

Court Lets Newsman Remain Free in Watergate Tape Case

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WASHINGTON, Dec. 20—A Federal appeals court allowed the Washington bureau chief of The Los Angeles Times to remain out of jail today while he appeals a contempt citation arising from the Watergate bugging case.

The United States Court of Appeals for the District of Columbia Circuit continued for an uncertain period its order releasing John F. Lawrence, who was jailed briefly yesterday.

"The stay [of the newspaperman's sentence] is continued pending further consideration of the papers and argument before the court," a spokesman announced. There was no indication when a ruling might be made.

The temporary action came after a brief hearing before Judges David L. Bazelon, Edward A. Tamm and Harold Leventhal. The three judges ordered Mjr. Lawrence released yesterday.

Chief Judge John J. Sirica of the United States District Court here had ordered the Los Angeles Times representative held when he declined to make available tape recordings in his possession.

The recordings were of an interview with Alfred C. Baldwin 3d, who described parts of the alleged bugging and break-in at the offices of the Democratic National Committee at the Watergate complex here.

Mr. Baldwin is expected to be a major witness for the prosecution before Judge Sirica in the trial of seven men charged with conspiracy to wiretap and bug the party headquarters.

Attorneys for a defendant in the case, E. Howard Hunt Jr., demanded the Los Angeles Times recordings for possible use in trying to impeach Mr. Baldwin on cross-examination. Mr. Baldwin has said that he destroyed his copies of the tapes.

The two reporters who con-

ducted the interview, Jack Nelson and Ronald J. Ostrow, were also subpoenaed. But they had turned over the tapes to the newspaper, and Mr. Lawrence, as its representative here, was dealt with first.

In its appeal of Judge Sirica's refusal to quash the subpoenas, the newspaper argued that the recordings were confidential and that to force their surrender would violate the First Amendment to the Constitution, which guarantees a free press.

The detention of Mr. Lawrence yesterday provoked a series of statements.

The reporters Committee for Freedom of the Press called the "summary jailing another example of the growing damage to the working press's freedom."

Senator Lowell P. Weicker Jr., Republican of Connecticut, who has proposed legislation that would protect newspapers from most subpoenas, said that he was "not shocked" by the jailing of Mr. Lawrence.

"The court did only what it had to do, according to the Supreme Court's interpretation of present law," he said. "What is needed, and needed immediately, is comprehensive and sensible new legislation."

Others calling for legislation included the Senate minority floor leader, Hugh Scott, Republican of Pennsylvania; Senator John V. Tunney, Democrat of California, and Representative Hugh L. Carey, Democrat of Brooklyn.