

Berrigan Judge Cautions Media on Jury Selection

By HOMER BIGART

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HARRISBURG, Pa., Jan. 24—The Federal judge in the conspiracy trial of the Rev. Philip F. Berrigan and six others charged with plotting the abduction of President Nixon's advisor on foreign policy matters, Henry A. Kissinger, threatened today to exclude the news media from the jury selection if they ignored his request to withhold publication of the names of the prospective jurors and their answers under examination.

District Judge R. Dixon Herman apparently thought that the prospective jurors, most of whom come from small communities, might be subjected to harassment if their answers to questions seeking their attitudes on the war and other controversial issues were immediately published. Judge Herman suggested that the material be published only after the jury was selected and sworn. "I think it is in the province of the court [that] if you violate it [his request] to continue to voir dire [examine the jury] in camera,"

As the examination began, Judge Herman excused 38 of the first 84 prospective jurors to come before his after they admitted prejudice in the case.

At a news conference late today, J. Thomas Mennaker, local attorney for the so-called Harrisburg Seven, said the defense would oppose exclusion of newsmen from jury selection.

"Voir dire will not be conducted in camera," I can tell you that," Mr. Mennaker said.

Of the 38 prospective jurors who admitted prejudice, 25 were men and 13 were women. All were white and middle-aged, and most came from rural districts.

They raised their hands when Judge Herman asked if they had formed "any opinions, prejudices, preconceptions or sympathies one way or the other, either pro-Government or anti-Government, pro-defendant or anti-defendant." He cautioned the prospective jurors not to reveal in court the nature of their bias. He told the jurors that the



AT HARRISBURG RALLY: Six of defendants charged with plotting abduction of Henry A. Kissinger on Sunday. From left: The Rev. Joseph Wenderoth, the Rev. Neil McLaughlin, John T. Cluck, who will be tried later, Sister Elizabeth McAlister, Dr. Edpal Ahmed and Mr. and Mrs. Anthony Scoblick.

case would probably take "several months" and that they would likely be sequestered from their friends and families during all that time. Of a panel of 175 veniremen selected, many pleaded hardship and were excused that the list was down to 84 this morning and only 45 survived the day. Three black women were among the 46 who indicated that they harbored no prejudice against the Government. The 11 counties from which the prospective jurors were drawn are predominantly white, Protestant and conservative with little or no history of opposition to the Vietnam war. Father Berrigan, two other Roman Catholic priests, a nun, and a scholar from Pakistan are accused of conspiracy to kidnap Mr. Kissinger, blow up draft files, was wearing a gray suit, with a thin red tie loosened on his white shirt. He told reporters: "It's a po-

ment buildings in Washington and destroy draft files in nine states. The seven defendants greeted each other with smiles in court today. Father Berrigan, who is serving a six-year sentence in the Federal penitentiary at Danbury, Conn., for destruction of draft files, was wearing a gray suit, with a thin red tie loosened on his white shirt. He told reporters: "It's a po-

at the close of the day by Dr. Edpal Ahmed, 40-year-old Pakistani who is a fellow at the International Institute of Islamic Studies in Chicago. The other defendants are Dr. Ahmad was spokesman for four of the defendants at a news conference; himself, the Rev. Joseph Wenderoth of Balthasar College, Marymount College, N. Y., and Anthony Scoblick, a former priest.

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