

REACTION

THURSDAY, JUNE 19, 1975

SERGEANT DENIES KENT STATE SHOT

NYTimes

Guardman Says He Pointed
Empty Pistol at Crowd

JUN 19 1975

Special to The New York Times

CLEVELAND, June 18 — A National Guard sergeant identified as firing the first shot at student demonstrators at Kent State University five years ago denied from the witness stand today that he ever fired a weapon on the campus.

First Sgt. Myron G. Pryor, 39, of Barberton, Ohio, testified that he carried an empty .45 pistol on the campus on May 4, 1970, although he had 14 rounds of live ammunition in an ammo pouch.

Mr. Pryor was a senior non-commissioned officer among Guardsmen who fired into a crowd of students, killing four and wounding nine.

Mr. Pryor's contention that he never fired his weapon was disputed last week in testimony from a fellow Guardsman who said he was standing six feet away when Mr. Pryor fired his pistol on a practice football field about five minutes before the shooting.

Sue for \$46-million

Barry Morris a former Guard Sergeant, told a United States District Court jury that he was surprised when Mr. Pryor fired one round in the air on the football field. Mr. Morris was not able to say if Mr. Pryor joined in the volley with other troops that resulted in the deaths and woundings.

The wounded students and the parents of those killed are suing Mr. Pryor, 37 other Guardsmen and Gov. James A. Rhodes of Ohio for \$46-million.

Under questioning from the plaintiffs' chief counsel, Joseph Kelner of New York, Mr. Pryor repeatedly denied that he fired his weapon at any time on the campus.

Mr. Pryor also testified that he was not aware that the Guardsmen were carrying live ammunition. That comment brought groans from the packed courtroom.

'Heard No Orders'

The Guardsmen wheeled in unison and fired from the top of a hill, but Mr. Pryor said that he had heard no order for the troops to execute such a movement. He said he assumed one had been given and swung around but only pointed his weapon at the crowd.

At the moment of the shooting Mr. Pryor was captured on film by a photographer pointing his pistol in his outstretched left hand toward the crowd.

One photographer, John Filo of Kansas City, Mo., testified he saw and heard Mr. Pryor firing his weapon. Mr. Filo, a Pulitzer Prize winning photographer now working for The Associated Press, testified three weeks ago that he saw the weapon recoil in Mr. Pryor's hand and heard shots coming from the gun.