

Chapin-Case Jury Chosen; Segretti to Testify Today

NYTimes By DAVID E. ROSENBAUM APR 2 1974

Special to the New York Times

WASHINGTON, April 1—A jury was selected and sequestered today for the trial of Dwight L. Chapin, President Nixon's former appointments secretary, who is charged with having lied to a grand jury that was investigating "dirty tricks" in the last Presidential election campaign.

Mr. Chapin, 33 years old, is the first person to go on trial as a result of the investigations of the Watergate special prosecutor's office.

Judge Gerhard A. Gesell of the United States District Court here told the jurors that it was "a very narrow case," not involving the Watergate burglary or even political spying and sabotage but simply whether Mr. Chapin, in four instances, had made false statements to the grand jury.

The judge said that he expected the trial to last a week to 10 days.

Dispute Over Jury

The jury is composed of seven blacks and five whites, seven men and five women. They were selected from a panel of 120 registered voters in the District of Columbia.

Mr. Chapin's attorney, Jacob A. Stein, tried in January to persuade Judge Gesell to move the trial away from Washington, arguing that an impartial jury could not be found in a city that is 75 per cent black and overwhelmingly Democratic.

Judge Besell rejected the motion and called the claim "an affront to the jury system."

Courthouse regulars said that there was a higher proportion of whites on this jury than is usual in the District Court here.

Only a handful of the 120 prospective jurors said that they had not read or heard news accounts of Watergate-related matters, but the 12 persons selected for the jury and the four alternates said that they could pass judgment on the case impartially.

Segretti to Be Called

To prevent their being influenced by publicity, the jurors will spend their nights in a downtown motel for the duration of the trial.

Mr. Chapin sat impassively throughout the jury-selection process, which lasted a little more than four hours. Dressed in a gray, pin-striped suit, he occasionally ran his hand across his jet-black hair and glanced frequently at his wife, who was sitting with his parents in the front row of spectator seats.

Richard J. Davis, a 28-year-old assistant special prosecutor, who will be trying the case for the Government, said that his

first witness tomorrow would be Donald H. Segretti.

Mr. Segretti was a classmate and close friend of Mr. Chapin at the University of Southern California in the early 1960's. He was released from prison last week after serving more than four months of a six-month sentence for distributing unauthorized campaign literature designed to raise havoc among the candidates for the 1972 Democratic Presidential nomination.

Mr. Segretti told the Senate Watergate committee last fall that Mr. Chapin had hired him and had given him general instructions about what activities he was expected to carry out.

Mr. Segretti testified that he considered Mr. Chapin his "boss" and that he sent him regular reports to the White House about what he was doing in the primary states.

The four counts against Mr. Chapin involve statements he made to the grand jury about his relationship with Mr. Segretti.

Differences in Testimony

Mr. Chapin told the grand jury, according to the indictment, that he had never discussed the distribution of campaigning literature with Mr. Segretti and was not "familiar with" anything Mr. Segretti did distribute.

Mr. Segretti testified that he had sent Mr. Chapin copies of most of the material that he handed out.

Mr. Chapin also told the grand jury that, when Mr. Segretti came to him shortly after the Watergate burglary, he advised Mr. Segretti to "talk to the F.B.I." Mr. Segretti told the Watergate committee that Mr. Chapin's advice had been to discuss the matter with John W. Dean 3d, then the Presidential counsel.

The third count of the four-count indictment alleges that Mr. Chapin lied when he told the jury that he did not recall having specified that Mr. Segretti should concentrate his activities on any one Democratic Presidential candidate. Mr. Segretti has said that he was told to devote most of his time to sabotaging the campaign of Senator Edmund S. Muskie of Maine.

The fourth count charges that Mr. Chapin told the grand jury that he did not know what kind of arrangements had been made to pay Mr. Segretti. Mr. Segretti told the Watergate committee, and it was confirmed by Herbert W. Kalmbach, President Nixon's personal lawyer, that Mr. Kalmbach had paid Mr. Segretti about \$45,000 in cash and checks in 1971 and 1972 for salary and expenses.