



The New York Times/Donal F. Holway

**SPEAKING UNHAMPERED:** William R. Baird Jr. discussing birth control at People's Town Hall in Huntington, L.I., last night. At left are Mrs. Nancy Ann Manfredonia and daughter, Katheryne, I, who figured in the incident.

## Arrests Barred in Suffolk At Birth-Control Lectures

By MORRIS KAPLAN

Federal Judge Edward R. Neaheer signed a temporary restraining order yesterday enjoining the police in Suffolk County from making further arrests of people who bring their minor children to lectures on birth control and contraception.

Judge Neaheer, who was named to the bench recently after serving as United States Attorney for the Eastern District of New York, acted four hours before such a meeting on birth control took place in People's Town Hall in Huntington.

The lecturer, William R. Baird Jr. of Valley Stream, an advocate of population control, and a 28-year-old mother were arrested on Aug. 6 for "endangering the welfare" of a child, the woman's 14-month-old daughter.

They were released after spending a night in jail on the misdemeanor charges on which they are to be tried on Sept. 30.

### 3 Officers Are Cited

The New York Civil Liberties Union sued yesterday on behalf of five mothers, seeking an injunction against police harassment, surveillance, arrest and prosecution, on the ground that their constitutional rights were being violated.

With county authorities adamant in their stand, Judge Neaheer granted the restraining order against John L. Barry, Commissioner of Police; County Executive H. Lee Dennison and District Attorney George Aspland.

Judge Neaheer ordered a hearing next Friday on the application for a temporary injunction.

And he ordered the authorities not to interfere with last night's meeting, holding that the threat of arrest or prosecution "may violate or irreparably impair the plaintiff's rights under the First Amendment."

No arrests were made at the Huntington meeting last night, which drew about 400 people.

### Code Not Challenged

Appearing for the Civil Liberties Union, Jerome Seidel and Burt Neuborne did not challenge the constitutionality of Section 260.10 of the State Penal Code, which provides:

"A person is guilty of endangering the welfare of a child when he knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of a child less than 16 years old. . . ."

Mr. Neuborne challenged the county authorities' interpretation of the section, however, maintaining that the state had no right to interfere with the parent-child relationship, especially the kind of information a child may be exposed to.

He assailed "the police state technique," which, he said, seeks "to take over a parent's right to decide what type of information a child is exposed to."

Mr. Neuborne accused the defendants of "bad faith" in arresting the 39-year-old Mr. Baird, who operates a birth-control clinic in Hempstead, and the mother, Mrs. Nancy Ann Manfredonia of Central Islip.

The police action against Mr. Baird and Mrs. Manfredonia, the suit said, was designed solely to punish them for openly discussing birth-control and contraception in Suffolk County.