

Alabama Aide On Extradition

By WAYNE KING
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ATLANTA, Nov. 29—The self-styled white racist J. B. Stoner, who was indicted in a 1958 bombing near a black church in Birmingham, Ala., mounted only a meager legal defense against extradition today but unleashed a torrent of racial abuse against Attorney General Bill Baxley of Alabama, the man who managed to bring charges against him after almost 20 years.

Mr. Stoner is fighting extradition to Alabama to face a charge of setting off an explosive dangerously near an occupied dwelling, a capital crime in Alabama. His extradition has been requested as a routine matter by Gov. George C. Wallace, and the decision on whether to grant it is in the hands of Gov. George Busbee of Georgia.

Mr. Stoner, a lawyer who is head of a neo-Nazi group called the National States Rights Party, lives in Marietta, Ga., but previously lived in and had his party headquarters in Birmingham.

His indictment for the 1958 bombing came at the same time as one against Robert E. Chambliss, a 73-year-old former Ku Klux Klansman, for the 1963 bombing of a Birmingham church that killed four young black girls after Sunday School. Mr. Chambliss on Nov. 18 was convicted and sentenced to life in prison.

Wears Confederate Emblems

Mr. Stoner appeared at the hearing today wearing a bright red blazer with a Confederate battle flag stuck in a breast pocket. He also sported a bow tie bearing the Stars and Bars of the Confederacy and twin lightning-bolt pins affixed to his lapels.

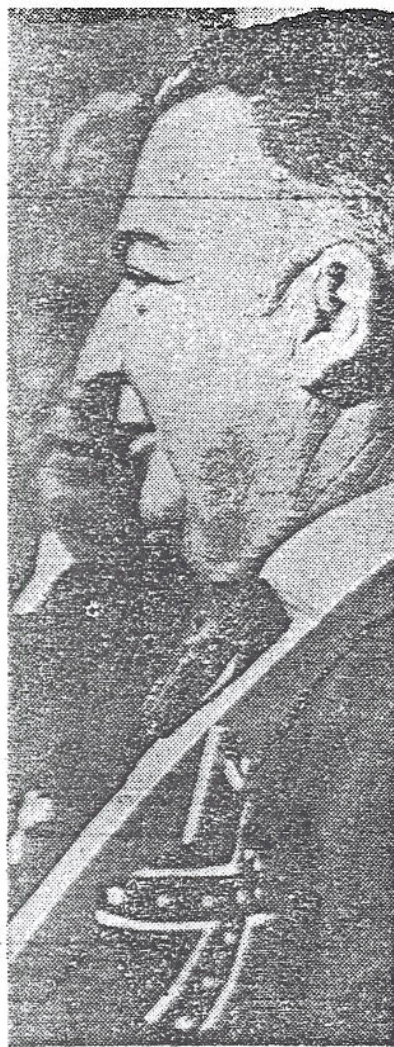
He sat silently through most of the proceeding while his lawyer, L.S. Cobb, argued that his client was being denied due process because Governor Busbee himself did not preside at the meeting and because witnesses he had asked to be subpoenaed had not been summoned. He also argued that the indictments were vaguely worded in that they mentioned no specific date that the crime occurred. Only one bombing is involved, although two separate indictments have been brought because two occupied dwellings were nearby.

The Governor's legal counsel, Julie Clifford, the hearing officer, noted that the hearing was being held not to determine guilt or innocence or to examine evidence, but to allow Mr. Stoner to mount challenges primarily in three areas, as determined by rulings of the United States Supreme Court.

The areas are (1) whether Mr. Stoner was the person named in the indictment, (2) whether he was in the state at the time of the incident, and (3) whether the extradition papers themselves are sufficient.

No Oral Argument

Mr. Stoner's attorney did enter those defenses in the form of a written brief but announced that he would not make oral argument on them. The proceeding ended after 40 minutes. No decision is expected from Governor Busbee for several days, but the failure of Mr. Stoner



Associated Press

J. B. Stoner, foreground, and his lawyer, L. S. Cobb, arriving at Atlanta courthouse for hearing.

to mount a full-fledged assault on the extradition attempt hinted strongly that he expected to be extradited.

Moreover, he has already filed a habeas corpus petition in a Cobb County court to stop the extradition proceedings and quash the indictments.

After the hearing, Mr. Stoner, in an interview with several reporters, lashed out at Attorney General Baxley, charging that he was supported by organized crime and was seeking black support to become Governor.

"He doesn't care how many innocent white men he convicts to get the governorship," Mr. Stoner said.

He also accused the Attorney General's office of attempting to bribe witnesses, partly a reference to \$10,000 awards offered for the conviction of church bombers, and concluded by saying that he felt both the Ku Klux Klan and Adolf Hitler were "too moderate."