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BILL ON NEWSMEN FRUSTRATES ERVIN

He Finds Topic Hardest of
 His Career in Senate

Special to The New York Times

WASHINGTON, March 14— Senator Sam J. Ervin Jr., Democrat of North Carolina, expressed frustration today as he listened to proposals to restrict and to widen his bill to protect the rights of newsmen.

"I can argue either side without convincing myself very much either way," he said, interrupting a witness at the sixth day of hearings before a Senate Judiciary subcommittee.

"This is the most difficult field I've ever had to write a bill in," said Mr. Ervin, who has been writing legislation in the Senate for 18 years.

He had been listening to Martin I. Richman, chairman of a committee on Federal legislation of the Association of the Bar of the City of New York. Mr. Richman said newsmen should be required to testify in court in certain types of crimes, such as hijacking and kidnapping.

'The Worst Criminal'

"I have great difficulty with this," Mr. Ervin said. "The worst criminal, I think, is the drug dealer. He's not just killing a man. He kills a man's soul and renders his life useless."

"Now, 537 Congressmen aren't going to agree on a bill with a lot of exceptions," added the Senator as he wrinkled up his gray eyebrows.

Senator Ervin's current bill would give newsmen qualified protection from being forced to testify about their confidential sources of information by courts, grand juries and other governmental bodies. His bill says a newsman is entitled to refuse to identify source if he gave assurances to the source that his identity would not be disclosed. The newsman would not be excused from testifying on the identity of any person committing a crime in his presence.

The protection would apply to state as well as Federal courts.

Mr. Richman said a reporter's nonprofessional activities, facts observed in the coverage of public events and information actually published should not be privileged.

He emphasized that reporters should "not be required to testify on any confidential information not actually published, such as the identity of an anonymous source."

The New York bar, according to Mr. Richman, also believes that a requirement for invoking the newsman's privilege should be "a current employment relationship with some medium of communication characterized by periodic publication, or a past record of publication in periodic media."

Scholar Asks Privilege

Prof. Hans J. Morgenthau of City College in New York told the committee that the privilege of confidentiality should be extended to scholars.

"The Government has at its disposal a whole army of scholars, directly and indirectly dependent upon it, who provide the arguments and justifications of whatever policy the Government pursues or intends to pursue," said Dr. Morgenthau.

"They have become the main channels of independent information and judgment from the opposition within the Government to the people at large."

Ruling in Florida

Special to The New York Times

MIAMI, March 14—A Federal judge here dismissed today a petition to stop dissemination of information about an inquiry into alleged corruption in Dade County's judiciary and local government.

United States District Judge Joe Eaton ruled that the petition by the Rev. Temperance Wright, whose name has been mentioned in connection with the inquiry, did not belong in a Federal court but should be addressed to state courts.

Reporters had been subpoenaed in the case to appear with all the notes they had gathered during their coverage of the inquiry.