

Source Consents, Bugging Story Tapes Surrendered

Washington

The Los Angeles Times, released from a pledge of confidentiality, turned over in court yesterday 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 III, 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 Baldwin in the interview, was subsequently published by the Times.

AGREED

Baldwin and his attorneys agreed in yesterday's move to allow the newspaper to make the full recordings

available to Chief Judge John J. Sirica of the U.S. 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 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.

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 in any attacks on his credibility.

RELEASE

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 U.S. Court of Appeals for the District of Columbia had allowed Law-

rence to remain free, it issued an order late Wednesday warning that if the case did not reach the Supreme Court by today he could be jailed again.

A member of the three-judge Appeals Court panel, Harold Leventhal, asked at a brief hearing Wednesday whether anyone had asked Baldwin to re-ease the Times from the confidentiality agreement.

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

In subsequent telegrams from 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 reporters were less than satisfied with the outcome. 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.

N.Y. Times Service