

The district attorney was said to believe that he had heard enough evidence to warrant seeking an indictment of Senator Kennedy for "driving to endanger" the lives of others.

Under Massachusetts law, this is a misdemeanor carrying a maximum jail sentence of two years. To obtain a conviction, it would be necessary to convince a jury that Senator Kennedy had a "negligent attitude."

Senator Kennedy's failure to report the accident for nine hours indicated a negligent state of mind, in the opinion of the district attorney's staff.

Though the Senator has already pleaded guilty to another charge in the case, there would be no double jeopardy because the offenses differ. Mr. Kennedy appeared in court July 23 and was given a suspended sentence on a charge of leaving the scene of an accident.

Later that day, in an emotional television statement, he described his conduct as "indefensible," adding that he had been in a state of bewilderment and shock.

An alternative to a "driving to endanger" indictment would be a manslaughter indictment. But a manslaughter conviction is difficult to obtain, requiring proof of "willful and wanton and gross disregard of human life."

Mr. Dinis would not have to await the report of District Judge James A. Boyle, who presides over the inquest, before proceeding on a criminal indictment through the Dukes County grand jury.

The grand jury could initiate action by applying for a Superior Court order to reconvene in special session. Before going into recess last fall, the grand jury decided to withhold action on the Kopechne case pending the conclusion of the inquest.

Lunch With Newsmen

Today the district attorney surprised newsmen by marching with his staff into press headquarters in the basement of the Methodist Church and eating lunch under the harsh television lights at a rear counter run by ladies of the church.

Over a bowl of chili, Mr. Dinis described himself as "just a small-town lawyer" who deplored the tragic involvement of Senator Kennedy in the Kopechne case and his own controversial role in it. But he said he "had a duty to perform."

He refused to say what course of action he would take after the inquest ends.

Someone asked if he would vote for Mr. Kennedy when the Senator runs for re-election in the fall.

Mr. Dinis, a Democrat whose term expires this fall, paused and then said: "If Senator Kennedy is the Democratic nominee I expect I'll vote for him."