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**Newsman Jailed in Refusal  
 To Yield Watergate Tapes**

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WASHINGTON, Dec. 18—A

Los Angeles newspaperman was found in contempt of court and was briefly jailed today when he refused to surrender tape recordings of an interview with a principal witness in the alleged bugging of the Democratic party's headquarters.

Chief Judge John J. Sirica of the United States District Court here ordered that John F. Lawrence, chief of the Washington bureau of The Los Angeles Times, be held in custody until he produces the recordings in his newspaper's possession.

Mr. Lawrence was led from Judge Sirica's court by two deputy United States marshals and was held for more than two hours in a detention area of the courthouse. He was then freed pending an appeal.

Mr. Lawrence is the fourth newsman this year to be jailed

for refusing to disclose confidential information.

The tapes are recordings of an interview with Alfred C. Baldwin 3d, a former agent of the Federal Bureau of Investigation who said he had witnessed parts of the break-in at the offices of the Democratic National Committee on June 17 at the Watergate complex here.

Seven men, including five who were arrested in the break-in, have been indicted for conspiring to eavesdrop on the party offices and are scheduled to go to trial before Judge Sirica on Jan. 8.

Attorneys for one defendant, E. Howard Hunt Jr., have been seeking the tapes and notes made during the interview on the ground that the material might be used to impeach Mr.

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Baldwin's testimony for the prosecution.

Mr. Hunt's lawyers, pointing out that Mr. Baldwin had destroyed his own recording of the interview on the advice of counsel, persuaded Judge Strica to order subpoenas for the Los Angeles Times tapes.

The newspaper filed a motion yesterday to quash the subpoenas, citing primarily the First Amendment to the United States Constitution, which guarantees a free press. Oral arguments on the issue occupied all of the session today.

Timothy B. Dyk, who represented The Los Angeles Times, said that the interview had been obtained on the promise that parts of it might be held confidential if Mr. Baldwin so requested.

Forcing the paper to break this agreement, Mr. Dyk contended, could inhibit its ability to make similar off-the-record arrangements with important sources and could hence restrict the flow of news.

Mr. Hunt's right to obtain the recordings for possible use in attacking Mr. Baldwin's credibility should yield in this instance to the newspaper's more important First Amendment right, Mr. Dyk argued.

Herbert J. Miller Jr., an attorney for the two Los Angeles Times reporters who conducted the interview, warned Judge Sirica that failure to quash the subpoenas would set a precedent leading to a "veritable flood" of them.

In addition to recent demands upon newspapers for investigative materials, Mr. Miller contended, lawyers could also demand of the press of wide range of data for use in cross-examination.

Judge Sirica and lawyers for

the Watergate defendants disagreed, asserting that the factual situation surrounding the Baldwin interview was extremely unusual. They noted that a key government witness rarely talks publicly in advance.

The judge was apparently persuaded by the fact that Mr. Baldwin was named in the Los Angeles Times articles so that, unlike other recent First Amendment cases, the identity of a source was not sought.

**Mailed to An Editor**

Jack Nelson and Ronald J. Ostrow, the two reporters who held the interview and were also subpoenaed, said in affidavits appeared they mailed the tape recordings to an editor of their paper for "security" reasons.

When the subpoena was issued, the reporters added, the newspaper declined to return the recordings to them. This made Mr. Lawrence, rather than Mr. Nelson or Mr. Ostrow, the immediate object of Judge Sirica's attention.

Any notes made during their interview of Mr. Baldwin are also called for by the subpoenas. It was unclear whether the judge, when the pretrial session resumes on Thursday, intends to press this additional issue.

After the newspaper's motion to quash the subpoenas was denied, Mr. Lawrence was summoned to the witness stand and was formally asked by Judge Sirica whether he would furnish the tape recordings.

"I must respectfully decline to turn the tapes over on the grounds as stated in the motion to quash because to do so would be a violation of the First Amendment," Mr. Lawrence said.

Mr. Dyk appealed to the judge for a stay of sentence while the

newspaper appeals, arguing that Mr. Lawrence had played no direct part in the interview and that sending him to jail immediately would be "burdensome and unfair."

The newspaper will appeal as quickly as possible, the lawyer said. He pointed out that Christmas was approaching and that Mr. Lawrence, who is 38 years old, had a wife and four children at home.

The judge was unmoved, and by this time two deputy marshals had moved quietly toward the front of the courtroom. Judge Sirica ended the session abruptly and Mr. Lawrence, visibly pale, was led away.

Three judges of the United States Court of Appeals for the District of Columbia Circuit—David L. Bazelow, Edward A. Tamm and Harold Leventhal—issued an order releasing Mr. Lawrence and set a hearing for tomorrow.

Other newsmen jailed for refusing to disclose information are Peter J. Bridge, a reporter for the defunct Newark Evening News, who was imprisoned for 20 days for refusing to tell an Essex County grand jury more about an article he had written about an alleged attempt to bribe a member of the Newark Housing Authority; Edwin A. Goodman, general manager of radio station WBAI-FM in New York, who served 44 hours of a 30-day sentence for refusing to make available to the Manhattan District Attorney's office tape recordings of interviews made in the 1970 riots at the Manhattan Men's House of Detention, and William T. Farr, a Los Angeles Times reporter, who has been in jail 23 days for refusing to disclose the source of an article he wrote about the Charles Manson murder trial.

**REMEMBER THE NEEDLE!**

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