IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY
Alias Eric Starvo Galt,
Alias John Willard,
Alias Harvey Lowmeyer,
Alias Harvey Lowmyer.

NO. 16645 Murder First Degree

NO. 16819 Carrying Dangerous Weapon

ORDER ON COURTHOUSE AND COURTROOM PROCEDURES AND PUBLICITY

The Constitutions of the United States and the State of Tennessee guarantee defendants in criminal cases due process of law and the right to a fair trial by an impartial jury. It is the duty of the trial Court to see that every defendant receives all his constitutional rights.

From the world wide attention attracted to this case at bar resulting in massive and pervasive publicity in the news media, the Court is of the opinion that the following rules are necessary to a constitutionally guaranteed, orderly and fair trial by an impartial jury, and therefore orders:

I.

The term "Criminal Courts Buildings" as used herein shall mean the Criminal Courts Building, 150 Washington, and the adjoining Shelby County Building, 157 Poplar Avenue, Memphis, Tennessee.

All entrance ways, corridors, and approaches to Court rooms, offices and other rooms in the Criminal Courts Buildings will be kept clear at all times for free access thereto by those using them in the course of their employment or those having business to transact therein.

II.

No cameras, photographic, television, radio or sound equipment, including tape recorders, will be permitted in the Criminal Courts Buildings or upon the alley-ways, parking lots,

yards or grounds immediately surrounding said buildings. No photographs will be taken of the Jury, nor will they be televised. No sketches will be made in the Criminal Courts Buildings.

III.

All persons seeking admission to the Courtroom will submit voluntarily to a search of his person before being admitted.

IV.

No one will enter the Courtroom after a session has begun without permission of the Court, but must wait until the next recess. No one will leave the Courtroom except at recess or adjournment except in an emergency. At noon recess and adjournment, and at any other time the Jury is retiring from the second floor, or the prisoner is being removed to the jail, the spectators shall remain seated in the Courtroom until the Jury and prisoner have had ample time to withdraw, and said spectators have been given permission to disperse.

V.

The bar of the Court within the rail is reserved for the defendant, counsel, members of the Bar, Court personnel and such witnesses as counsel may desire to be within the bar for consultation purposes. No one else will enter without permission of the Court.

VI.

No one except attorneys of record, their agents, Court personnel, witnesses and Jurors may handle exhibits except by order of the Court.

VII.

All lawyers participating in this case, their assistants, office associates, staff members, investigators and employees under their supervision and control are forbidden to take part in interviews for publicity and from making extra-judicial statements about this case from this date until such time as a verdict is returned in this case in open Court.

VIII.

The County Medical Examiner, Jury Commissioners, Criminal Court Clerk, County Sheriff, Police Officials and other law enforcement officers, employees of this Court, all other persons employed in the "Criminal Courts Buildings", their associates, deputies, assistants, staff members and personnel under their supervision and control are forbidden to participate in interviews for publicity and from making extra-judicial statements about this case from this date and until such time as a verdict in this case is returned in open Court.

IX.

All witnesses, persons subpoenaed to Grand Jury or Court, jurors, and those persons summoned but excused from serving as jurors, are forbidden to participate in interviews for publicity and from making extra-judicial statements about this case from this date and until such time as a verdict in this case is returned in open Court.

X.

Nothing in this order shall prohibit any witness from discussing any matter in connection with the case with any of the attorneys representing the defendant or the State, or any representative of such attorneys.

W. Preston Battle

JUDGE, DIVISION III

Criminal Court of Shelby County, Tennessee

Date: July 18, 1968

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

JAMES EARL RAY
Alias Eric Starvo Galt,
Alias John Willard,
Alias Harvey Lowmeyer,
Alias Harvey Lowmyer.

NO. 16645 Murder First Degree

NO. 16819 Carrying Dangerous Weapon

AMENDMENT TO ORDER

The order heretofore entered in this cause on the eighteenth day of July, 1968, and headed "Order on Courthouse and Courtroom Procedures and Publicity" is hereby amended as follows:---

In paragraphs VII, VIII and IX of said Order, the terms "interviews for publicity" and "extra-judicial statements" shall be limited to such interviews and statements as are prejudicial to a fair trial by an impartial jury in the case.

This is done by the Court on its own motion, this twenty-third day of July, 1968.

W Preston Battle

JUDGE, Division III
Criminal Court

Kaye Pullen WHBQ
Fred Barnett WREC
Dave Patterson WMC
Hoyt L. Lewallyn WMPS
Jim Evans, United Press International
Bill Mercer Associated Press
James Kilpatrick Reuters
Bob Lamsat Springer
Roy Hamilton The Press-Scimitar
Charles F. Edmundson the Commercial Appeal
Ralph Hearn WDIA Radio
Ernest Withers & TRI-STATE DEFENDER
Earl Caldwell New York Post
Charles F. Hollis Sheriff's Office

(mailed complimentary by writers)
Robt. E. Johnson - Jet 1820 So. Michigan Chicago
Moses Newsom - Baltimore Afro American

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O R D E R

In this cause, the Court having heretofore appointed a committee of eight members of the Bar to act as amici curiae and said committee having this day filed a report that there is probable cause to believe that this Court's Order of July 18, 1968, as amended July 23, 1968, has been violated by certain individuals in certain circumstances, to-wit:

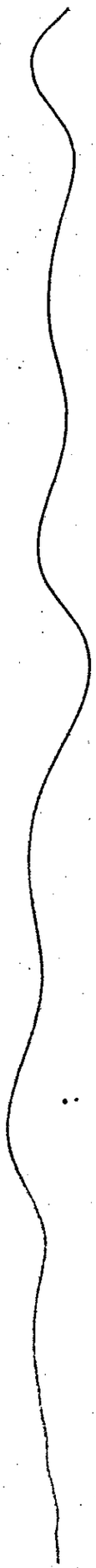
(1) Certain statements attributed to Arthur B. Hanes, Esq., to the effect that the shooting of Doctor Martin Luther King, Jr. involves a Communist conspiracy, to the effect that his client's rights were being trampled in Jail, and to the effect that ~~himself~~, his family and servants are being threatened by "them", as quoted in the Memphis Press Scimitar of Saturday, July 27, 1968, and the Commercial Appeal of Sunday, July 28, 1968;

(2) Certain statements in Memphis Press Scimitar of July 27, 1968, attributed to William Morris, Sheriff of Shelby County, Tennessee, concerning the cost and expenses for the security of the prisoner and the treatment of the prisoner, and the prisoner's demeanor and attitude while in confinement.

(3) Certain statements appearing in the Memphis Press Scimitar of Saturday, July 27, 1968, attributed to Russell X. Thompson, Esq. concerning his opinion as to the guilt or innocence of the defendant;

and said report further pointing out that to the extent that Ramsey Clark, Attorney General of the United States is a "Law Enforcement Officer" or "a lawyer participating in this case" through his staff, assistants, office associates, investigators or employees under his supervision, the statements attributed to him and the United States Department of Justice as referred to in the Commercial

of July 28, 1968 are in probable violation of the principles set out in Sheppard vs. Maxwell, 384 U.S. 333, 16 L.Ed. 2d 600, 86 S. Ct. 1507 (1966), to the effect that there was no evidence of a conspiracy in the shooting of Doctor Martin Luther King, Jr.



The Court, in the interest of preserving the constitutional rights of all concerned and protecting the orderly preparation and progress of the trial, reserves further inquiry and disposition of each and all of the above instances until a later date.

And whereas it is the desire of the Court to avoid any possible misunderstanding of its orders heretofore made, said orders of July 18 and July 23 respectively are herewith supplemented as follows:

All lawyers participating in this case, their assistants, associates, staff members, investigators and employees under their supervision and control, County Medical Examiner, Jury Commissioners, Criminal Court Clerk, County Sheriff, Police Officials and other law enforcement officers, employees of this Court and all other persons employed in the "Criminal Courts Buildings", their associates, deputies, assistants, staff members and personnel under their supervision and control, are forbidden to take part in interviews or press conferences for publicity and are enjoined from making extra-judicial statements about this case which involve: (1) the personal belief of the Declarant as to the guilt or innocence of the accused; (2) the plans of the Declarant relating to the preparation or conduct of the trial, the theory, techniques and strategy of the Declarant in the preparation and trial of the case; (3) the jurors or potential jurors who may serve; (4) the comments of the Declarant about the merits of the case and about any evidence which may be presented; (5) the credibility of or information concerning any known or intended witnesses or the treatment, acts and attitude of the defendant, and are further enjoined from making any and all other statements which may be prejudicial to a fair trial by an impartial jury in this case, whether specified herein or not.

All persons or entities subject to this Order who feel aggrieved by anything herein contained are hereby admonished that any such grievances or complaints should be judicially presented.

The Court recognizes the wide and pervasive publicity which has been and will be an inevitable incident of this trial. The Court further recognizes that there are many individuals who are beyond the jurisdiction of this Court, but who may be interested in the outcome of this trial, and whose statements may have been violative of this Order had the Court jurisdiction over such parties. As to such persons, the Court urges self-imposed compliance with this Order in the interests of a fair trial to the defendant and to the State of Tennessee.

In accordance therewith the Court orders a certified copy of this Order to be sent by the Clerk of this Court to all persons named herein or subject hereto, and all newspapers of general circulation, radio and television stations within the jurisdiction of this Court.

W. Preston Battle

Judge, Division III
Criminal Court of Shelby County, Tennessee

Date: July 30, 1968

THE LAST PARAGRAPH OF THIS ORDER WAS COMPLIED WITH BY THE CLERK OF THIS COURT BY PLACING A CERTIFIED COPY OF SAID ORDER IN THE U. S. MAIL TO EACH OF THE FOLLOWING ON JULY 30, 1968.

NEWSPAPERS:

SUBURBAN PRESS	1547 STATE LINE RD.
RALEIGH-BARTLETT STAR	2931 AUSTIN PEAY HWY.
THE PRESS SCIMITAR	495 UNION AVENUE
MEMPHIS MIRROW	1416 LAMAR
LIVESTOCK WEEKLY	HICKMAN BUILDING
FRAYSER TIMES	3173 N. WATKINS
CONSTRUCTION TIMES	244 STONEWALL
EAST MEMPHIS SHOPPERS NEWS	614 S. HIGHLAND
THE DAILY NEWS	193 JEFFERSON AVE.
COLLIERVILLE HERALD	92 MAIN, COLLIERVILLE
BLUEJACKET PUB. CO.	3686 N. WATKINS
MEMPHIS WORLD	546 BEALE
ASSOCIATED PRESS	495 UNION
THE COMMERCIAL APPEAL	495 UNION
HEBREW WATCHMAN	277 JEFFERSON
MILLINGTON STAR, MUNFORD STAR, THE NAVY BLUE JACKET & THE NORTH SHELBY MILITARY STAR	5018 NAVY RD.
THE WALL STREET JOURNAL	100 N. MAIN BLDG.
TRI-STATE DEFENDER	236 S. DANNY THOMAS BLVD.
GERMANTOWN STAR	2060 CHATHAM COVE, GERMANTOWN
COLLIERVILLE STAR	208 SYCAMORE RD., COLLIERVILLE
WHATEHAVEN PRESS	1535 E. BROOKS RD.
UNITED PRESS INTERNATIONAL	495 UNION AVE.
WHITEHAVEN-SOUTHAVEN STAR	1231 S. RAINES RD.

FILED Oct. 31, 1968
J. A. BLACKWELL, CLERK
BY E. E. Foster D. C.

Cpl - Beauvoir

RADIO & TELEVISION:

WKNO TELEVISION	MEMPHIS STATE UNIVERSITY
WREC RADIO & TELEVISION	SHERATON-PEABODY HOTEL
WMPS RADIO & TELEVISION	112 UNION AVENUE
WMC RADIO & TELEVISION	1960 UNION AVENUE
WHBQ RADIO & TELEVISION	485 S. HIGHLAND
WPIP RADIO	4554 FLEMING RD., COLLIERVILLE
WDIA RADIO	2265 CENTRAL AVE.
WTCV RADIO	2265 CENTRAL AVE.
WMQM RADIO	CHISCA PLAZA HOTEL
WLOK RADIO	363 S. SECOND
KSUD RADIO	104 N. FIFTH, WEST MEMPHIS, ARK.
WHER RADIO	1331 UNION AVE.
KWAM RADIO	64 FLICKER ST.
KLYX RADIO	64 FLICKER ST.

PERSONS LISTED IN ORDER:

HON. RAMSEY CLARK	DEPT. OF JUSTICE BUILDING, WASHINGTON, D.C.
HON. WILLIAM N. MORRIS, JR.	150 WASHINGTON AVE.
HON. ARTHUR B. HANES	617 FRANK NELSON BLDG., BIRMINGHAM, ALA.
HON. RUSSELL X. THOMPSON	1003 FIRST AMERICAN BANK BLDG.

E. Foster
7/30/68

Enl - Blackwell

Jack Fuller WHBQ
Neil Barrett WREC
Dave Patterson WMC
Hoyt L. Lovell WMPS
Jim Evans, United Press International
Bill Brown a wonder pres
James Kilpatrick Reuter
Bob Lamsat Springer
Roy Hamilton The Press-Scimitar
Charles F. Edmundson the Commercial appeal
Egbert Hearn WDIA Radio
Everett Cevella & TRI-STATE DEFENDER
Earl Crawford New York Post
Charles F Holes Sheriff's Office

(mailed complimentary by writers)
Robt. E. Johnson - Jet 1820 So. Michigan Chicago
Moses Newsom - Baltimore Afro American

FILED Oct 31, 1968
J. A. BLACKWELL, CLERK
BY O.C. Estes D. C.

Ex 2. Blackwell

James Earl Ray COURT ACTING 4-6-68 JHR

BY AFFIXING MY SIGNATURE BELOW I DO HEREBY AGREE TO ABIDE BY SECTIONS II AND III OF THE COURT ORDER ISSUED BY THE HONORABLE W. PRESTON BATTLE, JUDGE, IN CONNECTION WITH INDICTMENTS NOS. 16645 AND 16819:

NAME	EMPLOYMENT OR ADDRESS
C.H. Gray	824 Chestnut SCSO
L.E. Gaddy	Rt 4 Millington Tenn SCSO
E.E. Kaster	Criminal Ct. Clk.
Raymond Jones	" " " "
H.A. Blankenship	" " " "
L.V. Lowers	1606 Joanne
John Kilgore	The Commercial Appeal
Dave Patterson	WMC-TV
F.T. Wall	S.C.S.O. 3161 Goodlett
J.R. Hutchinson	WREC-TV
Milton Bryant	431 Alexander
Monty Atwell	Court Reporter
Pauline Johnson	Secty. - Judge Battle
Rev E.C. Nichols	197 Reno Ave
Billy B. Hamilton	Press - Scimitar
Arthur J. Hanes	Attorney
Arthur Hanes Jr	Attorney
Rufus Hayes	911 Cotton Exchange Bldg. Memphis Empl. Arthur Hanes
Hal N. Conrad	Assistant Attorney General
G.C. Rickman Jr.	5475 Sante Rosa SCSO
Jim Evans	United Press Int.
Jane Hansen	LOOK
Wm. Bedford Huie	Hartselle, Alabama
Glen Eaton	Attorney General Staff
Don Rias	" " "
Thomas Hall	SCSO
Don Jones	SCSO
Charles F. Rolen	Press Office
J.L. Cobb	LCSO
R.E. Harper	Atty Gen Office
James L. Beasley	Atty Gen Office
Chas F. Edmundson	Commercial Appeal
902 Parker	SCSO.
Gerald Ivan	Asst Pub Def Office
Robert Miller	1414 Jackson Apt 1
H.D. Beach	Att. General's Office
Tom Barrett	Criminal Court Clerk's Office

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	Name	Employment or Address
	Paul Cleveland	CBS News
	Clark Porteous	Pgans - Scranton
	Oscar Edwards	County Court