

“Taking the Zapruder Film”

HON. ANDREW EDISON

JUNE 2019



NOVEMBER 22, 1963



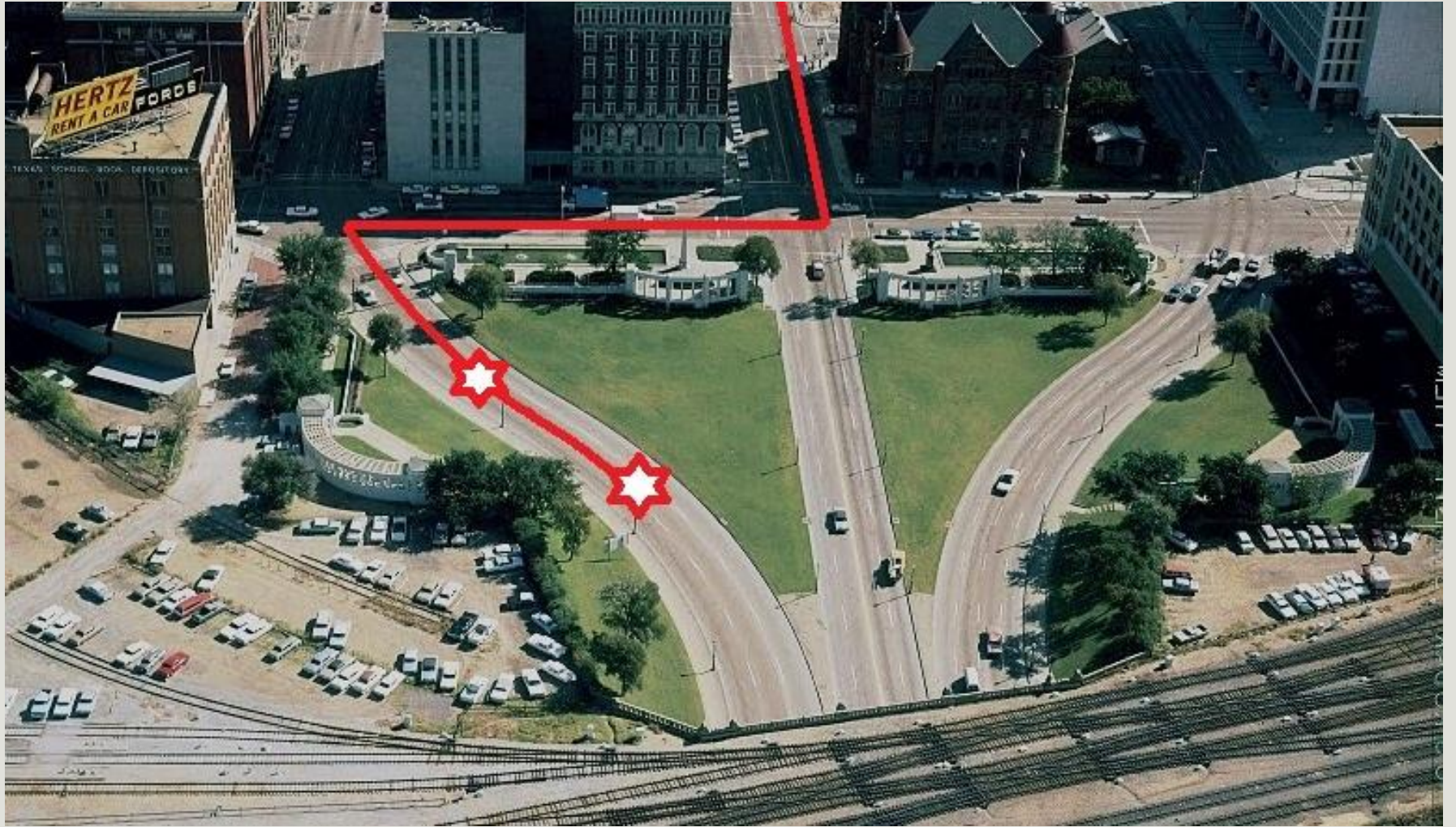
Abraham Zapruder





President John F. Kennedy rides in a motorcade approximately one minute before he was shot in Dallas on Nov. 22, 1963. Riding with Kennedy are first lady Jacqueline Kennedy, right, Nellie Connally, left, and her husband, Gov. John Connally of Texas. Associated Press file.





































and that I have the person, corporation or all rights in connection with the same, to the fullest extent to secure same.

(6) Time, Inc. agrees to obtain copyright protection, domestic and foreign, or proper for its own safety and to prevent any of, should the same be necessary.

(7) Anything to the contrary herein notwithstanding, neither I nor my heirs shall have any right to sell, transfer, assign, pledge, hypothecate, mortgage, encumber, or in any way dispose of this contract or any of the payments specified herein or the proceeds hereof nor to receive payment at any time other than as specified herein, nor shall you have any right to make any payments in advance.

Very truly yours,

Abraham Zaprunder
Abraham Zaprunder

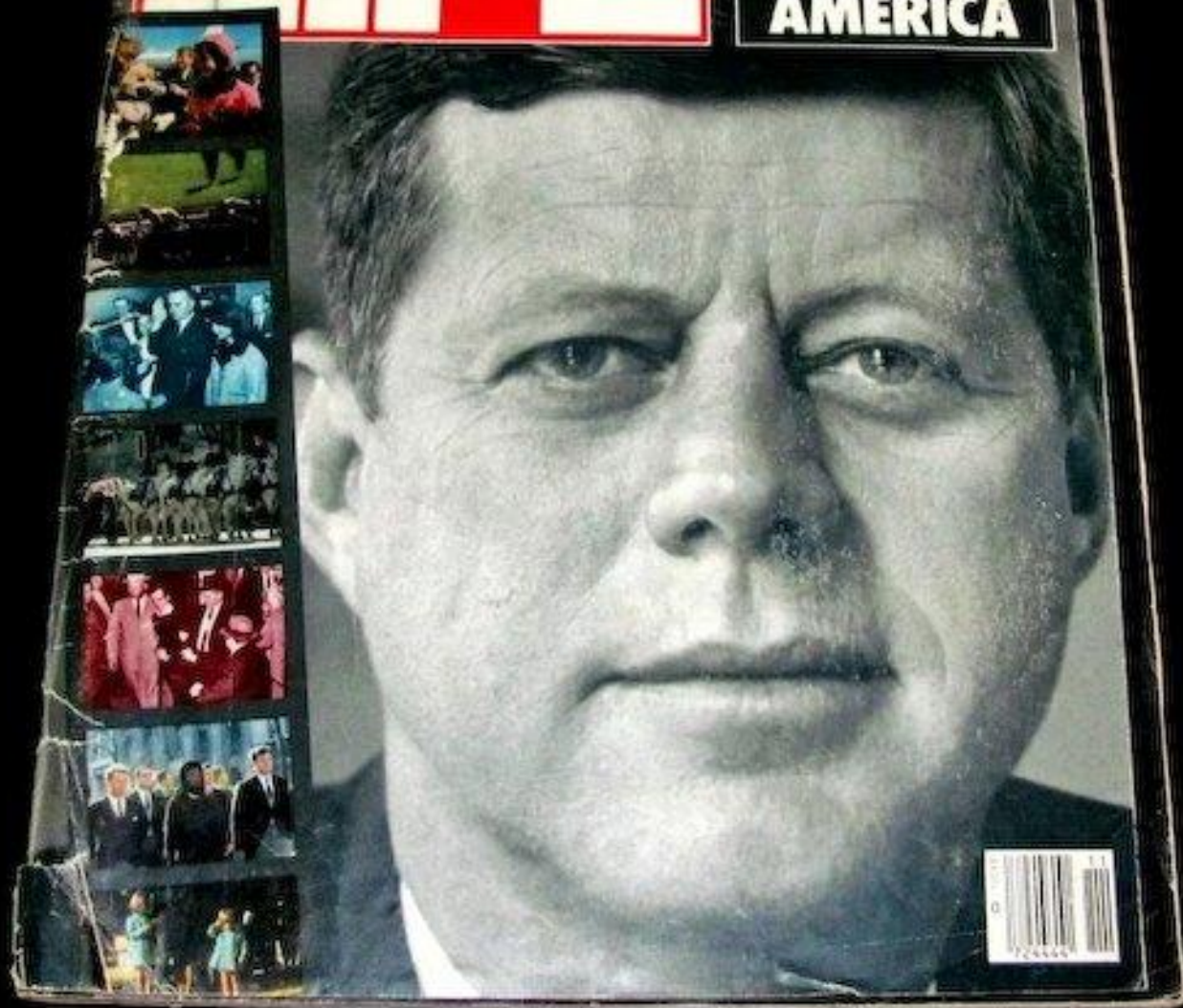
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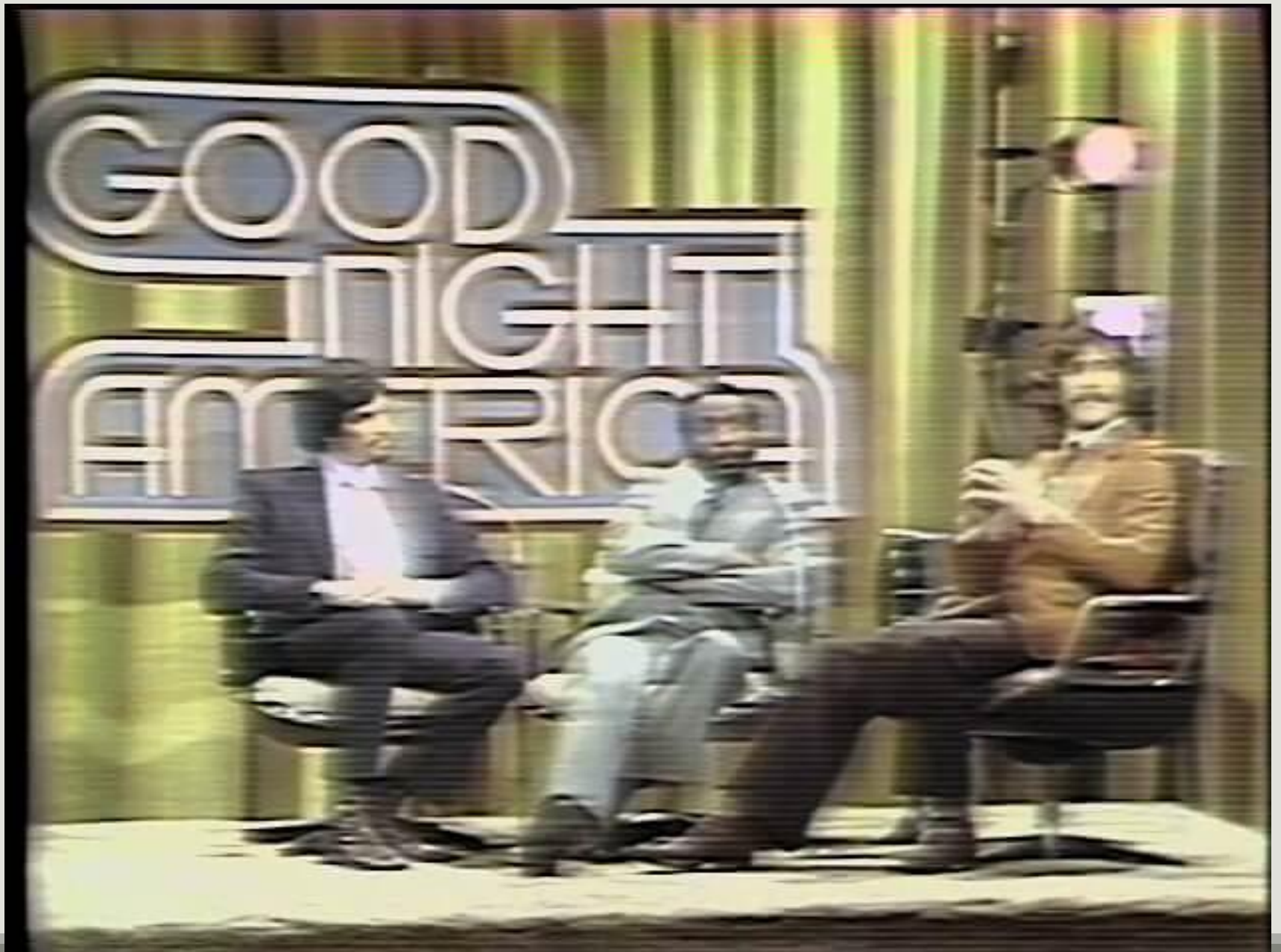
TIME, INC.

By Richard B. Stolley
Richard B. Stolley

NOVEMBER 1963 \$1.00
LIFE

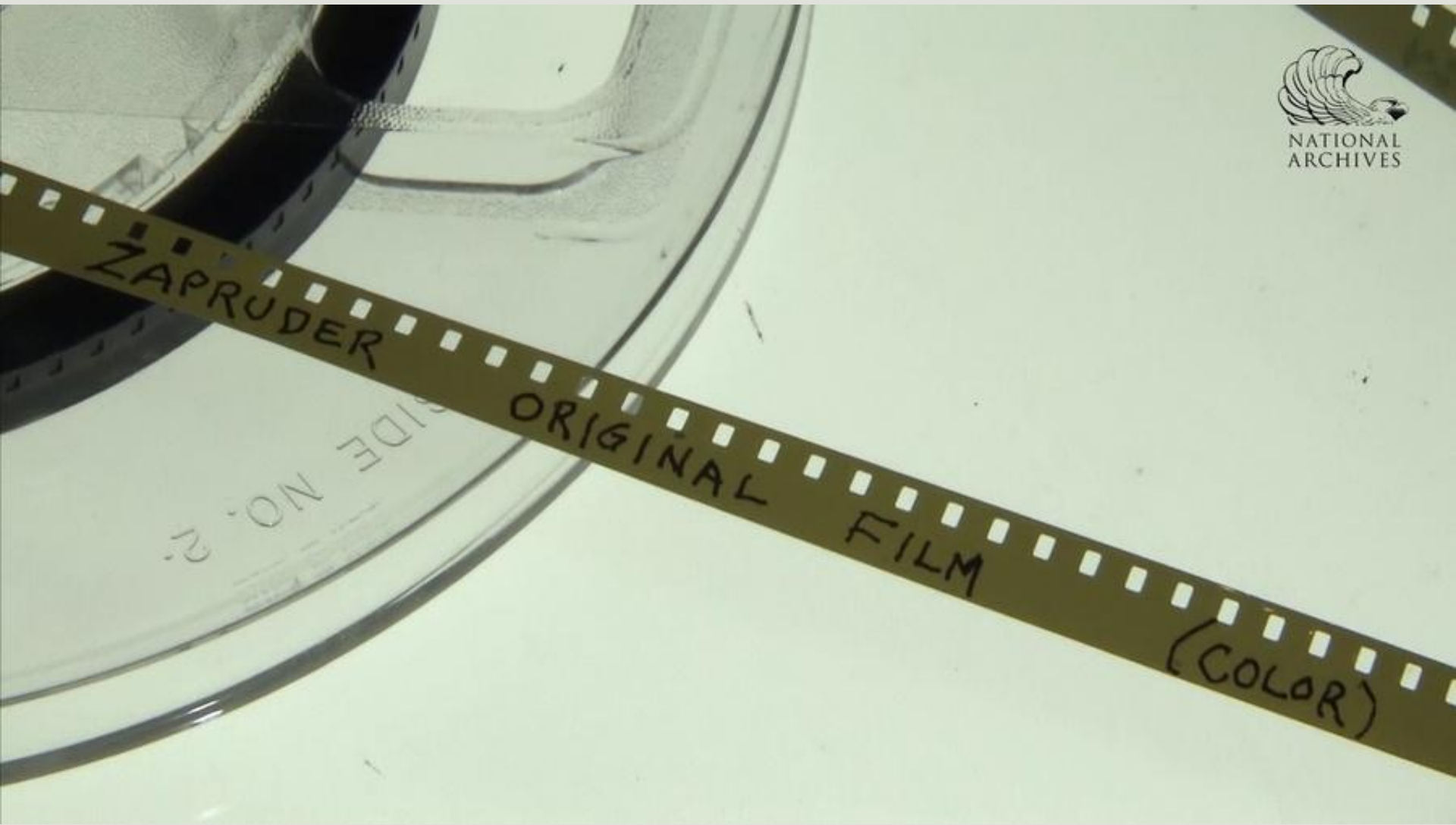
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ASSASSINATION:
**4 DAYS
THAT
STOPPED
AMERICA**



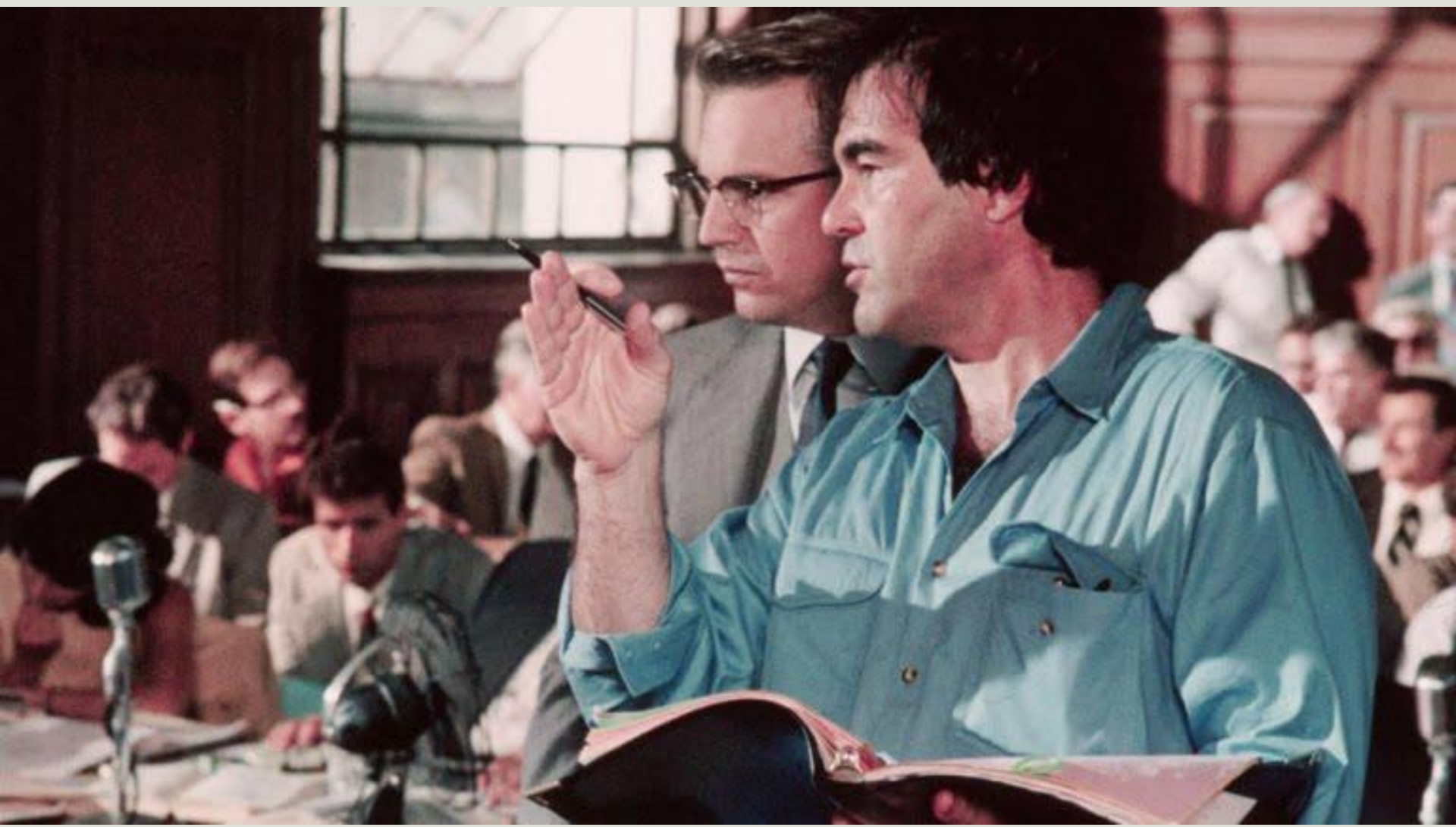












The JFK Records Collection Act

Signed by President Bush in October 1992

Sought to preserve for historical and governmental purposes all records related to the assassination of President Kennedy.

The Zapruder Film was considered an assassination record

The Eminent Domain Case

- (1) The Right-to-Take Issue
- (2) The forum – arbitration or litigation
 - Kenneth Feinberg -- Zapruders
 - Walter Dellinger -- Government
 - Judge Arlin Adams – neutral
- (3) What was not taken – the copyright

The Eminent Domain Case

One question: what is the fair market value of the camera original of the Zapruder film?

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE



Soldiers, Sailors and Airmen of the Allied Expeditionary Force!

You are about to embark upon the Great Crusade, toward which we have striven these many months. The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you. In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world.

Your task will not be an easy one. Your enemy is well trained, well equipped and battle-hardened. He will fight savagely.

But this is the year 1944! Much has happened since the Nazi triumphs of 1940-41. The United Nations have inflicted upon the Germans great defeats, in open battle, man-to-man. Our air offensive has seriously reduced their strength in the air and their capacity to wage war on the ground. Our Home Fronts have given us an overwhelming superiority in weapons and munitions of war, and placed at our disposal great reserves of trained fighting men. The tide has turned! The free men of the world are marching together to Victory!

I have full confidence in your courage, devotion to duty and skill in battle. We will accept nothing less than full Victory!

Good Luck! And let us all beseech the blessing of Almighty God upon this great and noble undertaking.

Dwight D. Eisenhower

The Zapruder Position

- Hired well-known appraisers who used to work for Sotheby's and Christie's
- film should be evaluated within the context of the market for highly desirable, valuable, unique items
- Market value is \$30 million +

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הנהגתו היתה כדלה

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אשר יצאנו ממצרים ויהי ביום ה' עשירי חודש כסליו בארבעה עשר יום
בחדש הזה יעשה לכם פסח וזו היא המנהג אשר עשו בני ישראל
במקדש השני

ועתה ידעתם כי כל המעשים אשר צויתכם לא תעשו אלא כפי
הכחות והנאות של כל אחד ואחד מהם וכן יהיה גם כן
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במעשי האמונה אשר יצו אתכם להעשותם

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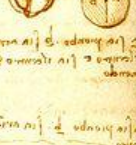
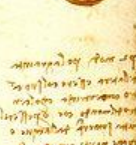
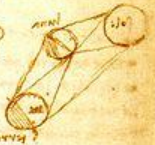
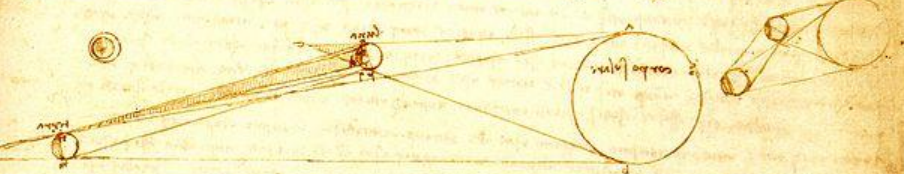
אשר יאמר אליו ואלה הן המעשרות אשר נתתי לך
אשר יאמר אליו ואלה הן המעשרות אשר נתתי לך

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[A fragment of a manuscript page showing a single line of text in a cursive script, likely from a historical document.]

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10. וְיִשְׂרָאֵל יִשְׁמַח בְּיְהוָה אֱלֹהָיו
 וְיִשְׂרָאֵל יִשְׁמַח בְּיְהוָה אֱלֹהָיו

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וְהָיָה כִּי יֵרָאֶה אֲנִי וְעַמִּי בְּכָל הָאָרֶץ
וְיָדַעְתִּי שֶׁכָּל הָאָרֶץ מְבֹרָכָה בְּפָנַי
וְשֶׁכָּל הָאָרֶץ מְבֹרָכָה בְּפָנַי

[illegible]

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The Zapruder Position

Five qualities of paramount importance in determining value:

- (1) Historical significance
- (2) Iconographic importance
- (3) Fame
- (4) Breadth of Appeal
- (5) Uniqueness





The Government's Position

The Government is in a pickle:

- On one hand, we need it because it is unique
- On the other hand, it isn't really that big of a deal

Two government retained appraisers

- C. Cameron Macauley
- John Staszyn

C. Cameron Macauley's Opinion

Don't look at the collectibles market

True comparables are camera original films, which have the same physical attributes

- **1934 Assassination of King Alexander of Yugoslavia**







C. Cameron Macauley's Opinion

Since no market for camera original films, arbitrators should use the sales history of the film to establish value.

**\$150K purchase price in 1963 = \$780K in 1998
according to Consumer Price Index**

John Staszyn's Opinion

Finding no market for camera original films, he surveyed the market for things sold at auction and had elements in common with the film.

Staszy placed the film's potential value in the context of what he deemed the "only relevant comparable markets," namely the photography, historical-artifact and Kennedy-memorabilia markets.

Why, Kansas is neither the whole, nor a
lot of the real question—

"A house divided against itself can not
stand"

I believe this government can not endure
permanently, half slave, and half free—

I expressed this belief a year ago, and
subsequent developments have but confirmed me.

I do not expect the Union to be dissolved
now. I do not expect the house to fall; but
I do expect it will cease to be divided— It
will become all one thing, or all the other. Either
the opponents of slavery will arrest the further spread
of it, and put it on course of ultimate extinction; or
its advocates will push it forward till it shall be
completely lawful in all the states, slave as well
as free— Do you doubt it? Study the Dred Scott
decision, and then see, how little, even now, remains
to be done—

That decision may be reduced to three points—
The first is, that a negro can not be a citizen—
That point is made in order to deprive the negro
in every possible event, of the benefit of that provis-
ion of the U. S. Constitution which declares that,
"The citizens of each State shall be entitled to
all privileges and immunities of citizens in the
several states."

The second point is, that the U. S. Constitution pro-
tects slavery, as property, in all the U. S. territories, and
that neither Congress, nor the people of the territories,
nor any other power, can prohibit it, at any time prior
or to the formation of state constitutions—

This point is made in order that the territories may
safely be filled up with slaves, before the formation of
state constitutions, and thereby to embarrass the free state

WE are the Great of human Events, to human destiny for our People, to fulfill the Will of God which has revealed itself with authority and to assure among the Powers of the Earth, the Equilibrium and equal Liberty, to which the Laws of Nature and of Nations God surely binds, a duty imposed by the Spirit of Wisdom requires that they should declare the same which, impel them to this Imperative.

We hold such Treaty to be equitable, that all Rites be renewed again, that they be renewed by this Great assembly.

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112. has refused to publish Letters for the denunciation of King Didié of Togo, which King Didié would relinquish the Right of Representation to the Government of the Republic of Togo, and considered as Togo only.

He has refused for a long time, after such deliberations, to send others to be elected, whereby the Legislative Powers, excepting of Assurances, have a

He has obtained the Administration of Justice, by setting his Affairs to Laws for stabilizing Judiciary Powers."

It has assisted in raising the Military and Naval Fund for the relief of the poor.

For quarterly large bills of demand Troup says it
 has something done, by a new bill, from Parliament for any Member which they should require on the behalfs of their Name.

Flax shipping, say, is really *Calce*, of the *Genista* of Trud. to Jap.,
the *Calce* being found here as the seed for commercial purposes.

For raising money for charity, establishing new and valuable links, and sharing knowledge with the Forces of our Communities.

He has glorified our flag, nurtured our Union, fostered our Freedom, and delivered the Lives of our People.

He has continued to follow the "Gospel of the Right Hand" to the bitter end, and has refused to compromise with the "Left Hand" of the world, or to be divided by them. He has continued to follow the "Gospel of the Right Hand" to the bitter end, and has refused to compromise with the "Left Hand" of the world, or to be divided by them.

In some days of their Opusculum, we have mentioned the Nation in the East South-Sea. This reported Nation have been mentioned only by report of others. A French, who Chastelot is thus named by every all, which give define a French, is said to be the Nation of a few People.

and Mezzogiorno, and are highlighted there by the Via of our intention. Kindled to different study Dispositions, which would inevitably increase our Contribution. There are here been desire for the Voice of Justice and of Contemplation. We must, therefore, remember to be Novices. We

W.E.B. DuBois, the Representative of the UNITED STATES OF AMERICA, in GEORGETOWN, Guyana, addressed the people of the World for the Republic of our Fathers. He, in the Name, and by Authority of the good People of these Colonies, is sending to the Supreme Judge of the World for the Republic of our Fathers, His, in the Name, and by Authority of the good People of these Colonies, the following Declaration of Independence, which is hereby made known to the World.

And, and that is VERY AND IMPORTANT SYNTAX, and has full Power to say War, conclude Peace, create Nations, establish Commonweals, and to do almost All such Things which PARLIAMENTS have any way of right do. And for the support of this Devotion, with

Signed by Overtland in Behalf of the Company.

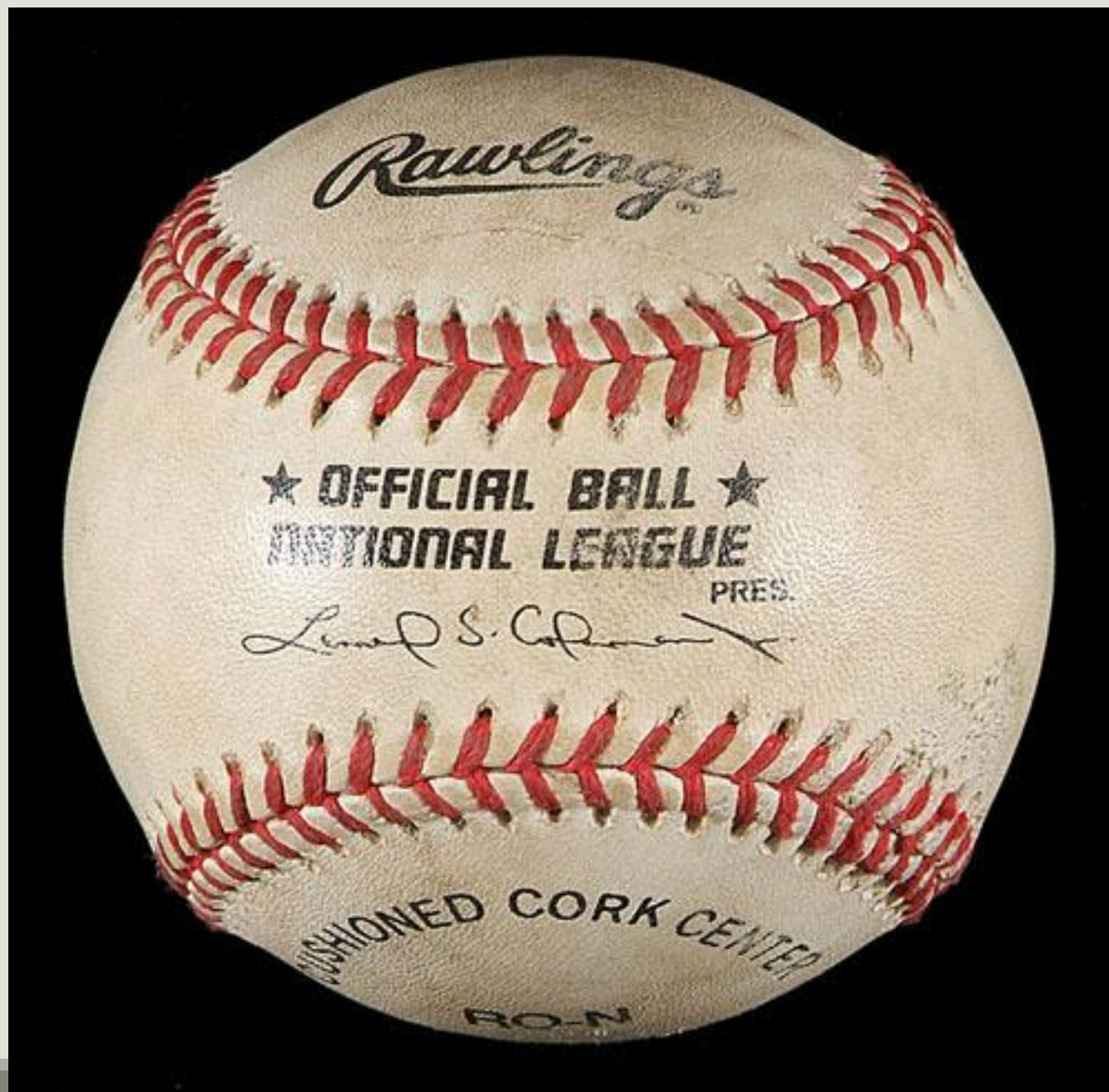
Parasitoid: Periods of Low Numbers











\$16 Million for Film of JFK's Death

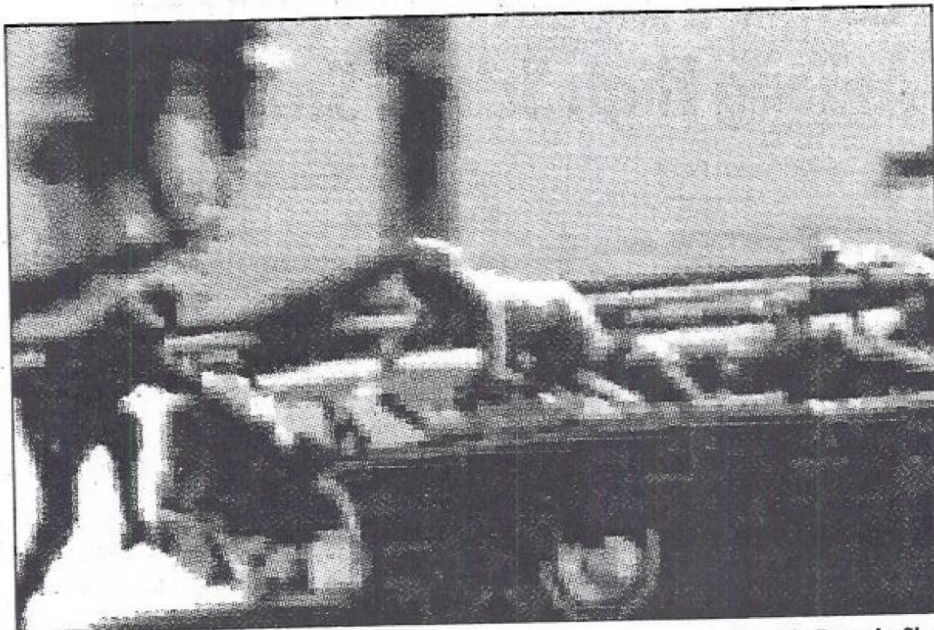
Arbitrators set price for Zapruder footage

By Deb Riechmann
ASSOCIATED PRESS

WASHINGTON — The government must pay the heirs of Dallas dressmaker Abraham Zapruder \$16 million for his film that captured the assassination of President Kennedy — 26 seconds of history that the Zapruder family said should be valued like a van Gogh.

In a 2-to-1 vote, announced by the Justice Department yesterday, arbitrators set the amount after lawyers for the government and Zapruder family could not agree on a price. The government offered \$1 million; the family asked \$30 million.

"The Zapruder film is one of a kind," arbitrators Arlin Adams, a former federal appeals court judge, and Kenneth Feinberg wrote in a majority opinion. With no way to compare its value to any single object ever sold, they said they relied heavily on testimony given by auction house experts who tagged the value at \$25 million or more.



From the Zapruder film

The 26-second film by dressmaker Abraham Zapruder captured President John F. Kennedy's assassination at Dealey Plaza in Dallas.

eral and now a law professor at Duke University, wrote that \$3 million to \$5 million would have been enough.

Gerald Posner, who wrote a book on the assassination, thought \$16 million was overly generous, too.

"I understand that it's the American way to get as much as you can for something, but there is something unseemly about it," he said.

promise. The family said in a statement, "We believe the result reached by the arbitration panel is fair and reasonable."

The film is stored in a 25-degree room at the National Archives in College Park, Md.


The Assassination Records Review Board in 1997 declared the film the permanent possession of the people of the United States. The Constitution requires the government to pay owners of pri-

The Arbitration Decision

2-1 decision awarding the Zapruders \$16 million

Majority decision: "In terms of its emotional and historical significance, the film undoubtedly would surpass previous `Kennedy memorabilia.'"

Dellinger dissented, finding value between \$3 to \$5 million



THE SIXTH FLOOR MUSEUM AT DEALEY PLAZA