Man may be facing prison again

By Doug Stone
Staff Writer

On May 16 Wilmer Martin was a free man, released from Stillwater State Prison after nearly two years.

The Minnesota Supreme Court, which rarely reverses murder convictions, said that there was not enough evidence to convict Martin of third-degree murder in the 1978 beating death of former state Sen. Ralph Mayhood.

It was a sweet victory for the 52-year-old itinerant laborer because Martin had refused to plea bargain, insisting he was innocent. A jury disagreed and convicted him. He was sentenced to 25 years.

After getting out of prison, he planned to leave the state for Wyoming to find work.

Wilmer Martin

"It's isolated, open, quiet out there," he said at the time.

"I never did make it out West," Mar-

tin said Thursday by telephone from the Hennepin County jail. "I got messing around with a woman and drinking and living in the cities."

And he got charged with two counts of second-degree (felony) assault in September for using a knife to threaten a food service worker and a janitor at St. Stephens Catholic School, 2123 Clinton Av. S.

He pleaded guilty yesterday to one of the two counts as part of a plea bargain between his attorney and the Hennepin County attorney's office. A second charge will be dropped when Martin is sentenced.

The irony of the plea bargain was not lost on Martin, who has spent most of his adult life on the streets and in and out of prison.

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"My lawyer said I didn't have a case to go to trial," Martin said. "I can't tell whether I did it. I didn't hurt anybody. You get that booze and you don't know what can happen."

He told Hennepin District Judge Donald Barbeau that he was so drunk he didn't actually remember threatening the workers although he said it was possible. No one was injured.

But, according to the criminal complaint against him, Martin also told one of the workers, "You know I have killed a senator in the past." Martin said yesterday that he doesn't remember making the statement, but "if I said that, it was probably