

# Ohio Guard Was Authorized to Load

Special to The New York Times

WASHINGTON, May 7 — In his first public statement since the Kent State University incident, the commander of the National Guard said today that Ohio guardsmen were authorized to "load and lock" their weapons when committed to action.

Maj. Gen. Winston P. Wilson, in testimony before the Senate Armed Services Committee, also said that the students who were fired upon "were lawbreakers in violation of the Governor's ban, in violation of the Riot Act and the lawful order to disperse."

Although summoned to testify on military Reserve matters, General Wilson was asked to explain the shooting of four students at Kent State University on Monday by units of the Ohio National Guard. He stopped short of defending the shootings, but he told the Senators to "keep in mind" several considerations, including the following:

¶ "The unconfirmed report of a nonmilitary spent shell casing in the vicinity."

¶ "The unconfirmed reports of four shots fired by a person in the dissident group."

¶ "Reports that snipers were shooting at the guardsmen."

When asked why the guardsmen had fired into a crowd of students, he said the answer "must await the results of the investigation by the Department of Justice."

However, he said it had been reported to the Federal Bureau of Investigation that a witness had seen a girl, dashing out of a dormitory, who "fired a wea-

pon at the Guard as they turned away."

"They turned back and returned the fire," he said.

His testimony was greeted by skeptical questioning from some members of the committee, who asked whether guardsmen received adequate training and were prepared to cope with disorders.

## Rules Are Clarified

At one point, Senator Peter H. Dominick, Republican of Colorado, asked, "Are you also going to do something in the P.R. [public relations] field to persuade your people that they're not just there to mow young people down like sheep?"

The Senator said that the question was meant to convey to General Wilson the impression that some students have of the National Guard as a hostile force. The general replied that something should probably be done.

The general's testimony on the use of loaded weapons by the Ohio Guard provided an important clarification on the guardsmen's rules of engagement. Such rules differ from state to state when the guards-

men are used as a state militia, as they were at Kent State.

General Wilson said that the Ohio rules contained the following instruction:

"At riot scene and just before he is committed to the street, individual guardsmen will load and lock weapon upon authorization of a responsible officer. Weapon is fired when authorized by a responsible officer unless individual is fired upon or when his life is otherwise endangered."

Department of the Army guidelines, which state militias do not have to follow, permit advance loading of weapons only under specific conditions. Some state militias, such as the one in the District of Columbia, say that their troops have never carried loaded rifles during civil disorders.

In a related development, it was disclosed today that General Wilson had authorized all states to use National Guardsmen as watchmen over the forthcoming weekend of demonstrations. The men will serve, without loaded weapons, at Guard armories around the country to protect against arson and other possible violence.