

# Jaworski Told To Be Cautious In Statements

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U.S. District Judge Gerhard A. Gesell yesterday suggested to Watergate special prosecutor Leon Jaworski that he be more cautious in the future about out-of-court statements he makes concerning the Watergate case.

The warning came during a hearing on several motions filed by attorneys for former White House appointments secretary Dwight Chapin, who is charged with four counts of lying to a federal grand jury. Chapin is scheduled to go on trial April 1.

One of the motions argued yesterday asked that the indictment be dismissed because of Jaworski's recent statements on a television talk show in which he endorsed the credibility of former White House counsel John W. Dean III, who is a scheduled prosecution witness against Chapin.

"Your good sense ought to keep you off talk shows," Gesell told Jaworski in court. While he denied the defense's motion, the judge said any further lapses by the special prosecutor's office could have "increasingly serious consequences."

For more than 1½ hours of yesterday's 2½ hours of hearings, the press and public were barred from the courtroom.

During that time, Chapin testified about his alleged attorney-client relationship with Dean. Because of that relationship, Chapin's attorneys have said, Dean should be barred as a government witness.

Dean was expected to testify during the hearing, but the government did not call him, Judge Gesell said later in open court. Chapin was the only witness during the hearing, Gesell said.

Gesell did not rule immediately on the attorney-client motion, saying he expected to do so by next week.

During the open portion of the hearing, Judge Gesell also denied Chapin's attorneys access to a tape of a March 13, 1972 conversation between Dean and President Nixon. They had wanted the tape in an attempt to show that Dean had lied to the Senate Watergate committee about that conversation.

Judge Gesell told attorney Jacob Stein that he did not think the tapes were relevant to the perjury charges against Chapin.

"A trial of Mr. Dean is not going to take place in this courtroom," Gesell said. "This is not going to become a collateral Watergate hearing."

Gesell called Jaworski to the front of the courtroom to issue the warning that he should avoid talk shows.

Jaworski, saying the "greatest of care will be exercised" in the future, added:

"I thank the court for placing me in a position where it is easier to say no to those who want me to appear."