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Sirhan Lead

LOS ANGELES AP - The jury in the Sirhan Bishara Sirhan murder trial was excused today until next WEDNESDAY. The judge said it would waste jurors' time to sit through arguments about quashing Sirhan's grand jury indictment.

The jury, selected last Friday, had been ordered to come to court today. It was hoped testimony might begin.

But, with six alternate jurors still to be chosen, the defense won permission Wednesday to present evidence and testimony in support of its motion to quash the indictment on grounds the grand jury which indicted Sirhan was not representative of the community.

The defense said arguments could take a week and asked that jurors be told to come back next Thursday. The judge made it Wednesday, saying he wanted arguments expedited.

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LOS ANGELES Add Sirhan lead A207LA: expedited.

Grant B. Cooper, chief defense counsel, told newsmen during a recess that Sirhan probably will be called to testify next week and his mother definitely will testify about the family's economic condition.

This would be part of the defense's case in support of its motion to quash the indictment. The defense contends that few persons of low economic status are on grand juries.

The prosecution, meanwhile, introduced into evidence data on the racial composition of the county's list of superior court judges, who select grand jurors. The data indicated that in 1968, of 133 judges, there were four Mexican-Americans, one Negro, one Chinese-American and one Japanese-American.

The defense contends that the grand jury that indicted Sirhan was racially and economically unbalanced. Its first witness Wednesday was a University of Southern California professor who said this was true.

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Sirhan 370

LOS ANGELES AP - The judge in Sirhan Bishara Sirhan's murder trial has agreed to hear arguments and testimony in a defense claim that the grand jury which indicted Sirhan was not representative.

Grant B. Cooper, Sirhan's defense attorney, said he will try to prove the county grand jury was racially and economically unbalanced. As his first witness Wednesday, he called a University of Southern California professor who said he found this to be true.

A study of the 1968 grand jury which indicted Sirhan in the murder of Sen. Robert F. Kennedy, said Prof. wrobert Edward Schultz, showed the jurors were richer, older and better educated than the average resident of Los Angeles County.

Schultz said most of the jurors live in high income areas, are over 45 years old, live in homes worth more than \$25,000, are college-educated and make more than \$10,000 annually.

The prosecution objected to the use of a 1960 Census in the comparison and Schultz was ordered to revise his figures to use more recent populations.

Lynn D. Compton, chief deputy district attorney, said two Negroes, an Arab and several Mexican-Americans were nominated for the jury.

Of 133 judges asked to fill out forms telling how they nominate grand juries, several asked if they could take the stand.

Compton, objecting to the motion to throw out the indictment, said even the defense concedes that Sirhan fired the shot which killed Kennedy in the New York Senator's moment of victory after California's Democratic presidential primary last June.

Superior Court Judge Herbert V. Walker overruled Compton's objection. He denied another motion that testimony regarding the number of Negroes and Mexican-Americans on grand juries would be irrelevant since Sirhan, a 24-year-old Jordanian, is caucasian.

"One class is equal to another," said the judge.

The present system being challenged allows each county judge to nominate two persons for grand jury duty. The final 25 members are chosen by lot.

At Wednesday's session, Sirhan smiled and waved at a young man seated in the back row of the courtroom with Sirhan's mother, Mary, and brother, Adel.

He identified himself as Abdeen Jabara, 28-year-old Detroit attorney of Lebanese heritage and said he is acting as an adviser to the Sirhan family and the defense.

The jury has been accepted to hear the murder trial. There were published reports the defense may call Sirhan and his mother to the stand once testimony begins.

Eds: Resumes 12:30 p.m., EST  
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