

Agnew Says Rep. Anderson Is 'Popping Off for Political

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, Jan. 25 — Vice President Agnew charged today that a member of the House of Representatives was "popping off for political reasons" about Federal conspiracy accusations against the Berrigan brothers.

But Representative William R. Anderson, Democrat, of Tennessee, the object of Mr. Agnew's attack, replied that the Vice President had "used his high office to comment on a serious matter without having the facts before him."

The Rev. Philip Berrigan and the Rev. Daniel Berrigan are Roman Catholic priests, serving prison sentences for destroying draft records. They were named as key figures in an alleged conspiracy to blow up Government heating systems here and to kidnap Henry A. Kissinger, President Nixon's assistant for national security affairs.

Mr. Agnew issued a statement accusing "a high Government official" — identified by his aides as Mr. Anderson — of making public statements critical of the Federal Bureau of Investigation Director, J. Edgar Hoover, and of having hailed the Berrigans as heroes and having urged nationwide demonstrations against their indictment on the kidnapping charges.

One Indicted; One Named

In fact, the Rev. Philip Berrigan was among six individuals indicted on the charges while the Rev. Daniel Berrigan was one of seven persons named as co-conspirators, but not indicted.

"If our system of jurisprudence is to survive, I deem it imperative that Americans reject this emotional, self-serving claptrap," Mr. Agnew said.

He noted that the American system of justice provided for a presumption that the defendants were innocent and said that "no fair-minded citizen should pre-judge the matters to be determined through our judicial process. However," Mr. Agnew went on, "it must also be remembered that it is just as unfair to pre-judge the actions of the grand jury that returned those indictments."

To impugn the motives of the grand jury and the F.B.I., the Vice President said, "In other words, popping off for political advantage prior to the trial, is nearly as reprehensible as finding the defendants guilty before they have been tried and convicted."

"What it amounts to, "he continued, "is a vote of no confidence in our judicial institutions, and it will become a member of the Congress."

Mr. Anderson discussed the accusations against the Berrigans in a speech yesterday in Louisville, Ky., to the governing board of the National Council of Churches. But, he said, after learning of Mr. Agnew's comments, that the Vice President had been ill-informed of the nature of his speech.

The Tennessee Representa-

tive said that he had never suggested, "during my entire life," that demonstrations were a way to seek justice. "Demonstrations are simply not my cup of tea," he added.

Quoting from his speech, Mr. Anderson said he had told the church group that demonstrations on behalf of the Berrigans are "inevitable — indeed, they are being promoted." But he also quoted a section in which he urged the clergymen to help "get the street demonstration into our churches."

Mr. Hoover first disclosed the alleged plot in testimony before a Congressional subcommittee last November. At the time, Mr. Anderson challenged him to either seek criminal charges or retract the statement about the Berrigans.

But Mr. Anderson recalled today that he had said, when the indictments were announced that he was "delighted that they at last have finally been removed from the trial-by-headline arena" and that he had "faith in the judicial system."

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He never referred to the Berrigans as heroes, he added, "though history may ultimately so judge them." Mr. Anderson said the Vice President had a right to exercise freedom of speech but that "his remarks pertaining to me do not benefit either his office or the crying public need for truth in judgment."

The Vice President's office said that his criticism had been based on a report today in The New York Times. The report quoted Mr. Anderson as

having warned of demonstrations but did not say he had called for them.

Nun Told to Testify

HARRISBURG, Pa., Jan. 25 (AP)—A Roman Catholic nun named as a co-conspirator in the alleged kidnapping and bombing plot was granted immunity from prosecution today and ordered to testify before a Federal grand jury investigating the case.

United States District Court

Judge R. Dixon Herman told Sister Jogues Egan, "No information can be used against you unless it involves perjury. This court will protect you."

The 52-year-old nun, now living in New York City, had balked at testifying after the jury indicted six persons, three of them Catholic priests, and named seven co-conspirators including Sister Jogues.

United States Attorney Guy Goodwin has indicated that the grand jury has not completed its investigation of the alleged

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Berrigans

conspiracy and he reported that more people might be indicted.

The judge told Sister Jogues, in ordering her to testify, that the grand jury was also inquiring into interstate transportation of explosives, traffic contraband, and destruction of Federal property. There was no further amplification of this comment. The six defendants have denied the charges, calling them a Government attempt to end opposition to the Vietnam war.