

stroyed. I submit to you that, whether this lady was 84 years old or not, that there was not a great deal of value left to a 3 room house which had a property line that was next to the front steps and was 23 ft. above the elevation of the road. I placed, as I remember, a damage of something like \$3500 against this property. The negotiator came out, gave her the hard line which I have previously described, and almost forced her under duress to sign an agreement to release her property for \$1200. When I came by later she was sitting on her front steps, isolated from the road by a muddy bank because the steps down the bank had not be built and weeping copious tears about what had happened to her, her home, and her ability to use her home.

Gentlemen, if one's sense of justice isn't completely offended by this kind of action, I don't know what their sense of justice is. We recognize the necessity of the government exercising due prudence in the expenditure of public funds. We expect that and anything else would be contrary to the intent and purposes of any of the laws which we have.

However, we expect something else of our government and that is that those with power should use it with restraint, those with authority should use it with responsibility and those with power to make decisions concerning another person's property should make those decisions and arrive at the compensations on the basis of equity to the person who's property is being taken as well as prudence on the part of the Federal Government. Fiscal prudence does not give license to those who are exercising this authority to be arrogant, arbitrary, and unfair.

As stated previously, for a number of years the National Grange has had policy of one kind or another on this subject proposed to it and usually has accepted it. The latest policy declaration was during our Centennial Convention at Syracuse, New York, in November of 1967. It reads as follows:

"Whereas, we believe that the present government land acquisition policy must be altered, modified and changed to further protect the affected landowner as well as the taxpayer during the full course of negotiations: Therefore, be it

"Resolved, That the National Grange work—

"1. To remove the secrecy from any government appraisal by requiring that they be made a matter of public record;

"2. To eliminate the opportunity of a government agency to interpret, modify, alter or ignore the appraised values as established by the government's appraisers; and

"3. To establish a 3 member board of qualified impartial appraisers (one being the choice of the affected landowners) to be used in appraising and determining the fair estimate of value. This estimated value and the individual appraiser's reports must be presented to the affected landowner as well as the government agency for consideration in negotiating and arriving at a joint and realistic fair market value for the lands to be acquired; when an agreement cannot be reached, after thorough negotiations, then a condemnation suit would be filed."

Page 176, 1967, Journal of the Proceedings, Centennial of the National Grange.

This legislation, especially that language in paragraph 3 of section 901 would cover the intent and purposes of the resolutions which had been passed by the National Grange. This states "before the initiation of negotiations for property, the head of the federal agency concerned shall establish a price which he believes to be a fair and reasonable consideration therefore and should make a prompt offer to acquire the property for the full amount so established." In paragraph 3 of section 905, the same requirement is made of state agencies which act in the name of a federal agency.

The Grange, from the resolution which we have already read, would obviously enthusiastically support the passage of this kind of legislation. It establishes a basis on which the Federal Government will operate with its citizenry consistent with every concept of justice and fairness.

Most cases are settled out of court to the satisfaction of the property owners. However, in our judgment, this kind of legislation would remove most of the claims cases from the courts. Of course, in instances where there is a vigorous disagreement between the contending parties, the property owner is still at liberty to pursue the normal court procedures, but my own experience and judgment would indicate that this would be a relatively rare occurrence.

Not only would justice be served but the purposes of the bill as stated in section 901, paragraph (a) of title IX would be accomplished. These purposes are "in order to encourage the acquisition of real property by amicable agreement