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Sirhan Lead

By GENE HANDSAKER

Associated Press Writer

LOS ANGELES AP - A jury of eight men and four women swore today to "well and truly try" Sirhan Bishara Sirhan on a charge of murdering Sen. Robert F. Kennedy.

Selection of six alternate jurors then began. Superior Judge Herbert V. Walker told them the trial will last an estimated two to three months and asked if service would cause any hardship.

The 12 jurors were selected last week but were excused from court until today, while a defense motion was argued.

Robert R. Phillips, about 40, who said he works for the Southern California Gas Co., replied: "Not to me personally. But they asked me not to get involved in a long case."

Phillips was replaced by a Mrs. Georgia M. Liddle, spectacled and about 42 years old.

Judge WALKER TOLD THE 12 JURORS THEY WOULD NOT BE LOCKED UP NIGHTS IN A HOTEL UNTIL THE SIX ALTERNATES WERE SELECTED AND SWORN.

The defense failed Tuesday to quash the indictment against Sirhan after he and his tiny, grey-haired mother detailed their modest income to support contentions the grand jury was not representative.

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Sirhan Bjt 400, two takes total 750

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LOS ANGELES AP - Defense attempts to dismiss the murder indictment against Sirhan Bishara Sirhan failed Tuesday after both he and his tiny, grey-haired mother detailed their modest income to support contentions that the grand jury was not representative.

Mary Sirhan, 56, a housekeeper, said she never made more than \$1,800 a year since her immigrant family came to this country in 1957. Then, as she rose to leave the stand, she added:

"I thank God that he gave me the strength and I thank you nice people also that I never got hungry and have a roof over my head."

She told newsmen later she was thanking the United States.

Sirhan, taking the stand for the first time, gave police, sometimes smiling, mostly, "Yes, sir" testimony about his income: a net of \$431 in 1967, for example.

The defense contention was that Sirhan, 24, "a poor man," was indicted in the assassination of Sen. Robert F. Kennedy by comparatively affluent grand jurors unrepresentative of minority groups or the community at large.

The motion to quash the indictment on those grounds was denied by Superior Court Judge Herbert V. Walker in 24 words at a one-minute afternoon session.

"The motion will be denied on two grounds," he said.

"First, I do not believe it is relevant to these proceedings, and, secondly, on the merits."

The eight-man, four-woman jury takes the oath today before start of selection of six alternate jurors.

Chief defense attorney Grant B. Cooper said he thought this would take "the balance of the week anyhow." Lynn D. Compton, chief deputy district attorney, said it will be "well into next week before attorneys make opening statements and testimony begins."

Sirhan seemed in high spirits Tuesday, his gray suit freshly pressed. He chuckled over letters handed him by one of his lawyers. He took about 20 steps, on an L-shaped route, to the witness box.

Swearing to tell the truth, the smiling Sirhan held his hand in a fist and said "I do" softly. Asked his name, he said "Sir-han, Sir-han" - accent on first syllable.

Cooper held out Sirhan's income tax withholding forms for 1964-68 and asked if he recognized them.

"Yes, sir, I do." He spoke clearly.

He confirmed that he earned a total after-tax net of \$1,437.33 in 1964 from a drive-in restaurant and motor service, both in nearby Pasadena.

His total net in 1965 from two other employers was \$984.90?

"Yes, sir." In 1966 he netted \$2,212.46 from a ranch and a construction company. A food store paid him a net \$430.96 in 1967 and \$752.35 in 1968, he verified.

His age? "Twenty-five next month." He lived at home in Pasadena with his mother and went to Pasadena City College in 1964-65. Did he turn over money from his "part-time jobs" to his mother?

"Some of it, yes."

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Sirhan, after five minutes on the stand, was excused and his mother called. Mrs. Sirhan, not quite 5 feet tall, her hair in a bun, wore a dark coat and yellow-and-black-figured dress.

"Yes, I do," she whispered in taking the oath. She spent 18 minutes on the stand.

Cooper read into the record, from federal withholding forms, her net earnings: 1958, \$1,471.40; 1959, \$1,600.35; 1960, \$1,579.11; 1961, \$1,593.71; 1962, \$1,631.69; 1963, \$1,603.58.

She said her 1964 earnings were the same as 1965, \$1,768.76; 1966 showed \$1,772.56; 1967, \$1,752.60. No figure for 1968 was mentioned, but Mrs. Sirhan said she worked from 1957 to last Jan. 15 for a nursery school in Pasadena. Did Sirhan contribute to support of the home.

"Not any regular amount." He spent his money, she said, on clothes and, "very much," to operate his second-hand auto.

"If I needed it and he had it he would give it to me," she said.

Cooper's income-tax figures showed her son Munir, 21, a general handyman, netted \$674.68 in 1966, \$1,156.88 in 1967, \$2,698.60 in 1968. He paid no board and room, she said, but occasionally gave her money when she asked for it.

Son Adel, 30, is "a skilled musician who plays a big Arab drum in night clubs," one of Sirhan's attorney told a reporter. Cooper's tax data showed Adel's net earnings per year averaged \$3,899.70 from 1957 through 1967.

Adel paid no board and room but from time to time contributed money "if he had it," Mrs. Sirhan said. Had he given her much? "No, he needed his m9ney."

She said she makes \$70 a month payments on her house. The purchase price when she acquired it in 1962 was \$12,000, she said, and she and a daughter, now deceased, contributed \$1,000 each for the \$2,000 down payment. The father returned to the Middle East some years ago.

She said she has no auto, walks to work, bakes her own bread and has a second-hand television set.

The defense presented testimony earlier that the grand jury which indicted Sirhan consisted mostly of people in professional, sales or managerial jobs, with college educations and had no members under 30 or poor, that most grand jurors make more than \$15,000 a year.

The prosecution replied there would be a murder indictment regardless of the grand jury's make-up because the defense concedes Sirhan fired the shot that killed Kennedy.

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