

Ted Asks Mercy For RFK Killer

LOS ANGELES (AP)—Sen. Edward M. Kennedy has asked "compassion, mercy and God's gift of life itself" for a man condemned to die for assassinating Sen. Robert Kennedy. The district attorney said today.

Edward Kennedy said his brother would have wanted it that way, Dist. Atty. Exll J. Younger said.

Younger addressed the court at a session for sentencing and arguments for a new trial for Sirhan Bishara Sirhan. He did not read the letter aloud but furnished copies to defense attorneys. He said Kennedy's remarks were in a handwritten letter delivered to the district attorney's office last Saturday.

THE LETTER, Younger said, called Robert Kennedy "a man of love and sentiment and compassion. He would not have wanted his death to be a cause for the taking of another life."

Sen. Gov. Court Judge Herbert Walker was scheduled to pass sentence.

The jury last April 23 fixed the penalty at death in California's 24th chamber. It was the same jury that earlier convicted Sirhan of murdering Kennedy last June.

The attorneys who defended Sirhan, a 25-year-old Palestinian Arab, in the 15-week trial contend Judge Walker erred in permitting the use of notebooks as evidence in not granting a mistrial because of public

reports that the defense was negotiating for a murder plea.

Text of Letter

WASHINGTON (AP)—Following is the text of the letter.

Sen. Edward M. Kennedy to the Los Angeles county district attorney in the case against convicted assassin of the senator's brother, Robert F. Kennedy:

May 18, 1969
Mr. Evelle Younger
District Attorney
County of Los Angeles
Dear Mr. Younger:

Some weeks ago, you inquired whether the Kennedy family wished to express any views on the possible penalties available to the court under the law in the trial involving the death of my brother.

The issue then was the position to be taken by the prosecution on the offer of a plea of guilty and that involved the question whether there would be any trial at all. We felt that any answer to your inquiry at that time would accordingly be inappropriate.

AT THE TIME of the hearing on the sentence, a similar inquiry was made by defense counsel. The matter was then before the jury and again, any response seemed inappropriate.

I now understand that the trial judge will be called upon to exercise his discretion concerning the penalty. Since this is now a question of clemency and the trial proceedings have been completed, I feel I can appropriately convey to you, for whatever consideration you believe to be proper, how we feel.

My brother was a man of

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ness and Texas.

Sirhan--

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love and sentiment and compassion. He would not have wanted his death to be a cause for the taking of another life. You may recall his pleas when he learned of the death of Martin Luther King. He said that "what we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love, and wisdom and compassion towards one another."

MOREOVER, he was a young man, totally committed to life and living. He stood against injustice, poverty and discrimination for those evils lessened life. He grew to despise war for war denies the sacredness of life. And he had a special affection for children, for they held the promise of life.

"We all realize that many other considerations fall within your responsibility and that of the court. But if the kind of man my brother was is pertinent, we believe it should be weighed in the balance on the side of compassion, mercy and God's gift of life itself.

Sincerely,
Edward M. Kennedy.