

# Times Man Ruled in Contempt

## *Refused Call To Grand Jury*

New York Times reporter Earl Caldwell was adjudged today in contempt of federal court for refusing to appear before a grand jury investigating the Black Panthers.

But he was not jailed and carrying out of any contempt sentence was delayed by Judge Alfonso J. Zirpoli after attorneys for the black newsman filed immediate notice of appeal.

He will remain free pending a test of whether he has a constitutional journalist right not to appear before the grand jury.

### **Didn't Appear**

Caldwell, through his attorneys Anthony Amsterdam and Charles Ralston, has said he will not comply with the subpoena.

He did not appear yesterday, the date originally set.

Caldwell claims his rights under the First and 14th Amendments are violated by having to appear.

Judge Zirpoli earlier, and again yesterday, issued an order that Caldwell must appear before the jury.

But he also recognized Caldwell's "journalist's right" not to have to reveal confidential sources to the jury.

### **'Credibility'**

"Mr. Caldwell believes that his mere appearance before the jury, even if he answers no questions, will destroy his credibility in the black community," Ralston told newsmen.

"He believes there would be some who would not believe he had not answered any questions and it would leave him unable to function as a reporter."