

MEXICO WEIGHING PLEA BY AMERICAN

High Court Hears Charge of
Extortion in Murder Case

By PAUL P. KENNEDY

MEXICO CITY, Feb. 3—The Mexico Federal District's Supreme Court has before it the final appeal of Joel David Kaplan, an American sentenced here to 28 years in prison for murder. It will be several weeks before the decision is announced.

Kaplan, 35 years old, of 215 East 75th Street, Manhattan, was sentenced last November for the murder of Luis Melchior Vidal Jr., also of New York, in 1961.

The case has attracted unusual attention because of the prominence of the persons involved and because of charges of extortion by Mexican judicial authorities.

In the appeal to the Supreme Court, Victor Velazquez, Kaplan's lawyer, charged that attempts were made by the Attorney General's office in the Federal District to extort \$200,000 from Kaplan as the price for quashing the case. Mr. Velazquez cited the sworn testimony of a prison warden as evidence.

Overtones of Mystery

The case has also attracted attention because of the overtones of mystery in which gun-running, narcotics and intervention in the Cuban revolution have been mentioned prominently.

Mr. Velazquez, who was called into the case as an associate of the New York law firm headed by Louis Nizer, insisted in an eight-hour presentation before the court that it had not been proved that Vidal had been killed.

He contended that the body, found in a shallow grave near the Mexico City-Toluca highway, bore none of Vidal's characteristics, and that the clothing, found about two miles from the body, while identified as belonging to Vidal, did not fit the body.

He also maintained that a man resembling Vidal and using a United States passport belonging to Vidal had passed through Tapachula, Mexico, into Guatemala 12 days after the alleged murder.

Kaplan, who is prominent in Latin-American business circles, entered Mexico with a false passport issued to Albert Richard Yates, 30 years old, a British seaman.

Two Were With Him

Two men accompanied him. One was a Russian-born naturalized American, Evsal Petrushansky. The other was an Israeli citizen who entered with a passport issued to an Earl Scott, a commercial artist. He later identified himself as Harry, or Haim, Kopelsohn, a merchant from Tel Aviv. He was charged with murder and acquitted. Petrushansky was not brought to trial.

Vidal was officially identified as treasurer of the American Sucrose Company, of which Kaplan was president. In his clothing were found canceled checks amounting to \$3,635 made out to the Paint Company of America, but endorsed by Vidal himself.

During the Kaplan trial, a woman who identified herself as Vidal's wife said that Vidal had been badly beaten by Cuban exiles at one time.

Vidal's father, an importer with an office at 227 Fulton Street, Manhattan, identified his son as a chemical engineer. The elder Vidal, born in Puerto Rico, was at one time a consultant for the United States. One of Kaplan's uncles was identified here as a wealthy molasses importer.

The United States Embassy here has taken a deep interest in the Kaplan trial. It is also reported here that high officials in Washington have been interested in the case.

Nephew of Fund President

According to legal sources here, Kaplan is the nephew of J. M. Kaplan, president and treasurer of the J. M. Kaplan Fund, Inc., a New York philanthropic organization.

Last August, the fund, whose purpose has been defined as being "to strengthen democracy at home and abroad" was said to have acted as a "secret conduit" for transmission of funds abroad for the Central Intelligence Agency.

The charge was made by Representative Wright Patman, the Texas Democrat, whose House small business subcommittee was investigating tax-exempt foundations at the time.

During the committee's hearings, it was brought out that the C.I.A. had given some monies to the Kaplan Fund, but the amount and the purpose was not disclosed.

The fund drew up a wall of silence on the matter, and Mr. Patman, after meeting with officials of the intelligence agency and the Internal Revenue Service, announced that he was dropping the C.I.A. phase of his investigation because "the C.I.A. does not belong in this foundation investigation."

This is the article that has so many loose ends that it seems to be right out of the 26 volumes. In one column, we have the CIA, the Kaplan fund, intrigue in Mexico, Cuban counterrevolutionaries, passport handbook, Louis Nizer, Russian emigres, and Washington hush-ups. Have read nothing subsequently.