

# Watergate Judge Relaxes Ban on Comment on Case

NYTimes

OCT 7 1972

Special to The New York Times

WASHINGTON, Oct. 6—The Federal judge who issued an order Wednesday prohibiting "extrajudicial statements" by all parties to the Watergate bugging indictments said

today that he had never intended his order to restrict Congressional activity, political debate or news reports concerning the case.

Chief Judge John J. Sirica of the Federal District Court here, who is in charge of the forthcoming criminal trial of the seven men indicted in the bugging, issued the clarifying order following two days of criticism from George McGovern and other Democratic party leaders.

The original order had enjoined the seven defendants,

Excerpts from an interview by a Los Angeles Times reporter with Alfred C. Baldwin 3d, an admitted participant in the Watergate bugging episode, on Page 22.

the Justice Department, law enforcement agencies and "all witnesses and potential witnesses, including complaining witnesses and alleged victims" from discussing any aspect of the case outside his courtroom.

The judge today deleted the phrase "all witnesses and potential witnesses including complaining witnesses and alleged victims" from the order.

There had been speculation that, because the seven defendants were accused of having committed various forms

Continued on Page 22, Column 1

Continued From Page 1, Col. 3

of electronic eavesdropping against the Democratic National Committee, members of the McGovern Presidential campaign organization including the Senator, might be in contempt of court if they discussed the bugging operations in campaign speeches.

Before the judge acted today, Lawrence F. O'Brien, Senator McGovern's national campaign chairman, called Judge Sirica's original order a "gag rule" and said that it represented "an act of suppression by the Nixon Administration."

Mr. O'Brien, the Democratic party chairman at the time the bugging took place, said that he, Mr. McGovern and other members of the campaign were prepared to go on speaking publicly about the case and would appeal the order to the Supreme Court if necessary.

In a related development, The Des Moines Register reported today that the Presidential press secretary, Ronald L. Ziegler, said yesterday that some of the money used in the bugging operation had come from President Nixon's campaign fund.

In its indictment, handed down last month, a Federal grand jury here said that on or about May 10 one of the defendants, James W. McCord Jr., paid \$3,500 in cash for "a device capable of receiving intercepted wire and oral communications."

The indictment also charged that, sometime between June

11 and June 15, Mr. McCord was given \$1,600 more by G. Gordon Liddy, also a defendant, and at the time of the alleged transfer general counsel to the Nixon campaign's finance committee.

Clark Mollenhoff, The Register's Washington bureau chief, quoted Mr. Ziegler as saying that he disagreed with the view that the source of these two sums of money was "an unanswered question."

"I don't think there is any question but that the money came from the committee funds," Mr. Ziegler reportedly said.

Asked about his reported comments, Mr. Ziegler called Mr. Mollenhoff's article "a complete misinterpretation of what I said." "I know nothing about the Watergate case," he added.

Mr. Mollenhoff said that he was standing behind his article. "There is no question in my mind that Ziegler knew what funds we were discussing, and what committee we were discussing," he said in a telephone interview.

"I had pointed out that the indictment included overt acts involving \$1,600 cash in Liddy's possession and McCord's purchase of \$3,500 worth of electronic equipment. Ziegler stated, 'That question, has been answered. There isn't any question but that the money came from the committee.'"

The Committee for the Re-election of the President has repeatedly denied that any of its funds were used to finance the bugging operation, which

the Justice Department says took place in May and early June.

Committee spokesmen, including Mr. Nixon's campaign director, Clark MacGregor, have also denied that anyone now employed by the reelection committee had any knowledge of or played any part in the bugging.

The Washington Post reported this morning, however, that Alfred C. Baldwin 3d, an admitted member of the bugging operation and a key Government witness in the case, has told the Federal Bureau of Investigation that memorandums describing overheard conversations were sent to members of the White House and Nixon campaign staffs.

According to The Post, Mr. Baldwin named William E. Timmons, President Nixon's assistant for Congressional relations; Robert C. Odle Jr., and Glenn J. Sedam Jr., two re-election committee officials, as the recipients of the purported documents.

Mr. Sedam shared an office with Mr. Liddy in the Nixon campaign's headquarters until March 27, when Mr. Sedam succeeded him as counsel to the Nixon, re-election committee and Mr. Liddy became counsel to the Nixon Finance Committee.

Telephone records show that three long-distance telephone calls were made from the Miami home of Bernard L. Barker, another of the seven defendants in the criminal case, to the committee telephone in Mr. Sedam's office after March

27, the date that Mr. Liddy moved out.

Mr. Sedam has denied receiving any call from Mr. Barker.

Mr. Baldwin, the "eighth man" in the bugging case, was not indicted after he agreed to cooperate with the Justice Department. He offered a number of details about his role in the affair in an interview published yesterday in The Los Angeles Times.

Mr. Baldwin said that his employment by the committee as a security guard had initially been approved by Frederick La Rue, a former counsel to President Nixon "on loan" to the re-election committee with a number of other White House officials.

Mr. Baldwin said that he had worked briefly as a bodyguard to Mrs. Martha Mitchell, the wife of John N. Mitchell, who was then Mr. Nixon's Attorney General, before being transferred by Mr. McCord to the bugging operation.

He said that he had spent about three weeks in a motel room across from the Watergate complex monitoring taps on telephones used by Democratic National Committee officials, including Spencer Oliver, the head of the party's association of state chairmen.

In addition to Mr. McCord, Mr. Barker and Mr. Liddy, the indictment named as a defendant in the case E. Howard Hunt Jr., a former White House consultant under the Nixon Administration, and three other men.