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Wave of Arm Said Signal For Kent Shots

WASHINGTON (AP) — With the wave of an arm, an Ohio National Guard lieutenant gave the order to fire that resulted in the deaths of four Kent State University students last week, Sen. Stephen M. Young, D-Ohio, said yesterday.

Young declined to identify the lieutenant, but said he should be charged with second degree murder.

"The lieutenant in charge of that platoon held his arm aloft and pulled it down and immediately a volley was fired from the guardsmen," Young told the Senate.

"**THE OFFICER** who ordered the guardsmen to fire point blank into the students was guilty of murder in the second degree," he added.

Young said he received his information during interviews with Kent State students. He added that he was sending an affidavit from one witness to the U.S. attorney.

Young made his statement as Life magazine published a copyrighted photograph showing one guardsman, apparently an officer, aiming a pistol toward a group of students.

AN OHIO National Guard official in Columbus said there was no indication that any .45 caliber pistols were fired during the incident. The spokesman added that only officers carried .45 caliber pistols at Kent State.

Two Associated Press reporters examining the scene of the shooting shortly after the incident reported finding a spent bullet that appeared to be larger than the .30 caliber slugs fired from M1 rifles.

Its exact diameter could not immediately be determined, partly because the bullet had mushroomed on impact. The slug was turned over to a guard officer who pocketed it without comment.

MEANWHILE, ASST. Atty. Gen. Jerris Leonard, the government's chief civil rights enforcer, assumed command of an expanded investigation into the fatal shootings.

Leonard sent two civil rights division lawyers to Ohio to talk with FBI agents and U.S. Atty. Robert B. Krupansky of Cleveland.

Leonard added that no decision had yet been made on whether to convene a federal grand jury to seek indictments in connection with the incident.