

BERRIGAN DEFENSE ASKS VENUE CHANGE

HARRISBURG, Pa., Jan. 17 (UPI) — Defense attorneys in the Berrigan conspiracy case asked today that the trial be moved to New York City because the Government contends it has evidence placing part of the alleged conspiracy there.

As an alternative, the attorneys said in their petition to Judge R. Dixon Herman, those defendants implicated by the evidence should be tried in New York and the others in Pennsylvania.

The evidence was presumed to be a letter from sister Elizabeth McAlister to the Rev. Phillips F. Berrigan.

"The Constitution says the crime should be prosecuted in the state where it allegedly was committed," said Leonard Boudin in support of his argument for a change of venue. "It is perfectly obvious this letter was sent from New York."

Father Berrigan, Sister McAlister and six others are charged with plotting to kidnap Henry A. Kissinger, President Nixon's adviser; blow up heating systems in Government buildings in Washington, D.C., and destroying draft records.

In a separate motion, Judge Herman ruled that one defendant, J. Theodore Glick, not be tried with the seven others. Mr. Glick, a 22-year-old draft resister from Lancaster, Pa., had asked earlier to act as his own attorney.