

## ANDREWS LOSES DISMISSAL PLEA

Perjury Defendant Renews  
His Attack on Garrison

By MARTIN WALDRON

Special to The New York Times

NEW ORLEANS, Aug. 10—Dean A. Andrews Jr., the "jive" talking New Orleans lawyer who says he represented Lee Harvey Oswald in May and June of 1963, today extended his attack on District Attorney Jim Garrison's investigation into the assassination of President Kennedy.

In a motion for dismissal of a perjury charge against him, Mr. Andrews said that "daily wage earners" such as laborers and longshoremen were purposely excluded from the grand jury that indicted him.

State District Judge Frank J. Shea refused to dismiss the charge after the presiding judge, Bernard J. Bagert, who had picked the grand jury, said that he had not excluded wage earners just because they were wage earners.

One member of the grand jury could qualify as a wage earner, said Judge Bagert. I. L. Fleming, a schoolteacher, was a bricklayer during the months when school was not in session, the judge said.

Mr. Andrews charged yesterday that the District Attorney "put the hat on me" because the prosecutor had become personally interested in the outcome of the investigation and did not have an impartial attitude.

### 'Rumble on the Vine'

"I heard a rumble on the vine ahead of it," Mr. Andrews told the District Attorney during a brief appearance by Mr. Garrison on the witness stand.

Mr. Garrison said there was no truth in the rumor that he had been out to get Mr. Andrews.

Explaining his conversation at the request of Judge Shea, Mr. Andrews said that his words had meant that he had heard a rumor that Mr. Garrison had told the grand jury to indict him in an attempt to get him to "open up."

Mr. Andrews was indicted for perjury last March 16 after he had testified before the grand jury that he could not identify Clay L. Shaw, a retired New Orleans businessman, as "Clay Bertrand," a mystery figure whose name was mentioned in testimony to the Warren Commission.

Mr. Andrews had told investigators for the commission that a "Clay Bertrand" had called him on Nov. 23, 1963, and had asked him to go to Dallas and defend Oswald, who had been charged with assassinating the President.

Mr. Garrison has alleged that Mr. Shaw is Bertrand. Mr. Shaw was indicted in early March on a charge of conspiring to murder Mr. Kennedy.

Mr. Andrews is asking, on the ground of alleged partiality, that Mr. Garrison be ousted as prosecutor in the perjury trial. Judge Shea indicated today that he would rule on this request tomorrow. The actual perjury trial has not yet begun.

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## Kennedy Probe

New Orleans

National Broadcasting Co. newsman Walter Sheridan sought a Federal Court order yesterday to block his summons to appear next Tuesday before a Grand Jury assisting District Attorney Jim Garrison in the Kennedy assassination probe. A hearing on the motion was ordered for Monday. *Associated Press*