

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 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."

MEMPHIS PRESS-SCIMITAR, TUESDAY, MAY 23, 1978



MARK LANE, ATTORNEY AND AUTHOR



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

— Staff Photos by Larry J. Coyne