

George Lardner
Newsroom
Washington Post
1150 15 St., NW
Wash., D.C. 20005

5/27/10

Dear George,

I'm rushing with this in the event someone stops off and can mail it. No, not to save the pennies. To speed it. If I am not clear please phone me.

In today's mail I received two things I'll be sending you as soon as my wife gets to running the copying machine. One is a letter by John Ray that may interest you, the other two Memphis stories I am sure will. I'll probably include a letter to a Memphis source, from whom I received the stories on Lane having become Gracie Waldons (Stephans') guardian, with all the best Lane-type speeches. Hysterical.

Also, I saw no story on the release of King materials to Halperin. This is why I'm rushing. If you kept any wire copy or any news accounts I'd like them very much. Also and release Halperin made. Not interested in Halperin. Interested in what this means in FOIA when I have not received it even with a case in court and when Jim should have received it in response to a case of his. Of course if you have copies of the record, they also could make valuable attachments to an affidavit, my purpose in this. To inform the court(s).

For whatever our opinion is worth to you the Carter administration's behavior in these matters Jim and I believe are important to blacks may well kick back and be politically harmful. It should be. The behavior is very bad.

Aside from vindictiveness, which is not an exemption to FOIA, the only apparent purpose served in what amounts to an exclusive release to Halperin of what I've been suing for is to kill any use other than he would make. It is no reflection on Halperin to say he is not a subject expert. Even his friend Lane isn't.

By contrast my expertise is good enough to prove negatives against FBI agents and NY lawyers. I'm toward the end of the draft of another affidavit in which I do this again. In this I'm looking also toward the possibility of direct confrontation between me and all of them in one or both of two courts. I don't mean I'm asking for it. I mean it may eventuate. If it does I'll not be looking for any way out.

I don't know why the Post has cooled on the assassinations committee story, especially not after it dedicated itself to rehabilitating Joe McCarthy. I think that if it had not cooled after Lane started the CIA-front stuff the committee would not now exist - and should not.

It is because the Post has done nothing when there was what I regard as news that I'm writing my source about what under other conditions I'd wait to see if you are interested in, what Lane is now open to. I think it would make a great mag. piece and could be placed if the Post did not care for it. Some of this will become clear in the letter to my source. The rest has to do with a Friday appearance by Larry Flynt, from the hospital bed live, on ABC's Good Morning America. I've heard a tape by phone. The tape is in the mail to me. He makes a big thing of his "Gemstone file" on the JFK and maybe MLK assassination. It is an incredible residue of an overflown sewer. I have a copy, from one to whom Flynt gave it before Flynt was shot.

Someone reading it and preparing questions for Lane about it would have some fun. Lane can't possibly - reasonably at least - agree with it. If he does not he has put the hat on his current test. If he does he makes a gargantuan fool of himself.

Can you imagine Lane saddling himself with poor sick and broke and broken Gracie for the rest of her life?

Sincerely,

Attorney Lane Takes Offensive In Contempt Charges Defense

By JAMES CHISUM

Author-lawyer Mark Lane, scattering caustic remarks as he defended himself against contempt charges, yesterday declared he helped Grace E. Walden, 62, move to California after he concluded she couldn't get justice in Tennessee courts.

Perhaps heeding the adage that the best defense is a strong offense, Lane took swings at other lawyers, mental hospital officials and Probate Court Judge Joseph W. Evans himself.

But Evans, presiding at the hearing, took the contempt charge under advisement.

Mrs. Walden was a resident of the Main Street boarding house from which investigators concluded the bullet was fired which killed Dr. Martin Luther King Jr. in April of 1968. She was committed to Western Mental Health Institute at Bolivar, Tenn., shortly after the murder, with a probate court finding that she was mentally incompetent and a ward of the court.

Lane claimed during yesterday's hearing that her commitment was a plot to suppress her testimony, earlier described as being that a man she saw running from the boarding house did not resemble James Earl Ray. Ray pleaded guilty of the murder in the fall of 1968 but has been trying since to get a new trial. Lane is his current attorney.

Mrs. Walden was released from the mental hospital April 25 and sent to live in a sheltered boarding home in Memphis, with lawyer Larry H. Nance as her guardian. The probate court's incompetency ruling had not been rescinded and she remained a ward of the court.

On May 3, she left with Lane for California, who said yesterday that she is mentally competent and living happily there.

Nance petitioned the court to hold Lane in contempt for removing Mrs. Walden from its jurisdiction.

In a surprise move, Evans asked Nance if he would agree to withdraw as Mrs. Walden's guardian. After Nance replied that he would do as the court wished, the judge dismissed Nance as guardian and appointed Lane and Memphis attorney Duncan Ragsdale as co-guardians. The move made moot a petition filed yesterday by Lane to have Nance removed as Mrs. Walden's guardian.

Lane sought without success to question Mike Lawhead, a television news reporter; Larry M. Plant, a television cameraman, and Associated Press correspondent Les Seago about a discussion of Mrs. Walden between him and Evans on the day he and Mrs. Walden left for California.

The three refused to answer questions, citing the 1973 Tennessee "shield law," which provides that newsmen may refuse to answer questions about their stories and sources and that any challenge of this refusal must be made to the Tennessee Court of Appeals.

Failing to elicit the testimony he wanted from the newsmen, Lane then attempted to make Evans a witness.



Staff Photo

Mark Lane At Hearing

Despite Lane's insistence, the judge refused to take the stand.

Testifying himself, Lane said he met Mrs. Walden in the late summer or early fall of 1977, became her friend and eventually her lawyer. He said he found her to be lucid but brutalized by her treatment at the Bolivar institution. He charged that she was drugged before a television interview early in May and that Dr. Morris D. Cohen, superintendent of the institution, illegally arranged the interview.

But Cohen last night denied that charge. "I didn't arrange the interview," he said, "I granted it." There was nothing illegal about the session, which was conducted in a darkened room and did not show the patient's face, as is customary in such interviews, he said. He also denied Mrs. Walden was drugged or brutalized. "These statements he makes are untrue," Cohen said.

Lane said he had retained a Memphis law firm to take steps to obtain her release from the institution, but Mrs. Walden was moved to the Memphis boarding home before the steps were completed. He charged that Cohen and a staff lawyer at the institution, Margaret H. Tucker, perpetrated a fraud on the court by failing to inform the judge that Mrs. Walden had legal counsel on April 21 when Nance was appointed her guardian.

Lane said when he talked to Mrs. Walden after her release he found that Nance was a callous and incompetent guardian who had failed to provide adequate medical attention and failed to protect her rights.

At this point, he said, he realized that Mrs. Walden would not receive justice from Tennessee courts and agreed to her request that she be taken to California. He said Evans had told him no law prohibited travel by Mrs. Walden.

Yesterday's hearing was marked by exchanges between Nance and Lane, and at one point Nance called Lane, who was on the witness stand, a liar.

Lane jumped from the stand, asked Evans to admonish Nance and moved toward his opponent, declaring if the court refused to take action he would do so himself. In the resulting confusion, Nance apologized to the court, saying he had become emotionally involved.

In another verbal exchange, Lane was attempting to describe his relationship with Mrs. Walden.

"Do you know that Grace Walden says I'm the only friend she has in the world?" he asked Nance.

"Well, I do know that she's mentally incompetent," Nance replied.

Lane declared heatedly that he would not consider returning Mrs. Walden to Memphis.

"You will not get her back. This state has held her as a political prisoner for 10 years, and you will not get her back," he said, adding later: "I would not consider doing that for one moment and I would spend the rest of my life in a jail cell in Memphis."

Lane declared he has no intention of using Mrs. Walden as the subject of a book, and said she will not be a witness if James Earl Ray is retried. He said he had assisted her simply because of sympathy for a "sensitive woman who was kept locked up because she was a witness who would not lie."

One TV channel had this as lead item. I thus heard Lane talk for 1 1/2 hours - & he's fatuous.



MARK LANE, ATTORNEY AND AUTHOR



SCENE OF HECTIC HEARING: JUDGE JOSEPH W. EVANS, LEFT, AND ATTORNEY LARRY NANCE

Staff Photos by Larry J. Coyne

Alleged Witness in King Case Gets New Guardian

By BRENT MANLEY
Press-Scimitar Staff Writer

Mark Lane, attorney and author who entered Probate Court to answer a contempt citation for his association with a ward of the court, walked out as co-guardian of the ward — a woman who claims she saw the assassin of Dr. Martin Luther King.

The appointment yesterday by Judge Joseph Evans capped a day-long hearing which at times bordered on the hysterical. After Evans had put off ruling on the contempt charge, Lane said: "I can't believe it." Earlier, Lane had sworn he would not forcibly return the woman to Memphis even if "I had to spend the rest of my life in jail in Memphis."

Lane declared her incompetent last month — filed the petition. He claims Lane took Mrs. Walden out of Shelby County without the knowledge or consent of her guardian or of the court.

Lane has written several books on assassinations and currently represents James Earl Ray, convicted assassin of King. He said he met Mrs. Walden last fall at Western State Mental Institution near Bolivar, Tenn., where the woman was confined for 10 years until her release last month. He described the woman as a "political prisoner" in Tennessee, having been locked up because she was the only person who saw who killed King.

Lane said Mrs. Walden is currently living with his family in Los Angeles.

However, Nance's dismissal yesterday as Mrs. Walden's guardian actually gained his consent. By the end of the protracted hearing — which included considerable argument and shouting — Nance said he "would agree to 'whatever the court says'."

Evans told Lane and another attorney, "I

Duncan Ragsdale of Memphis, to draw up orders for their appointment as guardian of Mrs. Walden.

The judge also told Lane to contact the court later this week to schedule a competency hearing for Mrs. Walden, who Lane said is in "superior" mental health. Evans said he will rule on Lane's contempt citation following the competency hearing.

Lane contended throughout the hearing that Mrs. Walden's commitment to the mental hospital in 1968 and the court's judgment of her incompetency last month represented "a fraud perpetrated on this court."

He said that Mrs. Walden was not represented by counsel as required by law, and that hospital officials refused to allow an outside psychiatrist to interview the woman before the hearing.

Lane said the woman needs no guardian because her commitment was illegal and because she was fraudulently declared incompetent.

During the lengthy hearing Lane and Nance frequently interrupted each other and often appeared to be trying to shout

Evans: "Did you hear what he said? I demand an apology or I will protect myself." The judge admonished Nance, who apologized.

Lane called three members of the press to corroborate his testimony that on the day he took Mrs. Walden to California he spoke to Evans and advised him of the action. Lane contended the judge had told him there apparently was no violation of the law in Mrs. Walden's taking the trip. All three media representatives — a reporter and cameraman from WREG-TV and an Associated Press correspondent — declined to testify, claiming protection through the so-called "shield law" which protects newsmen and their sources.

Then, Lane attempted to have Evans take the stand to testify about the conversation. However, the judge refused, saying he would have recused himself and testified had Lane given him advance notice of his intention.

Evans, in directing Lane to schedule a time for Mrs. Walden's competency hearing, told the attorney of a court rule that the subject must be present during all



MARK LANE, ATTORNEY AND AUTHOR



SCENE OF HECTIC HEARING: JUDGE JOSEPH W. EVANS, LEFT, AND ATTORNEY LARRY NANCE

— Staff Photos by Larry J. Coyne

Alleged Witness in King Case Gets New Guardian

By BRENT MANLEY
Press-Scholar Staff Writer

Mark Lane, attorney and author who entered Probate Court to answer a contempt citation for his association with a ward of the court, walked out as co-guardian of the ward — a woman who claims she saw the assassin of Dr. Martin Luther King.

The appointment yesterday by Judge Joseph Evans capped a day-long hearing which at times bordered on the hysterical. After Evans had put off ruling on the contempt charge, Lane said: "I can't believe it." Earlier, Lane had sworn he would not forcibly return the woman to Memphis even if "I had to spend the rest of my life in jail in Memphis."

Lane was in court to answer a petition for a citation contempt. He was accused of spiriting Grace Walden — the assassin's witness — out of a boarding house in Memphis and onto a plane for Los Angeles.

Attorney Larry Nance — appointed Mrs. Walden's guardian by Evans when the

judge declared her incompetent last month — filed the petition. He claims Lane took Mrs. Walden out of Shelby County without the knowledge or consent of her guardian or of the court.

Lane has written several books on assassinations and currently represents James Earl Ray, convicted assassin of King. He said he met Mrs. Walden last fall at Western State Mental Institution near Bolivar, Tenn., where the woman was confined for 10 years until her release last month. He described the woman as a "political prisoner" in Tennessee, having been locked up because she was the only person who saw who killed King.

Lane said Mrs. Walden is currently living with his family in Los Angeles.

However, Nance's dismissal yesterday as Mrs. Walden's guardian actually gained his consent. By the end of the protracted hearing — which included considerable argument and shouting — Nance said he would agree to "whatever the court suggests."

Evans told Lane and another attorney,

Duncan Ragsdale of Memphis, to draw up orders for their appointment as guardian of Mrs. Walden.

The judge also told Lane to contact the court later this week to schedule a competency hearing for Mrs. Walden, who Lane said is in "superior" mental health. Evans said he will rule on Lane's contempt citation following the competency hearing.

Lane contended throughout the hearing that Mrs. Walden's commitment to the mental hospital in 1968 and the court's judgment of her incompetency last month represented "a fraud perpetrated on this court."

He said that Mrs. Walden was not represented by counsel as required by law, and that hospital officials refused to allow an outside psychiatrist to interview the woman before the hearing.

Lane said the woman needs no guardian because her commitment was illegal and because she was fraudulently declared incompetent.

During the lengthy hearing Lane and Nance frequently interrupted each other and often appeared to be trying to shout each other down.

At one point Lane took the stand to testify for himself. Under cross-examination by Nance, Lane accused his adversary of "being part of the coercion" of Mrs. Walden.

"You're a liar," shouted Nance, at which point Lane bounded from the witness box and, rushing over toward Nance, said to

Evans: "Did you hear what he said? I demand an apology or I will protect myself." The judge admonished Nance, who apologized.

Lane called three members of the press to corroborate his testimony that on the day he took Mrs. Walden to California he spoke to Evans and advised him of the action. Lane contended the judge had told him there apparently was no violation of the law in Mrs. Walden's taking the trip.

All three media representatives — a reporter and cameraman from WREG-TV and an Associated Press correspondent — declined to testify, claiming protection through the so-called "shield law" which protects newsmen and their sources.

Then, Lane attempted to have Evans take the stand to testify about the conversation. However, the judge refused, saying he would have recused himself and testified had Lane given him advance notice of his intention.

Evans, in directing Lane to schedule a time for Mrs. Walden's competency hearing, told the attorney of a court rule that the subject must be present during all such hearings.

Lane said afterwards, however, that Mrs. Walden will not return to Memphis until she is declared competent, which he said will be accomplished through medical testimony.

When Mrs. Walden does return to Memphis, Lane said, "she will file massive lawsuits against those responsible for her illegal incarceration."