

LA WYERS FOR SIRHAN GIVEN ONE-DAY DELAY

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—AP WIREPHOTO.
SIRHAN BISHARA SIRHAN
Murder trial begins.

Trial Moves Through Opening Legalities

By GENE HANDSAKER

LOS ANGELES (AP) — Sirhan Bishara Sirhan's trial on a charge of murdering Sen. Robert F. Kennedy sputtered through opening-day legalities Tuesday with the defense obtaining a day's delay.

The delay will give Sirhan's lawyers time to write out a request to set aside his plea of innocent and obtain a new list of prospective jurors.

His lawyers were denied a request for two juries, one to decide Sirhan's guilt or innocence, the other to set the penalty if he is convicted.

They also were denied a 30-day delay to prepare the motion on his plea and the jury list.

"It would be silly to deny he did it," one Sirhan attorney, Grant B. Cooper, told newsmen after the hour-and-a-half court session.

LED INTO COURT

The slight, 24-year-old Jordanian, accused in the fatal shooting of the New Yorker last June 5 at the Ambassador Hotel, was led by sheriff's deputies into the eighth-floor courtroom after an elevator ride from his heavily-guarded, 13th-floor cell.

Neatly dressed in a gray suit, white buttoned-down shirt and blue tie, he waved to his attorneys and sat next to them at the left end of a long counsel table.

At the rear wall directly behind him, his stocky mother Mary and dapper brother Murnir, 21, occupied two of the courtroom's 75 spectator seats. The proceedings opened at 9:42 a.m. and ended at 11:15 a.m. Superior Court Judge Herbert V. Walker ordered a postponement until 2 p.m. Wednesday.

PROPOSAL FOR DELAY

The defense proposal for a 30-day delay came when attorney Cooper asked that Sirhan's plea of innocent be set aside "for the sole and only purpose of making a motion to quash the indict-

ment."

He said some jurors might be able to try Sirhan on the question of his guilt or innocence, but might have inflexible opinions about the death penalty.

Lynn D. Compton, chief deputy district attorney, argued that "We have one trial here. The jury is going to be asked to decide his guilt or innocence and punishment. Nothing is indicated here to deviate from standard formula."

"The law is a living, growing thing," Cooper replied. "What
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the law was yesterday is not necessarily the law today."

Judge Walker denied the separate-juries motion but told Cooper that after Sirhan's guilt-or-innocence is determined he again could make the motion for a separate jury to determine penalty.

MOTION TURNED DOWN

Judge Walker also turned down a Cooper motion that prospective jurors be interrogated with written questions.

In arguing for it, Cooper said the "old-fashioned way" of questioning "may take several . . . five to six weeks."

Walker asked that the motion be put in writing. Cooper replied he would need additional time, and "I would suggest a period of 30 days."

Denying this, the judge said, "There is a great deal of expense and inconvenience involved. I feel we should move as expeditiously as possible."

OTHER QUESTIONS

Written questions would not save time, the judge added, because there are bound to be other questions both defense and prosecution lawyers will want to ask in open court.

The trial began with a closed session at Cooper's request in Walker's chambers, with prosecution and defense counsel and Sirhan present. It lasted 50 minutes, but its purpose was not explained in court. Attorneys for both sides said the judge ordered them not to discuss it.

Sirhan is charged with shooting Kennedy and wounding five bystanders just after the senator proclaimed his victory in California's June 4 Democratic presidential primary.

Bystanders seized Sirhan after shots rang out as Kennedy walked through a crowded kitchen area of the hotel.

Cooper said he would seek to quash the county grand jury indictment on grounds that selection of grand jurors discriminates against minority classes and because certain classes of persons, such as nurses and teachers, are automatically excused from serving.

After the Sirhan proceedings



MRS. MARY SIRHAN, whose son Sirhan Bishara Sirhan, went on trial in Los Angeles, Calif., Tuesday for the murder of Sen. Robert F. Kennedy, leaves the Hall of Justice with another son, Munir, at the close of the opening session. The trial was adjourned until 2 p. m. Wednesday after a defense motion for a month's delay was denied.

—AP WIREPHOTO.

adjourned, Cooper went across the street into U.S. District Court where a judge ordered him to tell how he obtained secret transcripts in another case.

The lawyer was given 45 questions from a federal grand jury to answer, all dealing with transcripts of testimony before an earlier grand jury which indicted five men on conspiracy in card cheating at the Friars Club. Cooper defended one of the men, all of whom were subsequently convicted.

Cooper left the federal court session an hour later and said he had not been ordered to return.

Closed Circuit TV Results Criticized

LOS ANGELES (AP)—News reporters who watched the trial of Sirhan Bishara Sirhan on closed circuit television in the

courthouse Tuesday complained that the reception was bad and faces were indistinguishable.

"We received better pictures from the moon," was a typical comment in an auxiliary courtroom equipped with three large-screen black-and-white sets.

The sets provide an overview of the courtroom, making it impossible most of the time to tell which attorney was speak-

ing. Reporters debated about the identities of the backs of heads.

The precedent-setting closed circuit system was set up when the Sheriff's Department said it could not accommodate all the newsmen seeking entry to the tiny courtroom where Sirhan is on trial on a charge of murdering Sen. Robert F. Kennedy. About half the reporters covering the trial were relegated to the auxiliary room.