

# Fate of Carter, Artis Rests in Jury's Hands

MAY 26 1967

PATERSON — Jury deliberations in the first degree murder trial of boxer Rubin (Hurricane) Carter and John Artis began today.

Superior Court Judge Samuel A. Lerner this morning gave his charge and the jury began deliberating.

Yesterday, before a capacity crowd in the courtroom, defense attorneys Arnold M. Stein of Denville for Artis and Raymond A. Brown of Jersey City for Carter, and Assistant Prosecutor Vincent E. Hull Jr., presented their summations.

Carter, 30, of 498 20th Ave., ranking middleweight title con-

tender, and Artis, 21, of 5 Tyler St., one-time high school track star, are charged with shooting up the Lafayette Grill, 428 E. 18th St., Paterson, last June 17, killing two men instantly and causing the death of a woman who died nearly a month later. A fourth victim survived.

The defense attorneys pleaded with the 10 man-four woman jury to consider the evidence carefully and urged a verdict of innocent for their clients. They contended the accused were innocent.

Hull asked the jury to show the pair the "same consideration" shown for the victims. He asked the jury to return a first degree murder verdict without a recommendation. Such a verdict dictates the death sentence.

### Stein Briefest

Stein presented the briefest summation, 50 minutes, in which he attacked prosecution testimony, called it "incredible" and charged two key state witnesses came forth with their story of identifying the defendants to "get themselves off the hook" from problems they have.

Key witnesses, Arthur Bello 23, of 138 Belle Ave., Paterson positively identified Carter and Artis as the men they saw carrying guns and coming away from the tavern.

Brown, in an emotion packed plea for a verdict of acquittal, also challenged prosecution testimony and charged Bello and Bradley might have fabricated their stories for the \$10,500 in rewards posted for the killers.

He blasted Paterson Detective Emil Di Robbio who testified he found a live 32-caliber bullet in Carter's car after the vehicle was brought to the police garage. Brown said Di Robbio took the bullet and put it into his pocket and waited for the property clerk to turn it over to him. Brown asked why Di Robbio didn't use some instrument to pick up the bullet.

Brown, an active civil rights leader in the state, contended the only thing the state has is the fact two Negro men were seen leaving the bar and driving a white car.

He said the only thing "you've

got here is Negro, Negro, Negro, Negro, Negro. I've heard it till I'm blue," he shouted.

Brown pleaded with the jury to accept Carter's word, despite a past criminal record, saying Carter since 1957 when he was convicted for robbery, has led a commendable life. He asked the jury to consider the charges pending against Bradley and his past as well as Bello's.

Hull, after reviewing the testimony in which he called the defense a "damned lie," said the defense fell flat.

Hull climaxed his summation by placing the live 32-caliber bullet on the rail of the jury box saying "that bullet, small in size, will get larger and larger and larger. That bullet will call out to you that Bello and Bradley told the truth and Carter and Artis lied."

He said it would "cry out to you like three voices from the dead that they are guilty of murder in the first degree."

The assistant prosecutor then held up the blood stained shirt worn by James Oliver, 52, one of the victims saying "a human being by the name of James Oliver wore this shirt."

He then held up a police photo in evidence showing Mr. Oliver sprawled on the bar floor and the second victim, Fred Nauyoks, 60, of 89 Pompton Ave., Cedar Grove, slumped over the bar. Hull said Mr. Nauyoks had the misfortune of going into the bar that night and was murdered "in cold blood."

Holding the blood-stained dress of Mrs. Hazel Tanis, 51, of 176 Lafayette Ave., Hawthorne, the third victim, Hull said it was "bullet riddled," noting the woman was shot four times.

"The facts in this case clearly indicate the defendants have forfeited their rights to life," he shouted as he asked the jury to "extend to them the same mercy extended to James Oliver, Fred Nauyoks and Hazel Tanis, by sending them to the electric chair."

As Hull ended his summation, Mrs. Elizabeth Oliver, mother of the victim, began crying. She had to be lead out of the courtroom by several attendants. Mrs. Oliver, a former area resident, now lives in Pittsburgh.