

3/14/70

NOTES ON THE DEATHERSTONE BOMBING

There is so much here that seems a Memphis mimicry or a slightly more dignified duplication of the police in Dallas that, being disturbed by the entire affair, I make a few notes before sunup on the day the governor on Maryland is to make an official announcement already touted as confirmation of what the police have already said. What they have said they said too soon, immediately. This does not mean what they said was to be untrue. It does cast doubt, however, on the certainty of their knowledge and their motive. This is that the explosion occurred above the floor of the car, in the front seat, in front of the non-driver, while he was bending over and apparently playing with whatever exploded, that not yet having been disclosed.

The next night, Tuesday, 3/11, there was a very powerful explosion in the courthouse at Cambridge, where the trial was to have been held. Again the police spoke to soon in error and in departure from decent police procedures. They disclosed they were looking for (the first announcement, from the governor's press secretary, was that they had apprehended) a miniskirted young woman of the radical left, with long, dark or black hair, well known to the FBI, who had been driving a car with New York tags that were also disclosed. Not until a day later did they reveal that the car belonged to a salesman. Now, they could and should have known to whom these tags had been issued within minutes. And if they wanted to catch such a woman, they should have said nothing about her. However, there had been sensational bombings in New York, attributed to the Weathermen faction of the SDS in one case then but a few days old, and the immediate effect was to fix in the public mind that this bombing also was on the left, not from the right. As of now it appears the police had only the reported presence of a woman in the courthouse some time the day before the explosion. In itself this is not unusual, nor is the description, which could fit a rather large number of women with legitimate business there. The explosion was in a woman's rest room, it is said. How like Dallas!

The second man in the car at Bel Air (said to have been exploded at about 11:45 p.m. 3/9 and about 1 1/2 miles south of Bel Air, pointed toward Balt.) was not immediately identified but was described as having three different identifications with him. Assuming this to have been true, the effect was to make it seem like this man was Rap Brown and again of the extreme left, a suspicious character. Although there seems to have been conflict with his existing medical records, this man was later identified as "Che" Payne.

How reasonable is it that Payne was playing with a powerful explosive while they were driving along a major highway, US 1? If we assume that they were transporting such a device, can we that they would have been carrying it primed and in the open, in the front seat, where it would have been detected had they committed a minor traffic violation, had the police guarding the community (heavily and visibly stopped them merely to ask their business, had a light bulb burned out, or for any of a number of possible innocent reasons? Would intelligent men experienced in the ways of the police and the problems of the militant blacks, which both were, have transported their explosives visibly? Only if they were about to use them. Where? Was there an adjacent target? The police presumption seems to be that they were taking it back to DC to stache away. This also presumes they had either picked it up at Bel Air or had brought it with them. Would they, in either case, have had it in the front seat, in the open and primed? Not likely in a car with a trunk, unless they planned immediate use. Such a use could have been at the courthouse, but it is not likely this pair, with their long experience, would not have anticipated the heavy guard posted there. If they picked the charge up in Bel Air they did not have to assume it, they knew it. If they picked it up in DC, they carried it primed

and very visibly for not less than four hours, they having left DC at some time after six p.m. in the borrowed car.

With his long association with and separation from Brown, it is not unreasonable to consider the likelihood that Featherstone borrowed the car and made the trip to see Brown who had been out of circulation as part of the conditions of his bail for some time. This has nothing to do with whether or not he was carrying such an explosive and does not make impossible that he would have. However, it does make it extremely unlikely that he would have had the bomb in the open for he knew Brown would be under observation and under some kind of protection, both conditions making it reasonably certain the explosive in the open would be observed, fingering Featherstone when it was used. Featherstone could have gone to Bel Air to see Brown on the assumption he would be there. As he did not have known that Brown was there. It seems that Brown wasn't. It is possible that Featherstone, who knew Kunstler could have visited with him, but not at Bel Air but where Kunstler was staying, at Havre de Grace, about 15 miles to the northeast. It is not likely he would have been with Kunstler all the time that has to be accounted for, because it is likely Kunstler had too much work to do. It is not probable Featherstone did not know, before leaving DC, where Kunstler would be, but this is immaterial. F could have driven to Havre de Grace by either I95 or US 40 from DC, or he could have gone to Balt and taken US1, the later taking more time. Either way he had much more time than has been accounted for. What he did may be a mystery, but what is more mysterious is the apparent lack of any police check and the certain lack of any police accounting for any of the time. These were not invisible men. They were well known to both police and blacks and were readily identifiable by any they may have seen. There has as yet been no indication that the police did any checking, with pictures of at least F, who was identified immediately.

Assuming the essential accuracy of the immediate medical disclosures (in advance of completion of the investigation), that the explosion was in the front seat, etc., it is not possible to avoid the unnecessary added conjecture, that F was playing with the device. That he was bending over it is the most that could reasonably have been conjectured. What is lacking, in addition to any reasonable explanation for its presence in the front of the car, is any reason for bending over it, whether or not playing with it. Here I note the high medical competence and the even higher semantic skill of the chief medical examiner, Russell Fisher, whose name was never connected with the post mortem examinations- and his willingness to lend himself to official justifications. We know nothing about F's activities for that day, but new accounts have F working until he left at a book store. He may or may not have eaten in Washington before leaving, may or not not have eaten in Bel Air & after getting there, but it is reasonable to assume he did have supper/ This is a simple matter to check out. It has not been disclosed in the papers on radio or TV. I have followed all closely. Why not? And why not disclose it, everything prejudicial having been? Either it was done and is inconsistent with what has been leaked or it wasn't done, which casts the police in the most doubtful role.

Now this happened just before midnight. If the men were returning to Washington, it would have been after 1 a.m. when they got there. This does suggest they might have stopped to eat or snack or just get some coffee for the trip. Again, no police information, if interest. The most obvious thing was to have taken pictures of at least Featherstone down US1 from Bel Air, to see if he had stopped off at any eating place just before the explosion (which seems to me to be the most reasonable of the possibilities). Lacking in what is public is any indication these men visited with Kunstler. So, we do not know how long they were in Bel Air or with whom. This can be taken as indication they had not visited Kunstler (where their car would have been inspected by the guard posted there, reported armed by Paul Valentine, who had been told by a Post reporter on the story). However, had they visited anyone with X but not inside the quarters, they'd have had a narrow, dark country road on which to stop for any food, etc (unless that road has changed considerably since last I

was on it, which is quite possible). It seems more likely that men with the history of these would have stopped in a very public place, leading them to favor US 1, where their selection should have been wider anywhere or where they may earlier have seen places they recalled.

Whatever one considers of what these men did, it is not unreasonable to consider it possible if not probable that they stopped the car and got out of it at some point they night. I think it likely, whether or not they did this earlier, that they did this just before leaving Bel Air. And they got a few miles away, as they knew, the got onto denied-access highways on which nothing is available. Thus it is not impossible that the device was placed in the car, quite possible but an instant before it exploded. In considering this, I emphasize again that the device was simple, which is neither necessary nor desirable in transporting, and is inconsistent with idle curiosity or toying with it. I also emphasize something entirely unexplained, the winding of a subminiature battery in Payne's head. This seems, from the released statements, to have been placed there by the explosion. It would also seem that the camera-type battery, the wafer type, was the device for detonating the explosion, that it was on top of it. It makes me wonder whether it was activated by a motion, like the lifting of a lid, which would have been simple. The electrical charge required to detonate dynamite is very slight. I have seen it done with a flashlight battery.

So, if this pair had left the car at Bel Air for food or drink, on returning to it, once they settled down, expecting nothing, P could have bent down to examine whatever the package was and by the examination set it off. I believe it is at least as reasonable that men with their backgrounds would have been careful with explosives and not use them visibly and that it could have been planted as that they were needless and needlessly careless.

Bel Air is close to a stronghold of the more extreme of the radical right, which is in that area. It is in Baltimore, Baltimore County, etc., with both the NSRP and Klan active and visible. Maryland was a Wallace stronghold. The mere presence of Brown, those taken for him or those associated with him was more than enough to motivate them, and they are of such disposition, any black was enough.

If it is not possible to know what did happen or how, it also is not possible to assume that the police do not know their business, do not know what they are not supposed to do, and it certainly is not possible to assume what must be for the police leaked accounts to be at all credible, that these were wild, inexperienced, careless men who transported powerful explosives without concern for detection or unintended detonation and without apparent purpose. It is also interesting that although there seems to be more than enough to confirm the medical opinion that the explosion was powerfully upward, there does seem to be reason to believe the main force may have been forward, where the motor was broken and part of it and front end apparently were forced 150 feet or yds in that direction, while all other accounts are of objects being sent in much shorter distances....A state police car was 100 yds ahead of this car. It would be interesting to know if it had just passed it and whether it was on a special mission, like surveillance. If he had passed, it is indication the men were careful or had just stopped and were going more slowly because of it. In Harford County Blacks are a small minority, 5-3%. I have a hunch this small minority is concentrated away from Bel Air, closer to Havre de Grace-Aberdeen (govt, army proving grounds)- Belcamp, the US 40 corridor to the east. They be more conspicuous in Bel Air about midnight. With the Ray Brown trial opening that day, police would be more alert to strange blacks in the vicinity at midnight. And Featherstone would have known it, whether or not "he" would. With that nickname, he wouldn't have?

The Baltimore (there local) press have been on strike, so there were no local reporters on the job, unless there was radio-TV reportage. However, here the Baltimore stations are weak. Their news is unimaginative and not extensive. The Washington Post, for whatever reason (one being the dependence of its reporters on secondary sources including police) has been inclined to follow police leads. Carl Bernstein did a prejudicial story on Featherstone, painting him as a violence-prone man on the basis of statements quoted from a man who knew him of his passion for the black cause or his hatred of whites. If these things are true they do not prove or even indicate a knowledge of explosives or a disposition to use them. But even the quotes are dubious, for where Sterling Tucker was quoted as indicating such a proclivity, when he was on radio and TV as said, in his own voice, that he had no reason to believe Featherstone carried or used explosives. Those who know him seem to have indicated the contrary as their beliefs. But such reporting, as in Dallas, tends to credit the police story which has been entirely without any support in solid proof or even really credible presumption.

The FBI was in on it to begin with. Wednesday I was to have seen a TV reporter but in the early afternoon he had to charge off on a special mission: they had gotten a tip from the FBI that these two had been "set up as patsies to make it look like Brown had been murdered". The presumption is by Brown's people and so that he could run away, hide. This means his people would have killed his close friends for such a purpose. This reporter didn't have any doubts about the reasonableness of the tip.

Conspicuously lacking are the minimum, basic details of such a crime. One is the kind of explosive used. Traces certainly remained and were readily isolated by the experts there. It was hardly possible for this explosion to have occurred much closer to authentic experts, at the Aberdeen Proving Grounds, loaded with military experts, army and civilian. With everything else they were leaking, it is strange there was no report on this.

The New York Times has almost nothing on this yesterday, although it had more than a page on the other explosions and threats (there had been three heavy ones in NYC and about 400 false reports, not inconsistent with a kind of guerrilla warfare, though no reports indicated this, nor did any "analysis" or "commentaries") I take this as a sign the Times could not get what I considered worth reporting, not that it had no interest, with the great space it used.

If there were to be a private investigation, which I think there should be, I would suggest the first thing is a tracing of the dead men's movements, carefully timed, that night, beginning with a careful investigation at Bel Air and going toward the scene of the explosion, with concentration of food places, to see if they stopped. This is necessary to establish what I would guess to be one of the better possibilities that the explosives had just then been placed in the car, on the floor. With the men being followed, unless they locked their car, not likely if they stopped at a public eating place, putting something on the floor of the front, where it would not immediately interfere with driving, was no trick at all. I think it might be a good idea to examine the sides of the road to see if there are remnants of any possible package, if the police get any. It is not probable these men were unseen from the time they left the last known to have seen them in DC. Finding those who saw them should provide leads and might turn up people who had been in the car with them, or who had seen inside it. What is needed is not a special investigation, though it may become necessary, but a straight one. Blacks should be asked if they were aware of shadowings, rough or clandestine. This could be police and not necessarily unusual under the circumstances or by extremists of the right, which I believe predictable there and under the prevailing circumstances. This might yield descriptions of car, men or both. I have means of checking these out. If there is to be a special investigation, one operation that should be considered is a penetration of the KSRP in Balt., or K

Add Brown notes 3/14:

Radio reports now quote Maryland police as passing the word that Brown was in a Bel Air hotel and Kunstler as saying he didn't believe it or knew otherwise. Regardless of which is true of whether something close but not identical is, one might wonder what Featherstone and Payne believed. There remains a considerable period of their time to be accounted for. They could have expected to meet Brown or haven't met with him or others and have left their car unattended during this time. Now if this time was right before they left to return to Washington, it is obvious this would have been an ideal time for the depositing of the bomb. So, the investigation should not overlook what the police either have or have been careful not to mention, the motels and other places of public accommodation - or private quarters in any black section of town.

Governor Mandel's 11 a.m. announcement is of less than forecast. He was to have released an FBI report. Instead he released a Hoover specialty, a paraphrase, much contracted, a favorite Hoover device and mechanism for self-protection from possible later criticism. It was in the form of a telegram, needlessly, for Hoover could have had the full text of the report in Mandel's hands in less time than it took to rewrite it, get it on the wire and have the wire delivered. Therefore, he elected not to have the full report released. There are clues in the summary. Until I see the full text (hopefully) in tomorrow's papers, I cannot be certain.

This condemnation seems to identify the explosive as dynamite, so there was a heavy overcharge. It says there was a clock, not part of the car. It also does not seem to say part of the bomb, either. Consistent with Westclox manufacture, or a common, readily-available cheap clock. The summary makes no mention of the adaptation of the clock for a bomb, and if it was done that part could have been destroyed. However, it fails to say the clock was used. The reason is obvious. If it had been, it could not have been by the intent of F and H. So, the presence of the clock is actually proof they did not have the bomb with them by intent, for they'd not have had the clock connected until they were ready to plant the bomb.

If the clock was wired in by whoever planted the bomb, they were inept or had knowledge or reason to believe the victims would be in the car at that time, and not much before they got into the car, otherwise they'd have discovered the bomb in time to get rid of it. I lean to the belief the bomb was arranged to go off as indicated earlier, by means of a switch activated by touch or motion. The clock would then have been a means of making it seem (to the not too bright) that the intent was as the police inferred, to be used elsewhere, with detonation unexpected.

I have heard the various newscasts and summaries for more than two hours now and none of them seem to understand this, obvious as it is. Unless the owner of the car just carried clocks around for no purpose, the finding of this clock establishes this was murder, a planted bomb, for the victims would not have set it to blow themselves to pieces.

Add 2 Brown notes, 3/15/70

These notes are written before examination of the printed accounts in today's ("Sunday" paper, based on early a.m. radio reports and last night's late TV news (WTOP- 11 p.m.)

First, how was the FBI-Mandel-Spitz stuff played? As an argument, not fact, to say the information "supports the belief" that "the bomb was being transported", etc. "Being transported"? This would no less be true if it had been planted. Thus it is argumentative, not factual, for it is designed to convey the idea deliberately being transported, not by accident. One of Spitz's phrases is a bit too much: "in plain view" (plain may be clear or some other similar word). At midnight this is not true and Spitz knew that. All he could conjecture is that he believed they were aware of its presence. What they saw he has no way of knowing. What they could have seen is no more than a shape, at the very outside. It is more likely awareness could have been from feeling rather than sight.

Much the same is true of the statement it was not concealed. It also is argument, not fact, and is unrelated to how the bomb got there.

The "clock and battery could be part of the detonating system". Again, this is argument, for the clock also could not have been part of the detonating system, it not be vital at all and being entirely unnecessary of those who made the bomb did not desire it to go off at any special time. Unless it is known who made the bomb and for what purpose, nothing is known about the clock, which could be no more than a designed deception, calculated to elicit exactly this conjecture converted into fact by the FBI. In fact, by the 8 a.m. WTOP radio news, which I have just heard, there is the introduction of this new emphasis, that it is not known what made the bomb go off. That is in the initial statement, but there was no emphasis on it in the first treatment. Thus the wrong idea was planted while Hoover's self-protection is maintained.

This is a case in which the conclusions are not explicit, great care having been exercised by all officials from Hoover down so that they would not be, with the consequent hurt to their reputations if contrary proof is adduced. They are made by semantics, by the misuse of words to convey conclusions in the guise of careful, scientific language, which was not the case. The play by the press is exactly the play and emphasis Hoover calculated and wanted. The result was to convince people of that of which there is and was no proof, that the men were killed by their own carelessness while carrying their own bomb for which they intended another use. There is absolutely nothing in what has to this point been made public to even support this view, leave alone prove it. It is the total absence of proof that requires this official deception.

In the Post, second paragraph of lead, some of the above is specific: "But the Governor and the Maryland state police, in a shift of position, said they are drawing no conclusions about whether the dynamite was carried in the car deliberately and exploded accidentally, or whether it was planted there without the men's knowledge". This had been the conclusion, as the "shift" shows-- after a week of constant propagandizing of unwarranted conclusion, s, after the public and media mind was fixed.... This story says the FBI report was released. However, there remains no evidence more than a paraphrase was. Releasing the entire report would be rather inconsistent for Hoover. The story describes it as "preliminary", again not in fixing the public mind. This story also uses the "the explosive charge must have been in plain view" language, says of the "clock and battery fragments" that they "could represent an electrical firing system for a bomb", attributing the words to "the report". But in any honest report or in competent reporting, the other major possibilities should have been conjectured, not this propagandistic one.