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## HARTFORD JUDGE BACKS NEWSPAPER

Says Its Publisher Need Not  
Reveal His Sources

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HARTFORD, March 20 — A Federal judge has ruled here that the publisher of The Wallingford Post need not reveal the names of confidential sources he used in a story linking a philanthropist and dog-track promoter with the Mafia.

Chief District Court Judge M. Joseph Blumenfeld denied a motion last Thursday that would have forced the publisher, Gilbert N. Kelman, to identify two persons he had mentioned in a front-page story last Oct. 12 about the philanthropist, Joseph M. Linsey of Boston.

Mr. Linsey had planned then to spend up to \$10-million to build a dog track in Wallingford. But opposition in that comfortable, conservative, working man's community of 35,000 gathered against the idea, and on Dec. 6 the Zoning Commission turned it down.

Mr. Linsey is suing Mr. Kelman and his newspaper for \$5-million, claiming his reputation has been damaged. The Wallingford Post, a weekly, has a circulation of 7,000.

### Other Allegations

The article about Mr. Linsey referred to allegations made in other newspapers that Mr. Linsey had ties with the Mafia. Headlines from some other papers were used to illustrate the story in The Post.

Mr. Linsey is a multimillionaire. In 1927 he was imprisoned for a year for bootlegging. He was indicted twice after that on similar charges, but the indictments were thrown out.

He has a major interest in many enterprises, including a big liquor distributorship, a community antenna television company and two dog tracks.

He is a benefactor of Brandeis University, to which he has given hundreds of thousands of dollars. The Joseph M. Linsey Sports Center at the university was named for him. He is an honorary life trustee of the combined Jewish Philanthropies of Greater Boston.

In the Wallingford Post story, an unnamed Brandeis associate was quoted as saying: "Joe is both a benefactor and a scoundrel . . ."

A Jewish Philanthropies executive, also unnamed, was quoted as saying: "We have a way of dry cleaning Joe Linsey's money."

### First Amendment

Mr. Kelman's attorney, Eugene Sosnoff of New Haven, argued that Mr. Linsey's motion that the informants' names be given should be denied because of the First Amendment guarantees of freedom of speech and freedom of the press.

"This is a particularly compelling case for not ordering disclosure since the information supplied by the confidential sources is of no consequence in the context of the article considered in its entirety," Mr. Sosnoff said.

When Judge Blumenfeld denied Mr. Linsey's motion, he also denied a defense motion that the whole case be dismissed.

"The case is going to go forward," Mr. Kelman said this morning after he was informed of the judge's action. "But this makes me breathe easier."

"I thought there was a certain degree of implied harassment," the publisher said of Mr. Linsey's motion. "He wanted to know who blew the whistle on him."

Some others interested in the case expressed disappointment that Judge Blumenfeld denied the motion in only a few words, without expanding on what may have been a landmark decision.

Mr. Kelman disagreed, adding that it was his own feeling that the First Amendment was clearly enough stated, and needs no lengthy explanation.

"It doesn't need to be tampered with," he said.