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## Two Lawyer Friends of Kennedy Testify at Inquest

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EDGARTOWN, Mass., Jan. 6 — The two men whom Senator Edward M. Kennedy turned to in desperation after the drowning of Mary Jo Kopechne were asked today at a closed inquest to describe their actions on that July night on Chappaquiddick Island.

The two close friends of the Senator, Joseph Gargan, a cousin, and Paul F. Markham, a former United States Attorney for Massachusetts, were the chief witnesses on the second day of the inquiry.

Miss Kopechne, a Washington secretary, was drowned when Senator Kennedy drove his car off a narrow bridge into a tidal inlet on the night of July 18 last year.

Senator Kennedy did not report the accident for more than nine hours. He meanwhile solicited help from Mr. Gargan and Mr. Markham, who had stayed behind at a cookout.

The Senator, in a television statement July 25, said he had returned to the scene of the accident with his two friends and that they had made "strenuous efforts" to rescue Miss Kopechne from the submerged car. Senator Kennedy said he had failed to notify the police because he had been in a state of shock and exhaustion.

### Six-Month Silence

Apart from the Senator himself, there is apparently no one who knows more about the accident than the two Boston lawyers. For nearly six months they had maintained silence about the accident.

The answers they gave today will not be known until a report on the inquest by District Judge James A. Boyle is re-

leased by a Superior Court judge.

Mr. Gargan testified this morning and refused to comment when he left the red brick courthouse, citing an admonition by the court not to discuss testimony.

Mr. Markham, who followed him as a witness, said when he emerged this afternoon that he had been questioned for about 40 minutes by Armand Fernandes, an assistant to District Attorney Edmund Dinis. Mr. Dinis had walked out of the courthouse, leaving the interrogation of Mr. Markham to his aide.

The district attorney slipped out of the courthouse unobserved by reporters, and there was a rumor that he was annoyed by the strict ground rules set by Judge Boyle.

The judge made it clear at the outset that he was running the inquest and that the district attorney was simply "an aide to the court" and was not to function as a prosecutor.

The rumor began when State Police Capt. Charles M. Harrington told Richard Drayne, press secretary to Senator Kennedy, that Mr. Dinis was withdrawing from the investigation and returning to his home in New Bedford, leaving matters in the hands of his

assistants. This conversation was overheard by newsmen.

Attempts to reach Mr. Dinis were unavailing until the district attorney turned up this evening at press headquarters in the basement of the Edgartown Methodist Church, adjacent to the courthouse.

Mr. Dinis firmly denied that he was quitting.

"I'm right here and I don't intend to leave," he said. "I don't know what the commotion is all about, but it is all an error. I'll be back in court tomorrow at 9:30 A.M."

The inquest was moving deliberately, apparently because of intensive and searching questioning of the 11 guests at the cookout that Senator Kennedy and Miss Kopechne had attended just before the fatal accident.

### Other Testimony

Besides Mr. Markham and Mr. Gargan, others questioned today included Charles Tretter, a yachting companion of the Senator's; John B. Crimmins, a chauffeur and general aide to Senator Kennedy; Ross Richards of Rumford, R. I., whose yacht "Bettawin" won a race in the Edgartown regatta against the Senator's yacht "Victura" and 29 other craft on the afternoon of the

tragedy, and Esther Newberg, 27, one of five young companions of Mary Jo Kopechne who attended the cookout.

Mr. Richards was a surprise witness. He was called because Senator Kennedy had boarded the "Bettawin" to congratulate him on winning the race. The district attorney apparently wanted to know whether or not Mr. Kennedy drank something on the Richards yacht.

According to a United Press International report of Senator Kennedy's secret testimony yesterday, the Senator said he had had only two rum and cokes at dinner and had drunk nothing at the cookout. In his television account July 25, the Senator said he was "not under the influence of liquor" when his car plunged from the bridge.