

NOV 7 1974

Testimony on Shootings at Kent State

Cleveland, Ohio **SEChronicle**

Two former National Guardsmen now on trial on charges stemming from the 1970 Kent State shootings told FBI agents they shot men advancing on them, according to a statement read in court yesterday.

In a statement read to the jury by the prosecution, James E. Pierce, 30, of Amelia Island, Fla., said he feared he "would not get out alive." He said he saw a man a rock in hand within ten feet of him, fired at the man, and that the man fell.

He said he saw another man with a rock in hand, and fired at him but missed.

Lawrence A. Shafer, 28, of Ravenna, Ohio, said in a similar statement that students began to surround the guardsmen as the troops moved up the hill. "The mood of the mob was hostile and I felt I was in danger," Shafer said.

"There was a man advancing towards me with his hand upraised in a gesture" and his other hand hidden, Shafer said. He said he fired at the man because he believed the man was planning to injure "someone on the hill." The man fell, grabbed his stomach and rolled over.

According to the prosecution, Pierce and Shafer gave the statements to agents on May 7, 1970, three days after the shootings.

Much of the material heard by the jurors were similar statements or stipulations read into the record by the prosecution or related by FBI agents who interviewed defendants a few days after the shootings.

Pierce and Shafer are among the eight former Ohio National Guardsmen indicted by a federal grand jury which charged they assaulted and intimidated students and others by firing in their direction.

They also are charged with depriving the victims and others of their right to protection against loss of liberty without due legal process.

Associated Press