

They made sight appraisals; they walked down the road and looked at it, and without considering any of the things we tried to take into consideration. These fellows were professional appraisers; I do not mean to imply they were not.

The negotiator who went out there was bound by the negotiating figures. So I had the embarrassment of going down the road where I knew some of the people and putting what I called inadequate damages—one was a case of \$42,000. They offered him \$22,000. At another one where I put \$40,000, they offered him \$28,000. These men were mad as sin at me, because as far as they knew, this was my figure. It had no relationship to my figures at all.

These were five different cases in New York that went to court, and this is an expensive process, because you have to build a whole book of 20 comparable sales as part of your court records. So does the adversary. This is what makes it so expensive. In five of those cases, they settled the claim within a thousand dollars of what my appraisal had been. If they had just offered the fellow the appraisal to start with, they would have saved the court costs, saved a lot of mad people, saved a lot of time, and justice would have been served at the same time.

Now, the only way that they would change this figure was if we would admit we had made an error in the appraisal. Then they would come back with this windshield appraisal and put a different figure on it. But the onus was on the appraiser, not on the fellow who had made the stupid mistake of putting down a figure that was completely irrational. Sometimes I changed the appraisals and sometimes I did not. A couple of times I just got my back up and said, it is your fault, go ahead and solve it to suit yourself.

They became victims of their own rulemaking. In my judgment, the bureaucracy that people fear in Government is not the bureaucracy of the White House or the Congress or cabinet members; it is the bureaucracy way down the line to that fellow who deals directly with the people and deals with him in terms of arrogance: "I have the power and you can do nothing about it."

Some of these fellows will go to the people with small claims and after the taking, that is what you are left with, just a claim. The property is gone.

I want to leave with the committee some testimony on another bill, 1351, which is over at the Judiciary Committee, which I think could very well be combined with this legislation, because it deals with another problem that comes right at this point.

When the claim is large, a man can afford to get a lawyer who can afford to hire an appraiser and get a book of appraisals developed and take it into court and get that lawyer on a contingency basis of about a third of the increase over the offering. This is standard procedure.

But if the claim is down to \$3,000, \$5,000, he has no prayer of getting a lawyer on a contingency basis. And that person, nine chances out of 10, has no chance of hiring a lawyer on a fee basis and hiring the appraiser at the same time.

So the little people are denied justice. They are denied the due process of law. They are denied all of the things that the Constitution guarantees them when this private property is taken for the general welfare. So what this other bill provides is that in those cases where somebody does take this into the court of claims and the Government