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# Berrigan Gets Two Years

HARRISBURG, Pa. (AP) — Imprisoned antiwar priest Philip Berrigan and a Roman Catholic nun who served as his lieutenant in an alleged plot to kidnap a presidential adviser were sentenced Tuesday to federal prison terms for smuggling letters into and out of prison.

At the same time, the government said it would not seek new trials for Berrigan and other members of the so-called Harrisburg Seven on the conspiracy charges upon which a jury deadlocked last April.

Former U.S. Atty. Gen. Ramsey Clark, a member of the Berrigan defense, said the sentences would be appealed.

Berrigan, 48, who currently is serving a six-year term for destroying draft board files in Maryland in 1968, was sentenced to serve two years on each of four counts of smuggling.

But U.S. District Court Judge R. Dixon Herman ruled that the terms should run concurrently with his present prison term.

This means Berrigan is eligible to apply immediately for parole and could be free before next spring.

Dixon sentenced Sister Eliza Beth McAlister, 32, to one year in prison on one of three counts of which she was convicted and to three years probation on each of the remaining two, the sentences to run concurrently. Herman later agreed to a defense request to reconsider the one-year sentence.

The gray-haired priest could have received a maximum of 40 years, 10 years on each count, and Sister Elizabeth 30 years.

The two, along with five others, were also tried on charges of conspiring to kidnap presidential adviser Henry A. Kissinger and of plotting to blow up heating tunnels under federal buildings in Washington, D.C.

The federal jury was unable to reach a verdict on the conspiracy counts of the indictment after nearly three months of trial.

The mail exchanged by the pair, without the permission of the warden of the Lewisburg, Pa., penitentiary where Berrigan was imprisoned in the spring and summer of 1970, was carried out by a fellow inmate who turned FBI informant.

Berrigan now is in the federal prison at Danbury, Conn.

Two of the contraband letters dealt with the alleged scheme to kidnap Kissinger and hold him hostage until the United States withdrew from Vietnam.

Sister Elizabeth was suspended as an art history teacher at Marymount College, Tarrytown, N.Y., after she was indicted in January 1971.

The nun, who smiled weakly when she heard her sentence, remained free in \$10,000 bail, pending the appeal.