

JURY PANEL PICKED IN BERRIGAN TRIAL

12 Jurors Will Be Selected
From Its 46 Members

By HOMER BIGART

Special to The New York Times

HARRISBURG, Pa., Feb. 7—

A 46-member panel from which 12 jurors will be selected for the trial of the Harrisburg Seven was finally completed late today.

After 11 days of intensive questioning of more than 80 residents of central Pennsylvania, a panel was found that mirrored a predominately white, Protestant, conservative area that has remained relatively untouched by the uproar over the Vietnam conflict.

Tomorrow the defense and Government attorneys will exercise a total of 34 peremptory challenges to reduce the panel to 12 regular members. Then, six alternate jurors must be selected, a process that may take two or more days before the Government opens its case against the Rev. Philip Berrigan and six other antiwar activists.

Loss of Rights Seen

The belated discovery that a Harrisburg bartender had once been convicted and fined \$100 on a gun charge caused his dismissal as a potential juror and delayed the completion of the panel for several hours this morning.

The defense protested the decision of District Judge R. Dixon Herman to dismiss the black bartender on a challenge by the Government. The defense noted that only three

blacks remained on the panel. The defense attorneys argued vainly that the bartender's civil rights had never been abrogated as a result of any criminal conviction and that he could not be disqualified as a juror.

They argued further that "disqualification of jurors on grounds of minor criminal convictions, when applied against jurors of the black race, operates to systematically reduce the percentage of black jurors available for service, since black Americans, by virtue of their historically oppressed social condition and lack of certain opportunities in our economy, have statistically higher rates of criminal convictions than white Americans."

The bartender was replaced by a bearded, long-haired youth who said he believed that prolonging the war would only result in "wasting lives."

The youth, who wore flaring dungarees and a tight fitting jersey, gave the first mod touch to the staid middle-aged panel.

Defense attorneys had been asking every potential juror if he had any prejudice against youth with long hair who wore unconventional clothing. Now the chief prosecutor, William S. Lynch, noting the youth's shoulder-length tresses, provoked laughter by asking whether the youth would have a bias against "clean-shaven F.B.I. men."

"To each his own," the youth shrugged.

Veteran Is Excused

Besides the bartender, another prospect was excused for reasons that none of the attorneys would reveal. This man, a National Guard veteran, had protested his ignorance of the war issues. He explained that

his reading was confined to "the hunting and fishing columns, the funnies and the people who died." He was replaced by a woman who kept a country store and had raised one son who served in the marines, one in the Army and one in the Air Force. All had survived their military duty; the Army veteran had been to Vietnam.

The completed panel consists of 19 men and 27 women. Only eight have gone beyond high school. The majority have come from small towns and rural neighborhoods. Fewer than 10 said they tried to keep abreast of the daily news.

The defendants are three Roman Catholic priests and a nun, a former priest, a former nun and a Pakistani scholar.

They are charged with conspiracy to kidnap Henry A. Kissinger, the President's national security advisor, and conspiring to blow up the heating system of Government buildings in Washington and destroy draft board records in several cities.