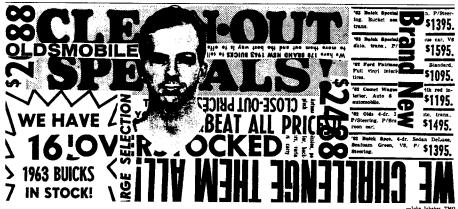


## How Well Did the "Non-Driver" Oswald Drive?

by Sylvia Meagher



The Warren Report devotes little more than a page to the incident reported by Albert Guy Bogard, a car salesman. His allegations and the manner in which they were handled are more important than is suggested by the space they receive in the 888-page volume.

The Report states that Bogard's testimony has been carefully evaluated because it suggests the possibility that Oswald may have been a proficient automobile driver and, during November 1968, might have been expecting funds with which to purchase a car" (WR 320). The facts, as presented in the Report (WR 320-821) are that Bogard claimed that he had a customer on Saturday November 9, 1965 whom he identified as Lee Harvey Oswald. Oswald had tested a car by driving over the Stemmons Freeway at high speed, and had said that he would have the money to buy the car in several weeks. He gave his name as Lee Oswald. Bogard wrote the name on the back of a business card. When he heard

Sylvia Meagher is emerging as the foremost authority on the Warren Report and its Hearaction of the Warren Report and its Hear-Subject Index to the Warren Report and Hearing and Eschbits (Scarecrow Press, New York, 1965). Her other contributions on the Kennedy assassination appeared in our June and July-August issues.

This contribution is part of a chapter from a book-length manuscript on the assassination.

on the radio that Oswald had been arrested, Bogard assertedly threw the card away, commenting to his fellow employees that he had lost his prospective customer.

The Report indicates that Bogard's story received corroboration from Frank Pizzo, assistant sales manager, and from salesmen Oran Brown and Eugene Wilson. Brown also wrote the name "Oswald" on a paper which both he and his wife remembered as being in his possession before the assassination.

However, the Report says, "doubts exist about the accuracy of Bogard's testimony." He, Pizzo, and Wilson "differed on important details of what is supposed to have occurred when the customer was in the showroom." Bogard said that he wanted to pay cash while Pizzo and Wilson said that he wanted credit. Wilson claimed that the customer made a sarcastic remark about going back to Russia. "While it is possible that Oswald would have made such a remark" the statement was not consistent with Bogard's story: Bogard did not mention that the customer had ever conversed with Wilson. "More important," the Report emphasizes. "on November 23, a search through the showroom's refuse was made, but no paper bearing Oswald's name was found. The paper on which Brown reportedly wroth.

Apart from these differences in detail, the Report points out that (a) Pizzo developed serious doubts about the customer's identity after examining photographs of Oswald, whose hairline did not seem to match the customer's; (b) Wilson said that the customer was only about five feet tall; and (c) Oswald was unable to drive, "although Mrs. Paine, who was giving him driving lessons, stated that Oswald was showing some improvement by November." Moreover, according to Marina Oswald and Ruth Paine, "Oswald's whereabouts on November 9 would have made it impossible for him to have visited the automobile showroom as Mr. Bogard claims."

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Finally, a footnote (WR 840) indicates that Bogard took an FBI polygraph (lie-detector) test. His responses were those normally expected of a person telling the truth. However, because of the uncertain reliability of the results of polygraph tests, the Commission placed no reliance on the results of Bogard's test.

results of Bogard's test.

The Commission does not state any explicit conclusion which it may have reached after its "careful evaluation" of Bogard's testimony. On the basis of the Report alone, one might form the impression that the Commission believed Bogard to be a liar but was too polite to say so. Indeed, one might conclude that his story in fact was a fabrication.

Several other factors add credibility to Bogard's allogations but are not mentioned and bogard's allogations of the Report that deals with him. Oswald was serious about obtaining a divert's licenee and alloung a divert's licenee and diviver's test cond attempt to take the diviver's test on Saturday, November 16 (WR 749); he even started to fall in the application form the condition of the condi

The Commission's dexicity in using the Forderse for rest meaning of the evidence. English language and its wicked selectivity in reporting the face are mealiters in its defent makes and its wicked selectivity descenting the face are mealing in institute of the Bogard survey. For example, the defent of the author of Salary and a survey day of the auto demonstration, ing some improvement by November (VWR 149) not that the stationary of the survey day of the auto demonstration, worked, Persumably Oavald's driving shilling face to the survey day of t

It is only when the relevant Hearings and Exhibits are examined extentily than we begin to see that there is more reason to doubt the Commission, and the Commission, and the Commission, and the Commission, and the Commission by Gostad. The picture which emerges from they are considered in the picture of the chronological expurence of events—which is not even suggested in the picture drawn in the official ferror from the picture drawn in the official possible to recognize the incomplete and sequence of the final product and possible to recognize the characteristic drawn in the official on appreciate the Commission's to appear the commission's propriet and expurence and experient that the feeting of the commission is composed of literally truthful sentions which in sum, misterpresent the tennomeration is composed of literally truthful sentions which in sum, misterpresent the fact and estate the treatment of the tart demonstration is composed of literally truthful sentions which in sum, misterpresent the facts and evade the real meaning of the evidence.

It is Wilson, not Bogstd, whose story is uncorroborsted. The Report has no business insinuating, as it does, that their their carloy parity. And if Wilson's allegations were really credible to the Commission,

Bogard was never confronted with WII. to defend his testimony where it differed from Wilson's allegations. When Bogard was interviewed by the FBI after Wilson's discipations. When Bogard was interviewed by the FBI after Wilson's cutting was interviewed by the FBI after Wilson's treport, he was merely asked to mame those cutting was interviewed by the FBI after Wilson's cutting the properties of the properties on the day of the encounter to the day of the encounter with Frank Pixes and Oran Brown Bogard that on or about November 9, 1963 Bogard had brought to cuttomer with Fixes developed that on or about to old for a cuttomer who, after the states after a remain of the subtlety with which he was encouraged to old old May with the was encouraged to old old May. Pixes demony is on the bound of the subtlety with which he was encouraged to old old old of the Boward should be suppresented the subtlety with the May of the subtlety with which of the wight of the subtlety with a brown also controberated Bogard's story, in an FBI interview, when we want to the subtlety with a brown about the brown and the subtlety with the was end of the with the with the with the with the with the

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under the triple underpass" (10H 345), in sight of the Depository, and therefore a logical place for a novice like Oswald to

Why abould the Commission street such and impostance to the fost eard anyway? The Boggard had a customer who gave his name as Oswald on November 9, 1986 is confirmed both by Pitzo and Oran Brown. That he took out a card and threw it away upon he took out a card and threw it away upon he took out a card and threw it away upon he took out a card and threw it away upon his out the tearned of the card at about out, when he took out the state and indirectly by Pitzo had by Pitzo himself. Econding to Pitzo's teat and the sassastinate who were talking about the incident. When Pitzo out, when he took out the cardean and the sassastinate when the predent of the card at about the predent of the card at a season and the same of the card at a season and the same of the card at a card at other states of the card at other same of the same of the card at other same of the card at other same of the same of the

radio. The next morning, "one of the boys"

Pixxo's account of the search for the card was given in his terimony, on Airch 31, 1964 (10H 340-351). His earlier statements on the subject as well as his earlier identification of the customers are beyond our factor of the response on his FBI interfeach, because the reports on his FBI interviews. An Owvermber 25 or 26 and on January 8 (10H 350) have been withheld and ser not among the Exhibits.

In any ease, there is some ambiguity about call ediligence of the earch for Bogard's card. Pitzo is really the only authority for the search on in the Keport in also a search on the begard himself was never questionly place. Bogard himself was never questioned by the Commission about an attempt to find the card, only given an opportunity on for the card. The genus who were said by Pitzo to have made a hotorough search for the card. reported thorough search for the card. reported the card and that "he stated tresh had been the card and that "he stated tresh had been been always that they had saked Bogard to locate the card." (CE 3071).

That hardly suggests that the By secret in card of the building, somewhat inaccessible to the rear of the building to comewhat inaccessible to the rear of the building to somewhat inaccessible for a thorough search. That hardly suggests that the By gard and alwade a search, to that Bogard did so had made a search, to that Bogard did so a search, not that Bogard did so a search.

port nevertheless avoids completely.

The Commission stateshes considerable using finements to the failure of the search for the card on which Bogard had witten the the name "Ossail" and the paper on which Doyn Brown had made the same notation. Oran Brown had made the same notation of Doyn Brown had made the same notation of Commission and their lawyers, unlike ordination and their lawyers, unlike ordination of purports of the same of papers of the same of t

it has certainly minimized his report that the customer made a sureactic remark about the customer medures. It the customer sector ally made such a tenark, it greatly strengthens the probability that he was Oswald, an inference which is obviously unattractive an inference which is obviously unattractive up to the Commission—or that the customer on the annavoidable inference which the Remark annavoidable inference which the Remark annavoidable inference which the Remark annavoidable inference which the Remove annavoidable inference which the Remark annavoidable inference of the properties of the prop

also told Pizzo the same incident, saying that Bogard had lost his prospective customer with the arrest of Oswald (10H345-346).

346). The failure to find the card surely fades into relative insignificance in the face of such strong corroboration, both for the original visit by Bogard's customer and the subsequent episode in which Bogard assumed from the news of Oswald's apprehension that he had lost the prospective sale.

that he had lost the prospective sale.

If it is strange that the Commission exaggerates the loss of the card, it is stranger still and clearly damning that the FBI reacted to Bogard's story on the day after the assassination by focusing on a discarded bit of paper, as if this card were the crucial element. The crucial element was the report that a man who identified himself as "Lee Oswald," and whom Bogard firmly believed to be Oswald after seeing his likeness on television and in the newspapers, had indicated on November 9 that he expected to receive enough money soon to buy a car that cost from \$3,000 to \$3,500.

The FBI received that information before

The FBI received that information before The FBI received that information before the assasination was 24 hours old, by means of a telephone call at 11 a.m. on Saturday morning (CE 3093). At that time, suspicion of conspiracy or attempted coupt d'etat was virtually universal. Oswald had been formally charged with the assassination of the President. He was under interrogation by Captain Fritz of the Dallas Police, in the presence of FBI and Secret Service agents.

The 11 o'clock telephone call caused FBI agents Manning Clements and Warren De Brueys to go immediately to the auto agency and interview Bogard. They had Bogard drive them over the same route as "Oswald," noting in their report that it coincided closely with the route of the President's motorcade (CE 3071). The reenactment drive took Bogard and the two FBI agents within relative proximity to the police within relative proximity to the police building, where Oswald was being ques-tioned and appearing in identification line-

FBI agent Clements had interviewed Os FBI agent Clements had interviewed Oswald on Friday night, according to his report (WR 614-618); the interview had been interrupted twice when Oswald had been taken to appear in the lineup (7H 320). Clements was a seasoned FBI agent with 23 years of service. De Brueys, for his part, was aware of Oswald before the assassination. An FBI report indicates that De Brueys had given information on Oswald's activities in New Orleans in a report (not found in the Exhibits) dated October 25, 1963 (CE 833, question 13).

Yet Clements and De Brueys did not

25, 1963 (CE 833, question 13).

Yet Clements and De Brueys did not take the elementary and logical step of bringing Bogard to the police building to see Oswald in a lineup and determine whether or not he was in fact the customer of November 9 who had called himself "Oswald"! Nor did they even inform Captain Fritz, as they should have done at once, the yiral information obtained from Boothers. of the vital information obtained from Bo-gard—information which not only incrim-inated the suspect but was a distinct lead to the existence of conspirators who were to pay him.

The fact that these two experienced FBI

agents, both already active and knowledgeable in the Oswald case, avoided taking the steps that one would assume any competent investigator in those circumstances would automatically have taken, seems incompre-hensible. Their failure to take the necessary and expected action upon interviewing Bo-gard must be regarded in the larger context

gard must be regarded in the larger consext of the over-all ambiguity of the relationship between Oswald and the FBI, as well as in terms of the specific prior contacts between each of the agents and Oswald.

The reports on the interrogation of Oswald (WR Appendix XI) are remarkable, too; for they reflect no intensive questioning directed to uncovering Oswald's fellow-assassins, if he had them. Even though Clements and De Brueys, by dereliction or for other reasons, failed to inform the police of the information given by Bogard, the circumstances already known to them by November 28rd inevitably should have made that line of questioning central to the interrogation. rogation.

Yet it is difficult to find one direct ques-tion to Oswald based on the possibility of conspiracy.

of conspiracy.

The direction of interrogation takes on a more bizarre appearance after we learn from the Exhibits that the FBI received information which could only be interpreted as evidence that Oswald might be a paid assassin—and the FBI did nothing, although Oswald was still alive and accessible. The investigation was in its infancy and the "lone assassin" thesis had scarcely materialized, much less come into vogue. How could an experienced FBI agent like Clements fail to understand the importance and urgency of Bogard's report? Why did he significance of these facts escape the Warren Commission, if it did? If it did not, why wasn't Clements cross-examined on his handling of the Bogard story? Clements was deposed by Commission counsel on the same date, in the same building, and within the same hour as Bogard (7H 318-822); he was asked no questions about Bogard's story and he volunteered no information on the subject.

The Commission has dissolved. The members and their leval staff do not defern to The direction of interrogation takes on

The Commission has dissolved. The mem-The Commission has dissolved. The members and their legal staff do not deign to give material answers to questions or criticisms arising from ugly flaws in their epic work of obfuscation and guile. Most probably, to steal their phrase, they will not choose to comment on their presentation of the incident of the auto demonstration. But the FBI has not dissolved.

But the FBI has not dissolved.

The FBI therefore owes the American people an immediate explanation of its failure to confront Bogard with Oswald for the sake of a firm identification, its failure to inform the police of the information obtained from Bogard, and its failure to question Oswald or ensure that he was questioned about evidence which pointed like an arrow to the existence of conspiracy.

There would seem to be no possible justi-

There would seem to be no possible justification for a dereliction of duty of such scandalous proportions and such shocking implications—but we are listening. Mr. Hoover. end



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