

REACTION
**KENT TRIAL TOLD
OF A PISTOL SHOT**

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Witness on Roof Says She
Saw Man Fire Into Air

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CLEVELAND, Aug. 12—A

former student testified in the Kent State civil trial today that she saw a man fire a pistol in the air seconds before Ohio National Guard troops fired into a crowd of student demonstrators five years ago, killing four and wounding nine.

Joy Bishop told the Federal jury hearing the \$46-million suit that she had been standing on a dormitory roof and had glanced down toward the ground and had seen a man dressed in a yellowish-gold sport coat pull a pistol from a briefcase and fire one shot into the air.

Within two to five seconds after the man fired the shot, National Guardsmen opened fire on the demonstrators, she said.

Mrs. Bishop, a Kent State graduate who now teaches retarded children, said that after the man fired the shot he fled the area and she lost sight of him.

Mrs. Bishop was called as a defense witness in the 15-week-old case and her testimony supports a defense contention that guard troops believed they were under fire from a sniper.

She testified that after hearing the shot, she heard people yelling, "sniper, sniper on the roof."

She added that she and two other students were the only persons on the dormitory roof at the time.

Two Persons With Her

However, during her testimony, Mrs. Bishop placed the man with the pistol in a spot directly opposite from the direction in which the guard fired its volley.

According to her testimony, the man with the pistol was 175 feet away from the guard firing line and the troops would have been between the man and students who were wounded and killed.

She testified that after she heard the pistol shot, she saw a guardsman reel in the opposite direction and aim a .45 caliber pistol toward demonstrators. His actions were followed by a 13-second barrage of gunfire from troops.

Mrs. Bishop's testimony is the first public account of the incident. She testified that she gave a statement to the Justice Department in November, 1973, three months after the Justice Department announced it was reopening its investigation into the Kent State case.

The investigation led to a Federal grand jury inquiry that resulted in the indictment of eight guardsmen on criminal civil rights violations. The Guardsmen were later acquitted when a Federal judge dismissed the case for lack of evidence.

Mrs. Bishop was not called as a witness before the Federal grand jury, nor at the following criminal trial.

Minutes after the shooting incident, a civilian photographer was apprehended by guardsmen and policemen on the campus carrying a .38-caliber pistol.

Terry Norman, the photographer, who was working for the campus police, testified in the case through a sworn statement, that he had not fired the revolver he was carrying.

Defense attorneys believe the man Mrs. Bishop saw was not Mr. Norman but another unidentified individual who fled the campus after firing the pistol.

Lawyers for the victims of the shooting were unable to shake Mrs. Bishop from her story during cross-examination.