

Paper Gives Court Its Watergate Tapes

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WASHINGTON, Dec. 21—The Los Angeles Times, released from a pledge of confidentiality, turned over in court today tape recordings of its interview with a central figure in the Watergate bugging case.

The action effectively ended a contempt-of-court proceeding in which the newspaper's Washington bureau chief, John F. Lawrence, was jailed briefly on Tuesday after an initial refusal to surrender the recordings.

The Times had promised Alfred C. Baldwin 3d, who was questioned last September about the break-in at the offices of the Democratic National Committee and related matters, that it would not divulge the details without his approval.

An apparently full account of the eavesdropping and wiretapping operations at Democratic headquarters, as described by Mr. Baldwin in the interview, was subsequently published by The Los Angeles Times.

Mr. Baldwin and his attorneys agreed in today's move to allow the newspaper to make the full recordings available to Chief Judge John J. Sirica of the United States District Court here for a closed-door inspection of the contents.

It was understood that the judge would edit out any remarks on the tapes by Mr. Baldwin's attorneys or by the two reporters who conducted the interview, Jack Nelson and Ronald J. Ostrow.

The tapes, which had been turned over by the reporters to their paper, had been sought by attorneys for E. Howard Hunt Jr., one of seven defendants in the forthcoming criminal trial.

Mr. Baldwin is expected to be a major Government witness, and the defense lawyers had argued successfully that they were entitled to review his statements for possible use

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in any attacks on his credibility.

Judge Sirica had rejected the newspaper's argument that to force disclosure of the recordings would inhibit its news gathering operations and violate the First Amendment's free press guarantee.

While the United States Court of Appeals for the District of Columbia had allowed Mr. Lawrence to remain free, it issued an order late yesterday warning that if the case did not reach the Supreme Court by tomorrow he could be jailed again.

No One Had Asked

A member of the three-judge appeals court panel, Harold Leventhal, asked at a brief hearing yesterday whether anyone had asked Mr. Baldwin to release The Los Angeles Times from the confidentiality agreement.

No one had, but both Earl J. Silbert, the principal United States attorney, and William O. Pittman, Mr. Hunt's lawyer, were thus prompted to do so. Mr. Silbert said that Mr. Baldwin "had no hesitancy in authorizing the release."

In subsequent telegrams from Mr. Baldwin's attorneys, the newspaper was allowed to turn over the recordings "with the understanding that the voices . . . other than that of Mr. Baldwin will be excised by the court."

The lawyers, John V. Cassidanto and Robert C. Mirto, both of New Haven, said in the telegrams that The Los Angeles Times had been freed from the confidentiality agreement without pressure from anyone.

Judge Sirica, whose jailing of Mr. Lawrence had been criticized in the press and in Congress, said that he had been "very sorry" to cite the newspaperman, and that he was "very happy to see that this matter has been settled."

Reporters Not Satisfied

The reporters were less than satisfied with the outcome. Mr. Nelson said that it was "a sad commentary" when a news source had to give up a privilege to keep a journalist out of jail.

"It is still not a bell-ringing day for the First Amendment," Mr. Ostrow said. "The issue is still very much alive."

The Reporters Committee for the Freedom of the Press said that while the two newsmen and their bureau chief had escaped jail, the case nevertheless "represents a further serious erosion" of the First Amendment. The committee said:

"After all, two Federal courts did order The Los Angeles Times bureau chief to jail, and the only reason he escaped further imprisonment was not by the protection of the First Amendment but because a news source backed down on the confidentiality privilege."