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King Death Costly to Taxpayers

By JOE HATCHER

Special to The Journal-Constitution
NASHVILLE — Memphis memorialized Dr. Martin Luther King's death, and 40 ten years ago, with parades and church services for the assassination black leader, but the Tennessee taxpayers generally bemoaned the fact that King's death had been by far the most expensive crime ever committed in the state.

Dr. King's assassination may have ended in some quarters but it has never ceased to be a thorn in the side of Tennessee officialdom and the Tennessee taxpayer.

From the firing of the shot that fatally wounded Dr. King on April 3, 1968, the pursuit of the killer became one of the most costly items such an investigation ever instigated. The capture of James Earl Ray in London and his return to Memphis was the highest price ever paid by taxpayers for a fugitive. His incarceration in Memphis jails until his trial added to the soaring costs. His plea of guilty brought him a life sentence instead of the death penalty, which was legal then in the state.

Since that time Ray has hired and fired attorneys right and left and filed suit after suit going all the way to the U.S. Supreme Court.

He has attempted to escape several times but was unsuccessful until he fled Brushy Mountain prison for about two days. In the wilderness of the mountains, blood hounds hunted him down.

He has been confined in solitary but has sued to be released into the

general prison population. He has sued against transfer to Brushy Mountain prison, and against his treatment under various conditions.

Almost constantly, he seeks a new trial, claiming he was pressured into confessing and pleading guilty. He has lost in state and federal courts repeatedly.

His 99-year term has been extended for his escape from Brushy Mountain despite his claim he escaped because he was serving as an innocent man. He now has produced a picture which he identifies as the Raoul who paid him to buy the rifle and conspire to kill King.

His latest lawyer, Mark Lane, who is pressing the inquiries into the Kennedy and King assassinations, now contends that the FBI is suspect in the conspiracy against King. He has the latest photograph which Ray says is that of the mysterious Raoul, whom he has never really identified.

Thousands marched in Memphis on April 4 to memorialize King's death. The march passed the Lorraine Motel where King was shot, and where his room is a permanent memorial to his memory.

The state will some day get around to figuring how many millions James Earl Ray has cost the taxpayers, but as of now, nobody argues that a record has been set.

Galbreath Raps Court Refusal For Ray Trial

NASHVILLE (UPI) — Judge Charles Galbreath plunged deeper into judicial hot water Monday, criticizing the state Supreme Court for refusing to grant a new trial to James Earl Ray for the assassination of Dr. Martin Luther King.

Shortly before appearing before a legislative committee conducting ouster proceedings against him, Galbreath said it was "unthinkable" for the Supreme Court to refuse to grant Ray a new trial.

"Sure he should get a new trial," said Galbreath, a judge on the state Court of Criminal Appeals. "If he put a quarter in the slot machine and hit the jackpot, he'd get the jackpot, wouldn't he? And to me this is the same sort of thing."

Galbreath referred to a state law which he said should have automatically granted Ray a new trial because the trial judge in the case died in office.

Ray is serving a 99-year sentence at Brushy Mountain State Prison. Criminal Court Judge J. Preston Battle imposed the sentence on March 10, 1969, after Ray pleaded guilty to the King assassination.

Ray subsequently recanted his guilty plea. He maintained that defense attorney Percy Foreman coerced him into entering the plea and asked Battle to grant him a new trial.

But Battle died of a heart attack before ruling on the new trial motion, and Galbreath said Battle's death insured Ray of a new trial regardless of the merits of Ray's motion.

Galbreath cited a section of state law which reads in part:

"Whenever a vacancy in the office of trial judge shall exist by reason of the death of the incumbent thereof, or permanent insanity, evidenced by adjudication, after verdict but prior to the hearing of the motion for a new trial, a new trial shall be granted the losing party . . ."

Ray's lawyers previously cited the law but were denied a new trial by both the Supreme Court and the state Court of Criminal Appeals.

"It is unthinkable for a Supreme Court not to notice a point raised on appeal," Galbreath said. "The Supreme Court, in my opinion, did not address the issue because it could not without granting Ray a new trial."

Galbreath also said there was no justification for the state Court of Criminal Appeals to refuse Ray a new trial.

"If we're just talking about what he deserves," Galbreath said, "I believe he should be boiled in oil. But regardless of how despicable he is, he ought to be treated like everybody else."

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