

Lawyer Told To Testify in 'Bug' Probe

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Douglas Caddy, the first attorney for the five men arrested in last month's alleged bugging of Democratic National Committee Headquarters, was ordered yesterday to answer questions before a Federal grand jury today or be jailed immediately.

U.S. District Chief Judge John J. Sirica ruled after a two-hour hearing that Caddy must answer certain questions about his relationship with E. Howard Hunt, a former White House consultant linked to five suspects and a "Mr. X," who has gone unnamed by prosecutors.

Caddy's four attorneys unsuccessfully argued that Caddy, a 34-year-old lawyer, represents both Hunt and Mr. X and therefore is protected by the attorney-client privilege from answering questions.

Sirica disagreed and ruled that if Caddy failed to answer at last a series of 38 prosecution questions today he would be found guilty of civil contempt of court and sent to jail.

"I'm not threatening him. I'm not beating around the bush," Sirica said. "When this court makes up its mind, it does."

Sirica was apparently persuaded by Assistant U.S. Attorney Earl J. Silbert's contention that none of the questions put to Caddy dealt with the substance of conversations he may have had with his alleged clients.

Silbert's still-unanswered questions to Caddy generally deal with the times Hunt or Mr. X may have employed Caddy as their attorney, and Caddy's activity and the telephone calls he made or received the night of the alleged June 17 bugging incident.

After Sirica announced that



JUDGE JOHN J. SIRICA
... "not threatening"

Caddy must answer or go to jail, Robert M. Scott, one of Caddy's attorneys, said: "This is very harsh treatment." Neither Scott nor the other attorneys would indicate to reporters after the hearing whether Caddy would choose to testify.

Sirica noted that Caddy could appeal the decision and, if he won, might be out of jail after "10 minutes."

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INCIDENT, From B1

Caddy's attorneys did disclose in court that Caddy has been before the grand jury three times for a total of about 14 hours and answered all but roughly 10 per cent of the 300 to 400 questions asked him.

In addition, his attorneys asserted that Caddy was home and in bed at all times the morning of June 17—the period about which most of the prosecution questions have been asked.

This is the second time that Sirica has ordered Caddy to answer questions before the grand jury. On June 30, Sirica ordered Caddy to say whether he knew Hunt.

According to court papers filed Tuesday, Caddy answered that but has refused to answer as many as 50 additional questions.

Caddy was the first executive director of the conservative Young Americans for Freedom and was a leader in the early 1960s of the Youth for Goldwater movement.