

PLOT JUDGE BIDS A PRIEST TESTIFY

Tells Him to Return Feb. 10
in the Harrisburg Case

By JOHN KIFNER

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HARRISBURG, Pa., Jan. 28

A federal court today ordered a Jesuit priest to testify before a grand jury that has indicted six persons on charges of conspiracy to blow up Washington heating tunnels and kidnap a Presidential adviser, Henry A. Kissinger.

The priest, the Rev. J. William Michelman, emerged from the grand jury room 40 times in two hours to consult with his lawyer.

His attorney, Francis X. Gallagher, had argued that the grand jury's subpoena was part of a "fishing expedition" and was a violation of a confidential relationship between a priest and a penitent.

One of the six indicted, Anthony Scoblick, a former priest, and his wife, a former nun, are now living with Father Michelman in Baltimore.

District Judge R. Dixon Herman ruled that the attempt to invoke priestly privilege before questioning began was premature and declined to review the questions beforehand in his chamber.

"I think I would agree about breaking the seal of confession," he said. "But that is not the issue here. If several priests discuss something, that is not the same as confession."

Besides Mr. Scoblick, 30 years old, the defendants are the Rev. Philip F. Berrigan, 47;

the Rev. Joseph R. Wenderoth, 35; the Rev. Neil R. McLaughlin, 30; Sister Elizabeth McAlister, 31; and Eqbal Ahmad, 40, a Pakistani scholar.

The grand jury was adjourned late this afternoon.

Attorneys for several of the witnesses have said that the

line of questioning has been directed toward acts mentioned in the indictments.

Father Michelman was ordered to return on Feb. 10, two days after the six defendants are to be arraigned. Another witness, Mrs. Patricia Chanel, a 41-year-old Silver Spring, Md.,

housewife, was also told to return then.

Sentence Completed

ALDERSON, W. Va., Jan. 28 (AP)—Marjorie Melville, a former Maryknoll nun who along with eight other persons was convicted of destroying draft records in Catonsville, Md., in 1968, was released from custody here yesterday.

Mrs. Melville, 40, completed a one-year sentence at a Federal women's reformatory.

The Associated Press reported erroneously yesterday that Mrs. Melville had been released on parole from a two-year sentence.