

High Court Won't Delay Kent Trial

WASHINGTON — (UPI) — The Supreme Court refused today to block the Nov. 22 trial of 25 persons indicted by a state grand jury in the 1970 antiwar disturbances at Kent State University.

The defendants had asked that the trial be delayed while they tried legal efforts to stop it altogether.

Only Justice William O. Douglas voted to grant a stay of an Oct. 22 ruling by the 6th U.S. Circuit Court of Appeals in favor of going ahead with the proceedings.

Douglas said he thought the Ohio anti-riot statutes seem "overly broad" on their face and unless proved

otherwise infringe on First Amendment freedoms.

Attorneys for the 25 students, former students and faculty members had argued that the defendants could not get a fair trial because the Portage County grand jury issued, along with its indictment, a report making findings of fact as to the crimes charged. The attorneys contended that this report constituted the fixing of guilt before trial.

The 25 are charged with rioting during the campus protest May 4, 1970. Ohio National Guardsmen opened fire and killed four students and wounded nine.