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Sirhan Indicates His Spirits Are High

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LOS ANGELES, Jan. 15 — Sirhan Bishara Sirhan sent a ripple of excitement through the courtroom here today when he interrupted a prosecuting attorney's questioning of a potential juror.

On the third day of jury selection for the first-degree murder trial of the 24-year-old Jordanian immigrant in the assassination last June 5 of Senator Robert F. Kennedy, David N. Fitts, a deputy district attorney, was questioning Laurence K. Morgan, a young systems analyst with the International Business Machines Corporation.

As he has with other prospective jurors, Mr. Fitts was closing his interrogation by asking:

"If you find this a suitable case for imposition of the death penalty, will you have the courage to come down and say, 'Mr. Sirhan, you must die in the gas chamber?'"

A Stare and a Smile

Earlier, the slight, dark defendant had avoided looking directly at jurors when the question was asked. Today, he moved his chair at the defense table slightly and peered around Russell E. Parsons, one of his three attorneys. Leaning forward, he stared intently at Mr. Morgan and then broke into a broad smile.

"He smiled at you," Mr. Fitts told Mr. Morgan, remind-

ing him that at the end of two or three months the defendant would no longer be a stranger to him.

"For all I know," the prosecutor continued, he'll smile at you straight throughout this trial."

Sirhan, his dark eyes bright, then looked up at Mr. Fitts:

"I smile at you, too, Mr. Fitts."

"It'st rue," Mr. Fitts said, "he smiles."

With that, Superior Court Judge Herbert V. Walker intervened. "Let's confine ourselves to the questions, counsel," he said.

Answer Elicited

Mr. Fitts then went on to elicit an answer from Mr. Morgan about his willingness to face Sirhan, should he be convicted and the death penalty imposed, and tell him he must die.

"Yes, I would," Mr. Morgan replied quietly.

Mr. Fitts passed Mr. Morgan for "cause" and he joined the four women seated provisionally as jurors during the first two days of selection.

Later, Leslie Laney, a supervisor who has worked at the post office for 28 years, and Alphonso Galindo, a civil mechanic for the Navy, were also seated.

After 12 jurors have been tentatively accepted, the defense and the prosecution may begin to exercise peremptory challenges, of which they have

20 each. They have an unlimited number of challenges for "cause," but these must be upheld by the judge. Courthouse observers hear that the selection of the jury will take three or four weeks.

Defendant's Spirit High

Today, Sirhan seemed to be in the highest spirit he has been in since his trial began Jan. 7. As he was being led into the heavily guarded eighth-floor courtroom at the Hall of Justice, he stopped at a water fountain in the corner and took a long drink.

Sitting down at the defense table, he waved at one of his attorneys, Emile Zola Berman of New York, and, calling him by his nickname, said:

"Good morning, Zoot. How you doing?"

At a recess later, he spied Abdeen Jabara of Detroit, a young Arab lawyer who says he is here at his own expense to help counsel the family.

Speaking in Arabic, Sirhan called across the room to Mr. Jabara:

"How is your health today?"

"Fine, thank you," Mr. Jabara replied in the same language.

And throughout the day, Sirhan whispered animatedly with his attorneys about the proceedings, turning occasionally to smile at his mother, Mrs. Mary Sirhan, who was in her usual seat in the back row between two other sons, Adel, 30, and Munir, 21.