

NUN, IN CONTEMPT, IS ORDERED TO JAIL

She Refuses to Testify at
Hearing on Alleged Plot

By BEN A. FRANKLIN

Special to The New York Times

HARRISBURG, Pa., Jan. 26

—A United States district judge ordered a Roman Catholic nun to jail today for her refusal to testify before a Federal grand jury investigating the alleged bombing and kidnapping plot of the so-called Harrisburg Six.

The Government has accused the Rev. Philip F. Berrigan and five others of plotting to bomb Federal installations in Washington and then to kidnap Henry A. Kissinger, President Nixon's top foreign policy adviser, as a protest against the continuation of the war in Vietnam.

The grand jury that handed down those indictments here on Jan. 12 is still investigating and other indictments are expected.

Today's order by Judge R. Dixon Herman remanded Sister Jogues Egan, 52 years old, the former provincial superior in New York of the Order of the Sacred Heart of Mary, to an indeterminate term—up to a maximum of 18 months—in the York County jail at York, Pa., 25 miles south of Harrisburg.

Begins Her Sentence

Smiling, and after briefly embracing and kissing her defense lawyer, Jack Levine, she began her sentence tonight. Judge Herman rejected Mr. Levine's insistent requests for a stay of execution of the sentence or for bail pending an appeal. An appeal is expected to be filed tomorrow at the United States Court of Appeals for the Third Circuit in Philadelphia.

Of the 60 or more secret grand jury questions that Sister Jogues declined to answer today 10 were disclosed in open court during her contempt sentencing. Several of them revealed that the Government was pursuing additional charges that some or all of those indicted may have also plotted to "bomb computers at the Pentagon."

To each question before the grand jury, Sister Jogues replied today by reading from a prepared statement that said she was "respectfully declining" to answer because the questioning of her was an "unconstitutional" invasion of her First Amendment rights of association with others. The grand jury, she said, was exceeding both its statutory and geographic scope by inquiring illegally into events outside the Middle District of Pennsylvania, and because the questioning was based on "illegal wire-taps."

Her statement said that "all or some of the communications monitored by the United States Government involved communications within the Roman Catholic Church of America and, specifically, between my provincial headquarters and the offices of the church in New

York, Rome and throughout the United States."

Sister Jogues—the name she told newsmen today she preferred to Sister Egan—indicated repeatedly her determination not to comply with Judge Herman's order compelling her to answer the questions of Guy L. Goodwin. She could be released from jail by agreeing to testify at any time.

Mr. Goodwin is the special Justice Department prosecutor from Washington who is in charge of the Government's conspiracy case against six Roman Catholic priests, former priests and laymen indicted here on charges of plotting to dynamite heating tunnels between Federal buildings in Washington on George Washington's birthday and then, the next day, to kidnap and hold hostage Mr. Kissinger.

The five defendants who will be arraigned here on Feb. 8 with Father Berrigan are Egbal Ahmad, a Pakistani graduate student; the Revs. Neil McLaughlin and Joseph Wonderuth; Anthony Soblick, a former priest, and Sister Elizabeth McAlister.

Standing before Judge Herman late this afternoon in her plainly tailored, below-the-knee black dress and her black leather, knee-length boots, Sister Jogues said:

"I have no desire to stand in contempt of this court, but I have a higher duty not to stand in contempt of a court higher than this one."

3 Hold News Conference

Special to The New York Times

BALTIMORE, Jan. 26—Three of the six persons indicted in the alleged plot to kidnap Mr. Kissinger said today that they "believe we have been framed by the Government through the F.B.I. and the Justice Department" and "the Government is interested in paralyzing the peace movement."

At their first news conference since being indicted, Father McLaughlin, Father Wenderoth and Mr. Scoblick, all of whom live in Baltimore, said they had consistently taken a nonviolent stand in protesting the war in Southeast Asia. "Non-violence is the most viable way to relate to the peace movement," said Father McLaughlin.