

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
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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

Kay Puller WHBQ
 Paul Barrett WREC
 Dave Patterson WME
 Lloyd L. Luzzally WMPB
 Jim Evans, United Press International
 Bill Mason a weekly press
 James Kiepatant Reuters
 Bob Samrat Springer
 Roy Jamillont The Bee - Scientist
 Charles F. Edmundson The Commercial Appeal
 Graft Ham WDA Radio
 Ernest Cewille & TRI-state Register
 Carl Campbell New York Post ✓
 Charles F. Folio Sheriff's Office

(mailed complimentary by others)

Robt. E. Johnson - Jet 1820 So. Michigan
 Chicago
 Moses Newson - 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), ^{Said statements being} to the effect that there was no evidence of a conspiracy in the shooting of Doctor Martin Luther King, Jr.

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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.

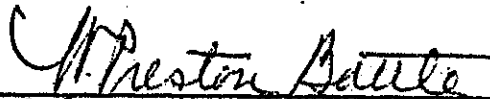
And whereas it is the desire of the Court to avoid any possible misunderstanding of its orders heretofore made, said orders of July 18 and July 23 respectively are herewith supplemented as follows:

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.



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 MIRROR	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
WHITEHAVEN 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. Hester D. C.

4-1 - Blackwell

2.

RADIO & TELEVISION:

WKNO TELEVISION

WREC RADIO & TELEVISION

WMPS RADIO & TELEVISION

WMC RADIO & TELEVISION

WHBQ RADIO & TELEVISION

WPIP RADIO

WDIA RADIO

WTCV RADIO

WMQM RADIO

WLOK RADIO

KSUD RADIO

WHER RADIO

KWAM RADIO

KLYX RADIO

MEMPHIS STATE UNIVERSITY

SHERATON-PEABODY HOTEL

112 UNION AVENUE

1960 UNION AVENUE

485 S. HIGHLAND

4554 FLEMING RD., COLLIERVILLE

2265 CENTRAL AVE.

2265 CENTRAL AVE.

CHISCA PLAZA HOTEL

363 S. SECOND

104 N. FIFTH, WEST MEMPHIS, ARK.

1331 UNION AVE.

64 FLICKER ST.

64 KEYKE FLICKER ST.

PERSONS LISTED IN ORDER:

HON. RAMSEY CLARK

HON. WILLIAM N. MORRIS, JR.

HON. ARTHUR B. HANES

HON. RUSSELL X. THOMPSON

DEPT. OF JUSTICE BUILDING, WASHINGTON, D.C.

150 WASHINGTON AVE.

617 FRANK NELSON BLDG., BIRMINGHAM, ALA.

1003 FIRST AMERICAN BANK BLDG.

E. Koster
7/30/68

Exp 1 - Blackwell

Kay Puller WHBQ
 Paul Bennett WREC
 Dave Patterson WME
 Lloyd S. Lueddke WMPA
 Jim Evans, United Press International
 Bill Brown Associated Press
 James Keegan Reuters
 Bob Samson Springer
 Roy Hamillont The Press-Scimitar
 Charles F. Edmondson The Commercial Appeal
 Gerald Hearn WDA Radio
 Ernest Caville & TRI-STAR
 Earl Campbell New York Post
 Charles F. Jones 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 OG Kester D. C.

W 2. Blackwell

James Earl Ray COURT Hearing 8-6-68 JER

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 T. OR Address
C.H. Long	824 Skelton SC50
L.E. Liddy	141 Millington Tenn SC50
E.E. Kasta	Criminal Ct. etc.
David Jones	" " " "
J. McBlair	" " " "
J. Powers	1606 Joanne
James Tidwell	The Communist Hypocrite
Gene Patterson	WMC-TV
F.T. Wall	S.C. 50.3101 Goodlett
J.R. Hutcheson	WREC-TV
Milton Bryant	421 Alexander
Marty Atwell	Court Reporter
Marla Johnson	Securidy - July Base -
Rev. E.C. Nichols	197 Reno Ave
Big B. Hamilton	Press - Sumlar
Arthur J. Harney	Atty
Arthur James	Atty
Renoys Hays	911 Center Memphis Sample Arthur Harney
Paul W. Lane	Distrial Atty
B.L. Sullivan Jr	5475 South Monroe SC50
Jim Evans	United Press Int.
James Harman	LOOK
Wm. Budget Hui	Hartselle, Alabama
L. Glen Suter	Attorney General Staff
Don Dinst	" " "
Thomas Hill	SC50
Don Jones	SC50
Charles F. Kolner	Press Office
J. L. Coff	J. L. Coff
R. L. Dwyer	Atty Gen Office
James C. Beasley	Atty Gen Office
Chas. F. Edmondson	Commercial Appeal
902 Padon	SC50
Paul Von	Grand Jury Clk Office
Robert Miller	144 W. 204 - 9th St
H.D. Beach	Atty General's Office
Don Baretta	Criminal Court Post Office

