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KENNEDY URGES RELEASE OF DATA

Wants Original Transcript
of the Inquest Opened

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BOSTON, April 23—Senator Edward M. Kennedy asked the Massachusetts Supreme Judicial Court today to order released for public examination the original transcript and report of the Mary Jo Kopechne inquest.

The move was designed to release to the public at least one copy of the documents while a legal dispute continues over reproduction of the papers.

Edward V. Keating, clerk of the Suffolk Superior Court in Boston and custodian of the impounded documents, initially was authorized by the Supreme Court to have copies of the transcript made at nominal costs and then distribute them simultaneously. Mr. Keating has already had some 100 copies printed for sale to representatives of news media for \$75 apiece.

Release of the documents was held up, however, when two freelance court reporters who compiled the transcript filed court suits contending that they had contracts to sell as many as 75 copies. Their price was to be either \$1.05 or 88 cents a page.

A Call for Decorum

In his petition, filed by Edward B. Hanify, his attorney, Senator Kennedy suggested that the Superior Court provide for "order and decorum" in the public examination.

Mr. Keating has said for some time that it would be chaotic to have nearly 100 newsmen in his office at once seeking to see the original documents simultaneously. The general public is also entitled to examine the documents once the existing impounding order is lifted.

There was no immediate response from the court as to how the public and representatives of the news media would examine the documents without creating chaos.

The 764-page transcript contains the sworn testimony of Senator Kennedy and the 26 other witnesses who testified at the inquest last January in Edgartown.

The other document is the 12-page report of Judge James A. Boyle, who presided at the inquest.

The inquest was held to examine the facts surrounding the death of Miss Kopechne, a 28-year-old Washington secretary who drowned last July when a car driven by Senator Kennedy plunged off a bridge on Chappaquidick Island and overturned in a tidal inlet.

Protecting His 'Rights'

Senator Kennedy said that he had never sought a "permanent bar" to disclosure of the inquest proceedings but had "sought only to protect his constitutional rights by procedural safeguards."

Some three hours after the petition was filed, the Supreme Court issued a brief but terse memorandum and order in which it made no reference to the Senator's petition.

Instead, the court referred to its original order on the release of the documents, pointing out that "because of the unusual aspects of this case, [the order] was designed to assure distribution of copies at reasonable cost and on a fair basis."

"No person has any private property interest in these documents, or any exclusive right to make copies of them," the report said.

The court concluded by ordering the Superior Court to handle all matters concerning the release of the documents for public inspection as well as for distribution of copies.

Today's flurry of action, however, did not produce any announcement of when and how the documents would be made public.