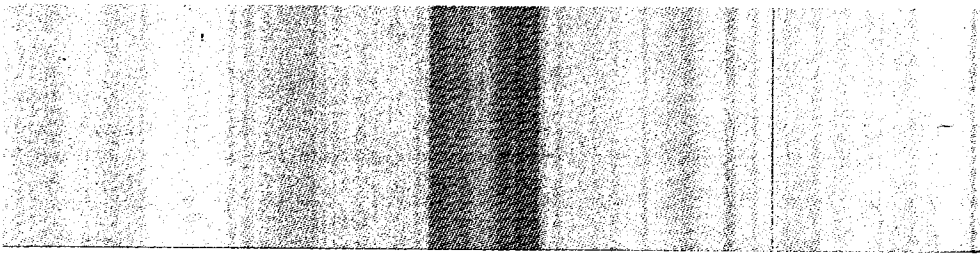


Sept-66

**THE
MINORITY
OF ONE**

-DEDICATED TO THE ERADICATION OF ALL RESTRICTIONS ON THOUGHT



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

by Sylvia Meagher

Model	Price
'68 Buick Special 5. P/Steering, Bucket seat trans.	\$1395.
'68 Buick Special 6.0. trans. P/Steering	\$1595.
'68 Ford Fairlane Full vinyl interior tires.	\$1095.
'68 Comet Wagon 4th red interior, Auto 6 automobile.	\$1195.
'68 Olds 4-dr. 1 P/Steering, P/Brown car.	\$1495.
'68 Buick Spec. 4-dr. Sedan DeLuxe, Seafoam Green, V8, P/Steering.	\$1395.

—John Jechter, TMO

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 1963, might have been expecting funds with which to purchase a car" (WR 320). The facts, as presented in the Report (WR 320-321) are that Bogard claimed that he had a customer on Saturday November 9, 1963 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

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 wrote Oswald's name also has never been found."

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."

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.

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.

Sylvia Meagher is emerging as the foremost authority on the Warren Report and its Hearings and Exhibits. She is the author of the *Subject Index to the Warren Report and Hearings and Exhibits* (Scarcecrow Press, New York, 1966). 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.

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

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.

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 assassination 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 *coup 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 Bruets 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 building, where Oswald was being questioned and appearing in identification line-ups.

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 Bruets, for his part, was aware of Oswald before the assassination. An FBI report indicates that De Bruets 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 15).

Yet Clements and De Bruets 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, of the vital information obtained from Bogard—information which not only incriminated 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 incomprehensible. Their failure to take the necessary and expected action upon interviewing Bogard must be regarded in the larger context 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 Bruets, 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 23rd inevitably should have made that line of questioning central to the interrogation.

Yet it is difficult to find one direct question to Oswald based on the possibility 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 fail to take the necessary action? Why did the 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 318-322); 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 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.

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 justification for a dereliction of duty of such scandalous proportions and such shocking implications—but we are listening, Mr. Hoover.

END

by Sylvia Meagher

Brand New

'62 Buick Special 4-dr. Sedan, P/Steering, 4800 cc. V8	\$1395.
'62 Buick Special 4-dr. Sedan, P/Steering, 4800 cc. V8	\$1595.
'62 Buick Special 4-dr. Sedan, P/Steering, 4800 cc. V8	\$1095.
'62 Buick Special 4-dr. Sedan, P/Steering, 4800 cc. V8	\$1195.
'62 Buick Special 4-dr. Sedan, P/Steering, 4800 cc. V8	\$1495.
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WE CHALLENGE

—John J. Heber, TMO

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