

# Prosecution May Offer Sketch of Artis Today

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**PATERSON** — Prosecution attempts to have a composite sketch introduced into evidence are expected today in the 26th day of the Rubin (Hurricane) Carter-John Artis first degree murder trial.

Assistant Prosecutor Vincent E. Hull lost two rounds in court yesterday as Superior Court Judge Samuel A. Lerner refused to allow statements given by one of the three persons Carter and Artis are charged with killing last June 17, as a "dying declaration."

Shortly afterwards, Judge Lerner refused to allow into evidence a live 12-gauge shotgun shell found in the trunk of the 1966 Dodge sedan Carter, 30, of

498 20th Ave., Paterson, rented from a New York City firm.

Paterson Detective Edward Callahan's testimony relating to statements Mrs. Hazel Tanis made to him on the day of the barroom shooting in which two men died instantly, and a woman about two weeks later, were barred from the jury by Judge Lerner.

There was indication that County Detective Lieutenant Vincent De Simone, aiding Hull during the trial, may testify about the statements Mrs. Tanis, 51, of 176 Lafayette Ave., Hawthorne, gave him, knowing she was dying.

It was based on her statements that Clifton Detective Edward Snack prepared a composite sketch which is alleged to resemble Artis, 22, of 5 Tyler St., Paterson, a one-time Paterson high school track star.

After ruling out Mrs. Tanis' statements to Callahan, Judge Lerner ruled he would not allow the live shotgun shell into evidence, but did over objections from defense attorneys, Raymond A. Brown for Carter and Arnold M. Stein for Artis, allow a 32-caliber bullet found under the front seat of the car the pair was in when taken into custody after the shootings at the Lafayette Grill, 428 E. 18th St., last June 17.

State Police Sergeant John Lintott, a firearms identification expert, was testifying about the bullets recovered from the bodies of James Oliver, 52, bartender, who lived above the tavern, and Fred Nauyoks, 60, of 89 Pompton Road, Cedar Grove, who died instantly in the tavern shooting.

Lintott said the live bullet found in the car was similar to the spent slugs removed from the death scene. He said there was no way to tell positively if

the live shotgun shell was similar to the one used in the killings.

Paterson Detective Emil Di Robbio testified he found the live bullets in the car. He denied attempting to hand it to Carter who was reported to have said, "you didn't find it in my car," to Di Robbio.

Others testifying included: Roy Skillen, 89 Passaic St., Hawthorne, day bartender, who said he found \$62 missing from the cash register; Lawrence Burns, of Del Ray Beach, Fla., son of Mrs. Tanis, who identified her clothing, and John Anderson, of the state police laboratory, who testified about his analysis of clothing worn by the victims.