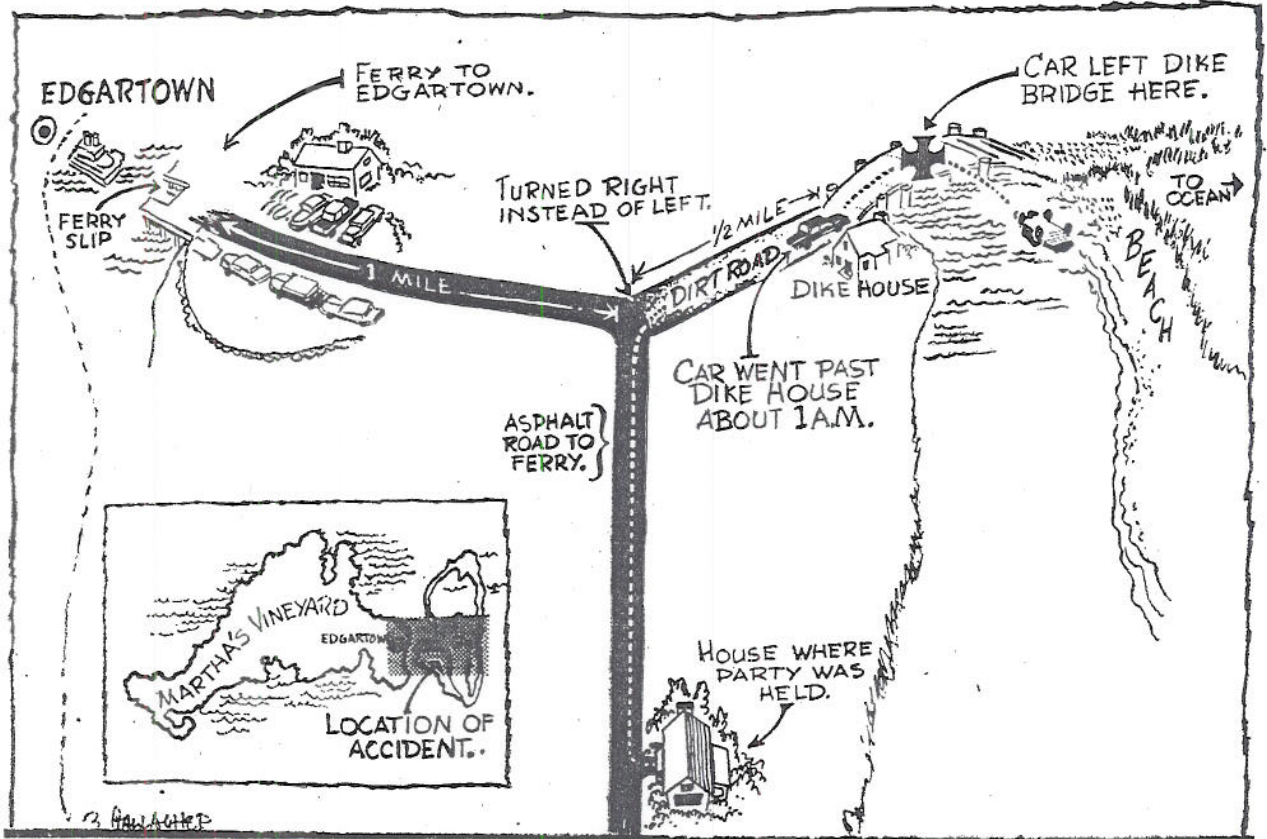


Ted Calls Legal Experts To Halt Criminal Charge



Map shows area where Senator Kennedy drove off a bridge, killing his passenger

Defense Battle To Save Career

By Leslie Whitten and Eddie Corsetti

EDGARTOWN (Mass.) — Sen. Edward Kennedy, (D-Mass.), his career jeopardized by the threat of a criminal misdemeanor conviction, has decided to fight for his reputation in the courts of the state he serves as senior Senator.

Even as Kennedy, his wife Joan and Mrs. Robert Kennedy mourned the death by drowning of 28 year old Mary Jo Kopechne of Washington, D.C., a formidable legal team was at work to clean his good name.

Kennedy was cited for leaving the scene of an accident in which bodily injury occurred — and he failed to report the fatal plunge for nine hours. Authorities here have moved to bring him to trial.

The Senator, whom many thought would plead guilty in the hope of a suspended sentence, made plain yesterday he will fight the filing of a formal complaint against him.

To Fight Charge

The Senator, a prospective Democratic presidential candidate in 1972, apparently decided there was more to lose by quitting with a guilty plea than by waging the sort of uphill fight that inspired the zeal of followers not only of his own comet-like career, but those of his brothers the late President John Kennedy and the late Sen. Robert Kennedy of New York.

In requesting — and being granted automatically — a hearing next Monday, Kennedy's attorneys said he wants "to be heard in opposition" to the issuance of the complaint, which carried with it a two-month to two-year prison term.

The attorneys eKennedy is consulting include:

Burke Marshall, former assistant secretary attorney general under Robert Kennedy, a brilliant civil rights advocate, and now a vice president of IBM. Marshall and Kennedy conferred yesterday at the Hyannis Port compound of the Kennedy family.

Edward B. Hanify, a well-known Boston lawyer, friend of the family and trustee of the John F. Kennedy Library. Hanify is a Harvard Law School graduate.



THE DEAD SECRETARY'S PARENTS
Mrs. Joseph Kopechne weeps on leaving funeral home
—AP Photo

to file the request for a hearing.

Defense Case

The Kennedy lawyers—it is uncertain how many of them will conduct the defense side of the hearing—will be able to call witnesses, perhaps medical testimony to show that Kennedy was suffering from shock and exhaustion after the accident.

The hearing probably will be held before District Judge Thomas A. Peller, and the government, too, will be able to put on its side of the case, although it need only show a probable cause, and need not prove its allegations against the senator.

Massachusetts law also has built in a further protection of which the senator may avail himself if he is convicted at the district court trial level. He may request a jury trial before a superior court justice, the next highest level.

Edgartown Police Chief Dominick J. Arena said today there remain many unanswered questions in the Kennedy case:

"Sure there are a lot of them, and I think the burden is on the senator to answer them," Arena said.

INSERT #1 Tells Argument

An oil delivery man in Edgartown provided the most recent mystery in a case already staggered with confusion.

Police said the man, a deputy sheriff for Martha's Vineyard, was driving in the general area where the accident occurred and told officers he saw the Kennedy car once at 12:40 and again at 12:45.

The delivery man's story, as related by police, was that there was a man and two women in the car when he saw it the second time and an argument was going on.

When the man approached the car to see if he could help, a woman told him to "get lost," or "take off," police said they were told.

In another version of the story the man saw only two women in the car. It is worth noting, whatever the validity of the delivery man's tale, that the pocketbook of Miss Rosemary Keogh, another guest at the cookout party, was found in the back seat of the Kennedy car. Chief Arena had first thought she was the victim of the drowning.

Time Varies

When the oil delivery man was reached and asked to comment, he said authorities had told him to keep quiet.

Kennedy, in his statement Saturday after he finally reported the accident to police, said the death crash occurred shortly after 11:15 p.m.

Other statements by witnesses, who seem to fluctuate

in their time like the tides of Chappaquiddick, have put the time of the accident as late as 1 a.m.

INSERT #2
Police here were expecting today to receive from Boston State Laboratory a report on a blood sample taken from Miss Kopechine's body by Medical Examiner Dr. Donald Mills.

Interest centered on the alcoholic content, if any, a subject of inquiry by reporters although discounted by police as a factor in the case. Senator Kennedy himself

remained in seclusion from the press at Hyannis Port, where, according to a spokesman, he was still under the care of Dr. Robert Watts, his Hyannis Port family physician.

Spokesman said the care was for "observation following his concussion," but that the senator no longer was under sedation prescribed for him after his return by air to Hyannis Port from Edgartown following the death of Miss Kopechine and his report to police.



A WEARY ETHEL KENNEDY

Widow of Robert appeared tired at girl's funeral

—UPI Photo

PAUL
Hall Markham, the former top federal prosecutor for Boston. Markham was with Kennedy at the ill-starred cook-out that ended with Kennedy driving Miss Kopechine toward her quarters in Edgartown, a journey cut short by her death.

Richard J. McCarron, a local lawyer who was contacted by a Kennedy attorney Sunday night and was asked