

BERRIGANS DENY KIDNAPPING PLOT

Imprisoned War Foes Term
Charges a 'Fabrication' to
Destroy Peace Drive

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By WILL LISSNER

Special to The New York Times

DANBURY, Conn., Jan. 13—From a counsel room in the Federal prison here, the Rev. Philip F. Berrigan and the Rev. Daniel Berrigan issued today a statement denying that they had any part in an alleged plot to kidnap a Presidential assistant and damage Federal buildings.

The two Roman Catholic priests, brothers who are widely known as foes of United States involvement in Vietnam, scored the charges against them as a "fabrication by the Government," according to their attorney, William M. Kunstler of New York.

They likened the Government's charges to the Nazis' burning of the Reichstag building in 1933.

Father Philip Berrigan and five other persons were indicted by a Federal grand jury in Harrisburg, Pa., yesterday for conspiracy to kidnap Henry A. Kissinger, assistant to the President for national security affairs, and to blow up the heating systems of Federal buildings in Washington. Seven other persons, including Father Daniel Berrigan, were named as co-conspirators but not as defendants.

The indictment said that the

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purpose of the kidnapping would have been to hold Mr. Kissinger hostage to force the United States to reduce the war in Vietnam.

The Berrigans said in their statement:

"The objective is a simple but deadly one—to destroy the peace movement by creating caricatures of those who oppose the war in Southeast Asia.

"Knowing that most Americans are against that war, the Government has embarked on a tragic and outrageous course—to stigmatize millions of morally dedicated opponents of our military involvement in Indochina as violent and deranged people."

Mr. Kunstler gave the statement to newsmen outside the main entrance to the long, squat white buildings of the Federal Correctional Institution here, where the Berrigans are serving sentences for destroying draft records.

Turned Down by Warden

He said that the Berrigans had asked the warden, John J. Norton, for permission to hold a news conference to reply to the "mammoth" news conference the Department of Justice held last night to publicize the charges and the indictment.

"I presented the request on their behalf to the warden," Mr. Kunstler said. "He turned me down flatly."

Asserting that the Government had "created a grotesque conspiracy," the Berrigans declared:

"We call on all our fellow citizens, whatever their politics or religious beliefs, to repudiate the use of fabricated charges and state trials to facilitate the implementation of foreign and domestic policies that may, if unchecked now, make peace, freedom and truth anachronisms of another day."

Mr. Kunstler said that the two priests hoped people would stage "enormous nationwide protests, demonstrations, financial fund-raising efforts" because "the entire protest movement, and particularly the Vietnam peace movement, is under attack."

Calls Charge 'Insidious'

Mr. Kunstler said he had not asked Father Philip Berrigan whether he had been visited in the Federal prison at Lewisburg, Pa., by Sister Elizabeth McAlister, another of those indicted. Sister Elizabeth, 31 years old, of Marymount College, Tarrytown, N. Y., was also accused of attempting to smuggle into and out of the penitentiary four packets believed to contain plans for the alleged plot.

"They'll present evidence about the comings and goings of priests and nuns," Mr. Kunstler said. "Informers and F.B.I. infiltrators will make all sorts of allegations putting a sinister cast on their movements. How can you refute that? That's the insidious part of a conspiracy charge."

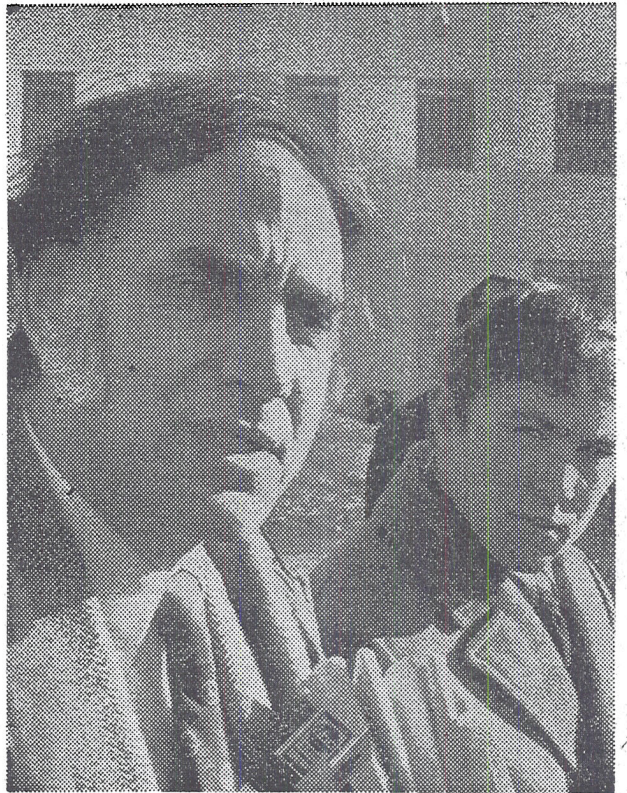
Mr. Kunstler said that the Berrigans had authorized him and half a dozen other peace movement lawyers to represent them and to look into the possibility of demanding that the alleged co-conspirators also be indicted "so they have their day in court."

Blunder' Is Alleged

He said that the Berrigans viewed the charges as "a colossal blunder into which the Government was stampeded after J. Edgar Hoover, director of the Federal Bureau of Investigation, concocted them to justify an appropriation for an additional thousand agents."

The other defendants in the conspiracy case, besides Father Philip Berrigan and Sister Elizabeth, are the Rev. Joseph R. Wenderoth, 35, of Baltimore, a Catholic priest; the Rev. Neil R. McLaughlin, 30, of Baltimore, a Catholic priest; Anthony Scoblick, 30, of Baltimore, a former priest, and Eqbal Ahmad, 40, a fellow at the Adlai Stevenson Institute of Public Affairs in Chicago.

Those named as co-conspirators but not as defendants, besides Father Daniel Berrigan, are Sister Beverly Bell, 43, and



United Press International

VISITS BERRIGANS IN PRISON: William M. Kunstler talking with newsmen after he met with Philip F. and Daniel Berrigan, Roman Catholic priests who have been accused of plotting to kidnap a White House aide. Mr. Kunstler, their attorney, said they denied the charge.



Rev. Philip F. Berrigan



Eqbal Ahmad

Sister Marjorie A. Shuman, 47, both of Washington; William C. Davidson, 43, a professor at Haverford College, Haverford, Pa.; Thomas Davidson, 25, of Washington; Paul Mayer, 39, of Edgewater, N. J., a former priest, and Sister Joques Egan, 52, of New York, a member of the Religious Order of the Sacred Heart of Mary.

Mr. Hoover disclosed the alleged plot in Senate testimony Nov. 27. He said then it was being planned by a group called the East Coast Conspiracy to Save Lives, headed by the Berrigans.

Investigation Continues

Special to The New York Times

WASHINGTON, Jan. 13—The Justice Department disclosed today that the Federal grand jury in Harrisburg is still looking into the alleged plot. A spokesman said that it questioned witnesses today in "a continuation of the investigation."

The spokesman declined to say who had been questioned or whether more persons would be indicted.

In a shift in recent Justice Department practices, the prosecution is being handled by lawyers from the Internal Security Division. Previously, conspiracy cases involving domestic radical groups have been handled by the Criminal Division.

A Justice Department source said that Attorney General John N. Mitchell had transferred all criminal cases involving internal security matters to the Internal Security Division. This is said to be part of a policy of building up the division, which has recently been given a new chief, Assistant Attorney General Robert C. Mardian.

in separate statements. Mr. Mayer said the indictment was an attempt to "stifle the voices of dissent." Mr. Davidon called it an example of Mr. Hoover's "wild determination to discredit those who have been struggling by non-violent means to produce fundamental changes in our society."

Mr. Davidon was reached in Culebra, P.R., where he is working with the Quaker Action Group, a pacifist organization.

3 Arraigned in Baltimore

By GRACE LICHTENSTEIN

Three of the six persons charged with plotting to kidnap Mr. Kissinger were arraigned on \$50,000 bail each yesterday in Baltimore and were then taken to Harrisburg, Pa., where the indictments had been issued.

Father Wenderoth, Father McLaughlin and Mr. Scoblick assailed the indictments in a statement issued by their attorney, accusing the Government of trying "to crush the antiwar movement."

Meanwhile, Sister Elizabeth was released on \$50,000 bail in Newark after spending the night in the Bergen County jail.

Later, Sister Elizabeth, dressed in street clothes, told newsmen she was "stunned" by the indictment. "We have all stood for nonviolence, and such acts as those described to me would be violent," she said.

Mr. Ahmad was held on \$60,000 bail in Chicago.

Father Wenderoth, Father McLaughlin and Mr. Scoblick were placed in the custody of Federal marshals after Magistrate Clarence Goetz rejected a request from Lawrence Cardinal Shehan of Baltimore for the release of the three men.

Visited by Cardinal

A spokesman for the archdiocese said that Cardinal Shehan visited the men in jail Tuesday night.

In their statement the three defendants declared that "to attribute kidnapping and bombing to priests who have neither the philosophy nor the resources to support such activity" showed "the desperation of men who have decided to stop at nothing" to destroy the peace movement.

The statement added that the three men "have been joined in a conspiracy for many years, a conspiracy to foster life."

One supporter of the Berrigans, Representative William R. Anderson, Democrat of Tennessee, said yesterday he was pleased that the case is now "in the proper judicial channels." Mr. Anderson had defended the Berrigans on the floor of the House against what he termed Mr. Hoover's "scare dramatics."

Two men named as co-conspirators rejected the charges