

2 Old Friends Testify Against Chapin

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WASHINGTON, April 2 — Donald H. Segretti testified today at the trial of Dwight L. Chapin that he had reported regularly to Mr. Chapin about the bogus campaign literature he was distributing during primary elections in the name of Democratic Presidential candidates.

Mr. Segretti, who completed a jail term last week for having handed out unauthorized campaign material, also swore that Mr. Chapin had instructed him to concentrate his efforts on the campaign of Senator Edmund S. Muskie of Maine.

Later, another of the Government's key witnesses, Herbert W. Kalmbach, testified that he had specifically told Mr. Chapin how much Mr. Segretti was being paid.

Mr. Chapin, once President Nixon's appointments secretary, is charged with having lied about these matters last year to a Federal grand jury that was investigating political "dirty tricks" in the Presidential campaign of 1972.

Hears Friends Testify

He is the first person to be brought to trial by the Watergate special prosecutor. If convicted, Mr. Chapin would face a maximum sentence of 20 years in prison and a \$40,000 fine.

Mr. Chapin, who is 33 years old, fidgeted nervously with his watchband and a crushed paper cup as he heard two old friends give damaging testimony against him. At times, intentionally or not, he covered the left side of his face with his left hand as if to shield his expression from the jury.

Mr. Chapin and Mr. Segretti were close friends at the University of Southern California in the early nineteen-sixties. Mr. Kalmbach, who was President Nixon's personal lawyer and a key fund-raiser for the President, testified that he had known Mr. Chapin for a dozen years.

Mr. Segretti reiterated today much of the testimony that he had given last fall to the Senate Watergate committee.

Tells of Recruitment

He told how he had been recruited by Mr. Chapin in the summer of 1971 to be a political prankster and how he had tried to drive wedges among the Democratic candidates so that, after the Democratic convention, they might be unable to draw back together.

His stunts, Mr. Segretti testified, started tamely, but, by the time of the Florida primary, he was producing literature that he now admits was scurrilous.

On stationery stolen from Senator Muskie's campaign, accused Senators Hubert H. Humphrey and Henry M. Jackson of drunkenness and sexual misconduct. Mr. Segretti acknowledged that he had dreamed up the charges.



United Press International
Dwight L. Chapin arriving with his wife at court in Washington for the second day of his trial.

Another time, he acknowledged, he released under Senator Humphrey's name the allegation that Representative Shirley Chisholm had been in a mental institution, another charge that Mr. Segretti said he had made up.

Mr. Segretti testified that Mr. Chapin had not ordered any of these attacks, but that he had reacted favorably when told about them.

Counts Are Listed

Mr. Chapin is charged with having lied to the grand jury in the following four instances:

1. When he said that he had never discussed the "distribution" of campaign literature with Mr. Segretti and was not "familiar with" anything Mr. Segretti had distributed.
2. When he said that he advised Mr. Segretti to "talk to the F.B.I." shortly after the Watergate burglary in June, 1972.
3. When he told the grand jury that he did not recall having specified that Mr. Segretti should concentrate his activities on any one Democratic candidate.
4. When he swore that he did not know what kind of arrangements had been made to pay Mr. Segretti.

On the first count, Mr. Segretti told the assistant special

prosecutor, Richard J. Davis, that he had met with Mr. Chapin regularly, had talked with him often on the telephone and had mailed him most of the literature that was being passed out. There was the following exchange:

Q. Did you have a general practice in what you did with the things you had printed?"

A. Yes, sir. Q. What was that practice? A. I mailed them to Mr. Chapin.

After Mr. Chapin had been sent the Humphrey-Jackson press release, Mr. Segretti testified, "Mr. Chapin inquired how much it cost me to have it distributed."

"I said about \$20," the witness said. "He said that for that amount I received \$10,000 to \$15,000 to \$20,000 free publicity."

As for the allegations against Mrs. Chisholm, Mr. Segretti said that, when he told Mr. Chapin about them on the telephone, Mr. Chapin laughed.

Mr. Chapin's attorney, Jacob A. Stein, tried to show that while Mr. Chapin might have known about the documents that were being spread around, he might not have known that Mr. Segretti was "distributing" them.

Says He Hired Agents

Mr. Segretti conceded that he had hired agents to distribute most of the material rather than doing it himself, and he said, "I don't recall any discussion in which I said I personally distributed this, in the sense of passing it out on a corner."

The defense seemed better able to challenge the other charges in the indictment.

Mr. Segretti testified that when he had told Mr. Chapin that the Federal Bureau of Investigation was trying to question him, Mr. Chapin advised him to come to Washington.

But, when Mr. Stein asked him in cross-examination whether Mr. Chapin had instructed him to talk to the F.B.I., Mr. Segretti replied, "It's possible. I don't pretend to remember everything in that conversation."

As to the question of whether he was told to concentrate his activities on one candidate, there was the following exchange between the prosecutor and Mr. Segretti:

Q. Was there any discussion of any particular individual? A. He [Mr. Chapin] gave me the political landscape of the candidates. He said that Senator Muskie was the one I should focus on, because he was by far the front-runner.

Mr. Segretti said time and again that he had been directed to hire pickets against Senator Muskie or have posters printed that might be damaging to the Maine Senator's candidacy, but he conceded to Mr. Stein that "there was a great deal of lack of structure in the assignment."

The prosecution's case appeared weakest on the fourth count. Mr. Segretti testified that he had never told Mr. Chapin precisely what he was being paid, Mr. Kalmbach, however, testified that he told Mr. Chapin the rate—\$16,000 a year plus expenses—shortly

after Mr. Kalmbach and Mr. Segretti met to arrive at a salary.

However, Mr. Segretti and Mr. Kalmbach gave conflicting testimony about when the salary had been decided upon and about whether Mr. Segretti and Mr. Chapin talked on the telephone from Mr. Kalmbach's office the day of the first Segretti-Kalmbach meeting.

The lead-off witness tomorrow is scheduled to be John W. Dean 3d, the former Presidential counsel, and Mr. Davis said that he hoped to wrap up the prosecution's case by noon. If that happens, the case should go to the jury by Friday.