

March 17, 1969

Dear Sylvia,

No news is basically good news. I have been working, day in and out, and making solid progress generating typescript.

Re your last letter, I couldn't agree more with your characterization of Leitha Marcus; I have always felt the same way. I do disagree, somewhat, with your characterization of Ray. "Fits of subornness" ~~are~~, I believe, the words you used.

From within months of the time I first made his acquaintance, I had to continuously fight a steady stream of malicious and insidious innuendo and gossip on everything ranging from my mental health to questions of basic ethics and integrity. Ray had a field day taking incidents and exaggerating them, spreading stories, and made excellent and damaging use, with respect to me, of his highly polished selling ability. One by one, I have reconstructed, patched up, or in some other way repaired relationships that I had with people (by mail and/or phone) which were hurt after his trips back east, --- people who received weird notions of my ability and character because of the job he did on me. So in short, I think he is a very mean person, who sets himself up above others, and then snidely undercuts them. I wasn't even going to include these remarks in this letter, but within days of the time I received yours, a series of events occurred out here involving Ray Marcus and Fred Newcomb which revives lots of old memories of exactly what he did to me, and which have a bearing on just what type of person Ray is, and just who has their feet planted on the ground in this case, and who is seeing the world through self-justifying, rather than paranoid glasses.

In a nutshell, Ray is preventing the completion of <sup>research</sup> important research Fred has done, which makes just about anything else that has ever been done with the Zapruder film pale into insignificance by comparison, and would certainly do that to Ray's "hypothesis re the Zapruder film", his cherished work to which this cannot be allowed to happen. He is accomplishing this by refusing to return to Fred what is the clearest (and possibly only) extant duplicate of the original Zapruder film that Life has in NYC, a copy that was loaned, or "given" to Ray Marcus for safekeeping by Fred, in the midst of a small crisis out there last December.

Here is the story.

Last December, LaMarre was out here, with the film Farewell America. LaMarre gave Jaffe an 8mm copy of the Z-film, an 8mm copy which was apparently the parent of the Z film footage that appears in Farewell America. Jaffe gave the film to Fred. Fred spent some time working with it, examining it frame by frame on a manual viewing device. (Where LaMarre got the Z film is still unknown. I do not buy the story that it is a CIA plant. Rather, I think that someone in Life simply made a copy of it. Anyway, note that Dick Stolley, the Time/Life rep who bought the film from Zapruder, has been stationed in Paris for the past two years, and that is where this copy surfaced. I think that that is probably closer to home than any "CIA" theories.)

Sometime last December, Jaffe suddenly was asked by LaMarre to return the film. This was unexpected. Steve Jaffe thought it was

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his to do what he wanted. Steve went to Fred. Fred was pretty upset, because, in the brief time <sup>with</sup> he had the film, ~~has~~ had made some crucial discoveries about this film (which I'll get to next).

Not knowing what to do, and under great pressure (his back was also "thrown out" at the time, and he was in great pain), Fred made what has turned out to be a terrible mistake. Fred called up Ray and said, in effect, "LaMarre wants the film back. I can't possibly give it back to him...come over here and "steal" it from me." Within minutes, Ray was at Fred's house. Fred gave the film to Ray.

Shortly after Ray screeched off in his auto, peeling rubber and surely thinking that he was being followed by more government agents than probably tracked Oswald to the Texas Theatre, there followed a brief and unpleasant scene in which LaMarre arrived, was told by Fred that Ray Marcus had stolen the film, and went through the initial procedures of actually filing charges with the police department.

This soon came to naught, because Fred simply refused to sign. LaMarre had to catch a plane, and within hours was out of LA.

Now, meanwhile, Fred had made some crucial discoveries on the Z film. He discovered the existence of splices, hertofore unknown, between the beginning of the film and the start of the published subsequence (ie: between frame 1 and frame 171). These splices are, apparantly, on the original Z film (or, more precisely, on what Life, the FBI, and the WC call the "original" Z film. I'm coming to why this is so later in the letter, and its fully discussed in the attached memo).

Fred's ressearch notes, which are several pages long, consist of a frame by frame commentary of his visual observations on the film, when he had it. A xerox copy was sent to Ray (who had departed LA and gone to Boston), and to Garrison's office.

But again, Fred made a mistake in underselling what he had, or, more exactly, not making it at all clear. Fred thought that these notes were self-explanatory. They certainly were not. The notes were basic to the research, but they needed a covering memo.

The result: to Fred's asonishment and disillusionment (with Garrison). Garrison did nothing with the material, despite the fact that he had Shaneyfelt and Zapruder as witnesses!

Meanwhile, Ray was in Boston. Fred could not get him to comment on his research notes. Then, Ray came back to LA. Again, Fred called Ray on the phone. Not only did he want his comments on the Z film, but he also wanted Ray to return the 8mm copy to him, so that he could complete his research (as is explained in the attached letter, Fred to Ray, dated March 16) and so that this 8mm version of the film could be duplicated and made available to others.

But Ray would hear none of it. He denigrated Fred's work, saying the splices Fred found "diminished the value of the film as evidence", were "put there by the CIA", planted to be discovered etc. Absurd?? Not in Ray's reality, in which Fred is doing something

which could "hurt the case" and ~~XXXXXXX~~ Ray is "protecting" the critics from a "planted" version of the film!

More to the point is another part of the conversation in which Ray says to Fred: "Do you think this research of yours is more important than the headsnap??"

Fred almost blew up. Having made this discovery about the film, which is truly historic, he now can't get the film back from Ray, who has set himself in didactic fashion as a judge of Fred's work, and who is apparently determined to abort it and never let it see the light of day, all in the name of Ray's view of "the case", of course.

After Fred's mid-February phone call to Ray (in which Ray, who had the film since December, added insult to torment and injury by asking "Whats the rush, Fred? Whats the rush?") Fred then for the first time informed me of his research, and of his dilemma. (This was a few days after our long Sunday morning phone call some weeks ago).

First of all, I cannot tell you how impressed I am with what Fred discovered. But, at the same time, quite exasperated, I really gave him a lecture for not having prepared a covering memo to explain just what it was which his technical notes said! What was super clear to Fred, who thinks like a photographer, was not at all clear to someone just perusing these notes. Also, I was annoyed that he was so naive as to have trusted Ray as he did.

That is all past. Fred has learned, quickly, rudely, and suddenly, that someone he really trusted has the mentality of a self-justifying kidnapper, underneath it all. Things will just never be the same, again, and the question now is: can Ray be induced to give that film back. Fred needs allies.

A day or two after he showed me his work, I sat down and prepared a detailed memo, dated Feb 19, 1969, explaining the whole thing. The memo was sent to Gary Schoener, and Gary was asked to show it to Vincent Salandria and try to get Salandria to call Ray Marcus and get him to give the film back.

In order to get as many people involved in this as we can, the following materials now exist.

First of all, the memo was retyped by Marlynn Newcomb, 3rd person references to Fred were put in the first person, and it was signed "Fred Newcomb". We are keeping secret from Ray the fact that have anything to do with this; if Ray found out, I think that might blow Fred's chances completely of ever getting the film back.

Secondly, I drafted a letter from Fred (dated March 16) which he sent to Ray (covering the memo) and stating the case that he be returned the film.

So now Ray has the memo dated March 15, and the letter dated March 16.

Hopefully, Gary Schoener and/or Vincent Salandria will call Ray and argue that the film be returned.

Please read the attached letter (Fred to Ray, March 16) and the memo (March 15) carefully. And then I would like to ask you if you think you might be able to exert any pressure, either by phone or letter, to either Leitha or Ray. I know that if Leitha could be made to sympathize with Fred's position, Ray will have lost an important ally on this. But perhaps that, as you pointed out in your last letter, is just not possible.

Ray now has the only really clear extant version of the Zapruder film. His actions are not only preventing Fred's research from being completed (and I think you'll agree that that in itself is terribly important, seeing as what he's found) but its also preventing the duplication and distribution of as many copies as are desired of the Z film, and the production of slide sets for all who care for them. (The 16 mm copy we also have, is a terrible thing to be duplicating; it is so much poorer than the 8, which has a verdugo green lawn, etc.)

This, then, is the Ray Marcus I have always known, acting true to form. Fred is learning a terrible lesson, the very hard way.

The reason I have gotten involved in this, with the memo and letter writing, is that Ray is now doing a job of Fred just as he used to do on me. An emissary we hoped might pry loose the film came away from a meeting with Ray thinking that perhaps he "really didn't know" Fred Newcomb, after all, and doubting Fred's reliability and God only knows what else. Ray does that to people. Ray can sell you the Brooklyn Bridge, if you're not careful. I have been through this whole scene before with him. He's got a smooth veneer of unctiousness and false humility, which very effectively parades as "reasonableness", and which makes his aggressiveness, when directed at others, all the more ~~AMAZING~~ believable and, hence, quite deadly.

In the face of such irrationality, Fred tends to just throw up his hands and say the hell with it. If someone doesn't stand up and stop Ray in this matter, Fred is just going to get steamrollered. Its as simple as that. Anyway, I've done what I can. The case for Fred's research, and the case for his being returned the film is clearly stated in the memo and letter, respectively. Now, both have to be gotten to people who might act and hopefully put enough pressure on Ray so that he will surrender that film.

As time permits, please let me hear any suggestions, and anything you think you might be able to do.

regards,

David David

P.S. Also enclosed, spoof on Weisberg that I wrote a few weeks ago, day before I got your on Shaw trial, which was really great.

P.S. Sylvia, I have prepared the materials I spoke to you about on the phone. Its a total of 398 pages, I think, but don't send any money yet. ~~XXXX~~ I want to weigh it at the PO and see if they will take it at book rate, which I'm sure they will. I took the time to hole punch it, and mount it in two separate binders, so you can put it on your bookshelf, like any other book (or read it on the subway in the morning, if you can bear Ball's terrible reasoning, above the roar of the train!)

Also, like I said, I'm working very hard. I'm just delighted with the way things are going.

Request: Do you know if anyone has made provisions to buy the transcript of Fink's testimony at the Shaw trial? I'm making inquiries to find the price. If it doesn't run to more than a few hundred pages, ~~XXXXXX~~ I'd be willing to use the xerox at this end to make 3 or 4 copies, for a group of three or four who would split the court reporter's ~~XXXX~~ fee, whatever that is.

Because of your position vis a vis Garrison, might Shaw's attorney's make available to you their copy of the Finck testimony?