

Jury Is Selected for Trial of Sirhan

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LOS ANGELES, Jan. 24—The last of the 12 jurors was seated today for the first-degree murder trial of Sirhan Bishara Sirhan.

Shortly before noon, as a heavy rain beat down on the old gray Hall of Justice here, Grant B. Cooper, chief counsel for the 24-year-old Jordanian immigrant, rose for the second time today and told Superior Court Judge Herbert V. Walker:

"The defense is satisfied with the jury as presently constituted."

John H. Howard and David N. Fitts, deputy district attorneys who are handling the prosecution of the dark, slightly built youth who is accused of the assassination last June 5 of Senator Robert F. Kennedy, asked for time to ponder their decisions.

Judge Walker granted them a recess until 2 P.M. At that hour, with eight men and four women in the jury box and a hushed and expectant audience filling most of the 75 seats in the tiny eighth-floor courtroom, Mr. Fitts declared:

"The people accept the jury."

Sooner Than Expected

The action came sooner than most courthouse observers had expected. Although today ended the second week of jury selection, the tedious progress in questioning the first 60 prospective jurors had seemed to make a longer wait almost inevitable. Moreover, the prosecution had used only seven of its 20 peremptory challenges and the defense only five.

Despite the acceptance of the main body of jurors today, a delay of at least a week and a half to two weeks is expected before the prosecution begins presenting its case against Sirhan.

Immediately after the jury was accepted, Judge Walker recessed the court until next Wednesday. At that time, he will hear a defense motion, made before the jury selection began, to quash the first-degree murder indictment.

The defense is arguing that the grand jury that drew up the indictment was improperly constituted. The basis of the defense argument is that, in California, grand juries are selected from lists of persons recommended by judges. The defense contends that such a selection process represents "blue ribbonism" and does not permit a proper cross-section of the community to participate.

While it is difficult to predict how long that argument will take, Mr. Howard said he thought it would consume a day at least. Judge Walker has

asked the jurors to return Thursday.

At that time, the selection of six alternate jurors will begin. Each side has a peremptory challenge for each alternate, so their selection is expected to take several days.

Sirhan looks pleased

As the first 12 jurors were accepted today, Sirhan, clad in a light blue shirt and dark pants, without a necktie for the first time in court, looked pleased. He leaned over and said to Michael McCowan, chief defense investigator:

"I'm really happy with this jury. I'll sleep good tonight."

In the crowded corridor outside the courtroom, the defendant's mother, Mrs. Mary Sirhan, said quietly:

"They're nice people and they stand and say they are sure of themselves. To consider taking a life you have to be sure of yourself. It is up to their conscience now."

"I see they are nice people. I am satisfied with them. Now the answer is up to God. Before everything we get our power and our strength from God. That's how I get my strength every day."

Each day, Mrs. Sirhan sits in a back-row seat in the courtroom, usually with two other sons, Adel, 30, and Munir, 21.

The twelve jurors include four Mexican-Americans and one Jew. When the defense first passed the jury early today, a Negro, a 20-year Navy veteran who now works in a shipyard, had been included. But the prosecution used its seventh peremptory challenge to eliminate him.

Period of Indecision

The defense attempt to obtain as many representatives of minority groups on the jury as possible came after a period of indecision. At first, Sirhan's attorneys were not sure how to gauge the possible reaction of those who came from groups that had had strong regard for Senator Kennedy.

But in the end, Mr. Cooper and his associates, Russell E. Parsons and Emile Zola Beriman, decided to gamble that the liberal tendencies historically associated with minorities would outweigh their possible anger at the man his attorneys have conceded pulled the trigger of the .22-caliber pistol that fatally wounded Senator Kennedy in a serving pantry of the Ambassador Hotel.

The defense is hoping to save

Sirhan from the gas chamber by pleading "diminished capacity." Under California law, a defendant who is legally sane may still be judged to have lacked at the time of the act the "mature" consideration necessary for the "malice aforethought" essential to a first-degree murder conviction.

The prosecution expressed satisfaction with the jury, which is known to include seven Republicans and five Democrats.

Asked if there had been any particular reason for going along with the present jurors, Mr. Howard said:

"No. They all looked sound, that's all."

For the defense, Mr. Cooper said the selection had been "faster than I thought when we started."

As for the composition of the jury, he said:

"There's a great cross-section of people. Intellectually and economically, they're a conglomerate group."

The jurors are:

Ronald G. Evans, an installation man for the Pacific Telephone & Telegraph Co.

Miss Susan J. Brumm, a service representative for the same company.

Albert N. Frederico, a plumber for the city.

Mrs. Mary Lou Busby, a mathematics teacher.

Laurence K. Morgan, a computer programmer for the International Business Machines Corporation.

Mrs. Irma O. Martinez, who works for the Southern California Gas Company.

Alphonso Galindo, a civilian mechanic for the Navy.

Bruce D. Elliott, a systems analyst for T.R.W., Inc., an aerospace company.

Mrs. Nell Bortells, a business representative for the Pacific Telephone and Telegraph Company.

Benjamin Glick, a retail clothier five years ago from Corona, Queens.

Gilbert F. Grace, an employe of the Los Angeles Department of Water and Power.

George Broomis, who works for the same department.

In dismissing the jurors until next Thursday, Judge Walker warned them that they might be subject to harassment.

"I don't want to make you too apprehensive," he said, "but it is not unlikely, when your names get out, that you will receive phone calls, as I and others have."