

We agree with this conclusion. In our opinion the procedure which the Congress adopted in the TVA Act is the fairest, simplest, and most expeditious system yet devised for the determination of land values in TVA-type condemnation cases, and we urge that it be retained in its present form.

Mr. JONES. Thank you, Mr. Marquis.

Mr. Pedersen, did you have a statement you would like to make?

Mr. PEDERSEN. I have none. I merely endorse what Mr. Wagner and Mr. Marquis have already said.

Mr. JONES. Mr. Johnson?

Mr. JOHNSON. No questions.

Mr. JONES. Mr. Clausen.

Mr. CLAUSEN. Mr. Marquis, I find both of your statements very excellent and very revealing.

Why, in your judgment, does there seem to be the sudden request to change what you have described as a proper procedure in condemnations?

There seems to be a number of supporting organizations for this legislation and why, in your judgment, has this occurred?

Mr. MARQUIS. I really don't know, Mr. Clausen. I think actually dissatisfaction to the extent it exists with the TVA Commission system, as far as we can tell, is fairly small. I think part of it is due to the fact that, particularly in the Land Between the Lakes area in Kentucky, there are a fair number of landowners who are not so much interested in juries versus the commission system, but who object to the taking of their land at all, and they have opposed the project itself from the time it was first proposed.

I think so far as I can tell, that it is that sort of thing that has given rise to this as much as anything else.

Mr. CLAUSEN. That is the situation as you stated it would require the taking of land either under the pending legislation or the existing system, there would not be any change in their particular status, would there?

Mr. MARQUIS. I am not sure they are aware of that. The question of the right to take is a matter for the court in any system, not for a jury. I am not sure that is well understood.

Mr. CLAUSEN. How are the Commissioners selected?

Mr. MARQUIS. They are selected by the U.S. district judge for each district. The Tennessee Valley Authority has absolutely nothing whatever to do with their selection.

Mr. CLAUSEN. Now, for what period of time can they actually serve?

Mr. MARQUIS. Most of the courts—and I think this is one of the great advantages of the system in the TVA area—have in effect appointed standing Commissions, three Commissioners who may serve for a number of years and who hear all the cases arising in the particular district or subdivision of the district concerned.

As a result of that, they get to know land values very well and they get to know the different properties that are testified to as comparable sales in a number of cases very well.

Mr. CLAUSEN. What period of time do they serve?

Mr. MARQUIS. They serve at the pleasure of the court for an indefinite period.