

KENNEDY TESTIFIES AT INQUEST

EDGARTOWN, Mass. (AP) — Sen. Edward M. Kennedy testified for almost two hours Monday at the long-awaited inquest into the death of Miss Mary Jo Kopechne. He then was excused.

He said he would return to his home in Hyannis Port and remain there if for any reason Judge James A. Boyle, who is presiding, wished to recall him.

At the same time, it was learned that Boyle ruled that attorneys for witnesses at the inquest would be permitted to present relevant testimony of their own.

This was considered an important victory for Kennedy, who is said to want more than anything else to prove that Miss Kopechne could not have survived the midsummer auto accident in Kennedy's car which claimed her life.

EDGARTOWN, Mass. (AP) Sen. Edward M. Kennedy began describing in detail today at the long-delayed inquest into the death of Miss Mary Jo Kopechne the midsummer auto accident that claimed the attractive young secretary's life.

Kennedy took the stand about two hours after the secret inquest opened, and testified for almost an hour. Then a short recess was called, after which Kennedy returned to the stand briefly. A luncheon recess followed.

Kennedy declined to discuss his testimony as he left the courthouse for lunch. But he said, "Yes," when asked whether he had testified, and, "About an hour," when asked how long.

He said he would return to the stand after lunch.

It was learned that Kennedy's chief attorney, Edward B. Hanify, tried unsuccessfully to win approval of a motion under which he would have been permitted to remain in the courtroom for the duration of the inquest.

The motion was denied by presiding District Court Judge James Boyle, who earlier had stipulated that attorneys for various witnesses in the case would be allowed in the courtroom only when their clients were testifying.

Kennedy, appearing relaxed and smiling, arrived for the inquest with his blonde wife Joan. Together they walked from a nearby house through the front door of the old brick

courthouse where the inquiry is being held. Most of the other witnesses already had arrived.

"YES, I AM," Kennedy said when a newsman asked if he is glad the inquest finally has begun. The senator had flown in by private plane a half-hour earlier from his home in Hyannis Port on Cape Cod.

Escorting the couple was William Barry, a New York banking security expert who served as a body guard to the late Robert F. Kennedy, during the 1968 presidential campaign.

The first key figure to arrive was Edgartown Dist.

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Judge James A. Boyle, who showed up at the courthouse more than two hours before the scheduled opening of the inquiry.

In the next couple of hours, attorneys for the parties in the case showed up in separate groups.

DIST. ATTY. Edmund S. Dinis of New Bedford, who requested the inquiry, arrived with a retinue of three aides; and the five other men and five young women who attended a cookout preceding the accident arrived separately.

Only Kennedy responded to the inquiries of about 60 newsmen who had been stamping their feet to keep warm in the sub-freezing air.

The Massachusetts Supreme Court ordered that the inquest be held in secret and that the record be locked up until all possibility of any criminal prosecution has passed. Newsmen will see the witnesses come and go but probably will learn little once the inquest is under way.

State and local police will guard the courthouse. State police are even checking the court chamber for listening devices.

After a light snowfall had turned Edgartown into a Christmas card scene yesterday, five young women and five men arrived on the island and were quietly driven to private homes to await their appearances in court.

IT WAS a far cry from their joyous arrival on the weekend of July 18. Then they were here to watch Kennedy

race in the Edgartown Regatta and to attend a steak cookout in a little rented cottage on Chappaquiddick Island.

The party ended in tragedy when Kennedy, who said he and Miss Kopechne were driving to catch the last ferry back to Edgartown, made a wrong turn which led to the accident at treacherous Dike Bridge.

Kennedy escaped but Miss Kopechne was trapped in the car. By his own account in an emotional, nationally televised statement, the senator wandered in confusion back to the cottage, called his cousin Joseph F. Gargan and another close friend, attorney Paul Markham, from the party to dive for Miss Kopechne, then swam to Edgartown across the narrow ferry channel.

A week later, he pleaded guilty to leaving the accident scene. Boyle imposed a two-month sentence and suspended it.

AN INQUEST — which is a fact-finding inquiry and not a trial — was ordered by Dist. Atty. Edmund S. Dinis of New Bedford. First scheduled for early September, it was postponed when the Kennedy lawyers asked the Massachusetts Supreme Court to bar the press and to permit attorneys to cross-examine witnesses.

The high court consented to the press ban, but endorsed Boyle's decision to permit lawyers in the court room only when their clients are testifying — and then only to advise them of their constitutional rights.

Kennedy, his wife Joan, and their children Edward Jr. and Kara, went to Colorado Dec. 23 for a skiing holiday.

Kennedy returned to Washington Jan. 1 and arrived in Boston Saturday.

HE TRAVELED yesterday from Boston to his home in Hyannis Port across Nantucket Sound from the Vineyard. He decided to fly to Edgartown by private plane this morning for the 10 a.m. opening which Boyle ordered all witnesses to attend.

The No. 2 Democrat in the Senate has repeatedly said he looks forward to the inquest so that he can answer on a public record any questions that went unanswered in his television report.

He has told friends he is

mainly concerned about a statement by John Farrar, the diver who took the body from the car, that Miss Kopechne could have survived in an air pocket long enough to have been saved if Kennedy had summoned help immediately.

Kennedy vehemently denies this in private and will try to introduce expert, scientific testimony from a private consulting firm that conducted an extensive investigation into the physical circumstances of the accident.

DINIS SOUGHT an order from a court in Wilkes Barre, Pa., near where Miss Kopechne was buried, for exhumation of the body for a post mortem, but the judge ruled against him last month.

After the inquest, Boyle will write a report to the Superior Court—which occupies the same court room — announcing his conclusions about the legal cause of death. Regardless of the judge's finding, Dinis will be free to take the case before a grand jury for a possible criminal proceeding.

Testifying about the cookout and its aftermath will be the five girls, veterans like Miss Kopechne of Robert Kennedy's campaign, and the five men besides Kennedy who attended the party with them.

The girls are Rosemary Keough, 24, of Drexel Hill, Pa.; Maryellen Lyons, 26, of Milton, Mass.; her sister, Nance, 25, of Washington, who is on Kennedy's staff; Susan Tannenbaum, 24, of Washington; and Esther Newberg, 27, of Washington.

THE MEN, besides Gargan, 39, and Markham, 38, are John J. Crimmins, 63, of Boston, a long-time personal aide to the Kennedy family; Raymond LaRosa, 34, of Andover, Mass.; and Charles C. Tretter, 30, of Dedham, Mass.

Islanders who are expected to testify include:

— Police Chief Dominick J. Arena, who supervised the removal of the body and car from the tidal pond, and the diver, Farrar.

— Deputy Sheriff Christopher S. Look Jr., who said he saw Kennedy's car on or near the bridge road 90 minutes after the time Kennedy said he drove off the bridge.

— Dr. Donald R. Mills, the medical examiner who checked the body and pronounced death by drowning.

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Undertakers who handled Miss Kopechne's body.
— A telephone company official who will be asked about any calls placed from the area on Kennedy's credit card that night and the next day.

The owner and operator of the ferry called "On Time," which runs between Edgartown and Chappaquiddick.
— Russell Peachey, owner of the inn where Kennedy spent the night.



—AP WIREPHOTO.
SEN. EDWARD KENNEDY walks past newsmen at airport at Martha's Vineyard today before testifying in the inquest hearing on the death last July of Kennedy's secretary, Mary Jo Kopechne. She died in a car driven by Sen. Kennedy which went off a bridge and into a pond near Martha's Vineyard.



—AP WIREPHOTO.
AMONG THOSE SET to testify in the inquest today of Mary Jo Kopechne's death were **ESTHER NEWBERG**, top left, 27, of Arlington, Va.; **MARY ELLEN LYONS**, top right, 23, of Milton, Mass.; **ROSEMARY KEOUGH**, bottom left, 24, of Washington, D. C., and **SUSAN TANNENBAUM**, 24, of Washington. All four attended a party near the scene where Miss Kopechne died in a car driven by Sen. Edward Kennedy.