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Exhumation plea in spy chief case

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NEW YORK—The city's chief medical examiner Thursday requested exhumation of the body of Dennis McNell, who died mysteriously one week after his two brothers contacted a newspaper to accuse the CIA's ex-spymaster, Max Hugel, of joining them in an illegal stock manipulation deal.

The examiner, Dr. Elliot Gross, said in a letter to the Queens County district attorney that an autopsy is necessary to determine whether the 41-year-old McNell was murdered.

The district attorney, John Santucci, said he is beginning a full investigation into the McNell case and hopes to respond to the exhumation request by next Monday.

THE MEDICAL EXAMINER'S decision to seek an autopsy followed publication of a story in Wednesday's Chicago Tribune which revealed details of the suspicious June 1 death.

Santucci has assigned two New York City police detectives and two assistant district attorneys to sift the evidence and to attempt to interview McNell's widow, Jean, and a Chicago businessman, Stanley Kielmar, who was associated with all three McNell brothers in their Triad Energy Corp.

It was learned that the probe has been hampered by Mrs. McNell's refusal to be interviewed by the police. One source close to the investigation told The Tribune that she informed detectives that she had been asked to remain silent by the Federal Bureau of Investigation.

HOWEVER, LATE Thursday the sources said the FBI, which is conducting its own investigation of the McNells, had indicated they would cooperate with local authorities.

McNell died in a Queens hospital while being prepared for surgery for a suspected ruptured spleen. In an unusual action, no autopsy was performed at the time.

The accusations against Hugel, when published two weeks ago in the Washington Post, resulted in his immediate resignation as assistant director of the CIA. He denied the charges, however, and said the McNells were trying to blackmail him.

THE TWO SURVIVING McNell brothers, Samuel and Thomas, have vanished. Directors of the Triad firm charge that about \$3.3 million is missing from Triad and a second company the McNells ran.

Kielmar, a Chicagoan who is one of Triad's directors, informed the FBI last week that he had been told that Dennis McNell, who was employed as an administrative assistant for the firm, was abducted and beaten twice this year—once in April or May and a second time just before his death.

Kielmar, in his statement to the FBI, said he "assumed" the alleged beatings were related to the "brothers' dealings with Hugel and he interpreted them as "a warning for the McNells to cool it with Hugel."

IN HIS LETTER to the district attorney, medical examiner Gross explained that the hospital's records on Dennis McNell list a ruptured spleen as a possible cause of his death.

"A rupture of the spleen is most frequently of traumatic origin and often the result of a criminal act," Gross said in the letter.

He also raised the suspicion of foul play in making the formal request for an exhumation. "I am of the opinion that an autopsy is indicated to determine whether or not the death in any way resulted from a criminal act," the letter stated.

SANTUCCI'S OFFICE revealed only a portion of the contents of the letter. It was learned that Gross has indicated to the district attorney's office that an autopsy, in all probability, will not by itself determine conclusively whether a homicide had been committed.

The hospital's records show that there were no bruises on Dennis McNell's body. A number of medical authorities have said it would be possible for someone to sustain a severe blow to the abdomen without there being any resulting external marks.

The original report on the case in the medical examiner's office indicated that McNell may have suffered from cirrhosis of the liver, an affliction which could, according to experts, damage the spleen.

BUT MRS. McNELL told The Tribune in an interview Sunday night that, as far as she knew, her husband was in robust physical health at the time of his death, except for a mild diabetic condition.

District Atty. Santucci said that if McNell's death was caused by a beating that occurred in Queens, a largely suburban borough of New York City, it would be his office's responsibility to conduct a homicide investigation.

McNell's body is buried in Maine, and Santucci has obtained a pledge of cooperation from officials in that state if a decision is made to exhume. Court approval would be needed, with or without the permission of McNell's widow, Santucci said.

SOURCES SAID police are eager to question Mrs. McNell about any knowledge she might have of either alleged beating.

In her interview with The Tribune, she said she knew nothing about any violence which might have been inflicted on her husband. She did say, however, that during the last three or four months—the period during which the first beating supposedly occurred—McNell had remained overnight in Manhattan after working late on a few occasions and that it was possible he could have sought medical assistance without her knowledge.