

The awards they make are generally based on comparisons with property values in the area at the time and those are reexamined from time to time as the years go on.

I think that they are not apt to bring in an award that is low.

Mr. SNYDER. Isn't it true the uniformity that we are seeking, according to your counsel's testimony by this Commission system is necessarily dictated by the uncontested cases where TVA is guided?

Mr. WAGNER. I am not an appraiser and I do not make the appraisals, Mr. Snyder.

Mr. SNYDER. But the contested cases come up after the uncontested cases have been settled.

Mr. WAGNER. Excuse me. No; these appraisals are not based on TVA acquisitions.

Mr. SNYDER. This is the criteria of what the market value of land is in a community.

Mr. WAGNER. Yes; but it is based on many, many sales which are not TVA acquisitions.

Mr. SNYDER. Well, TVA is buying all the land that adjoins these people.

Mr. WAGNER. No; this is not correct. The appraisals are based on sales in the free market as between private individuals.

Mr. SNYDER. But the sales price in the community is dictated by all the uncontested cases that have been settled.

Mr. WAGNER. I think that is not correct.

Mr. SNYDER. Why isn't it? What is the market value in the community if it is not that? They are the latest sales made. It is the best evidence.

Mr. WAGNER. For every acquisition, the TVA makes, there are at any given time dozens of acquisitions that are being made privately.

Mr. SNYDER. Of adjacent properties?

Mr. WAGNER. Properties in the communities. We are not talking about immediately adjoining properties.

Mr. SNYDER. What is the best evidence of property value in a court case?

Mr. MARQUIS. Comparable sales, but that does not include sales to TVA.

Mr. PEDERSEN. The courts expressly exclude the prices paid by the Government. That is not often understood.

You must have a willing buyer and a willing seller and not an unwilling buyer or unwilling seller.

Mr. SNYDER. Well, if they take your price they are willing.

Mr. PEDERSEN. The courts uniformly exclude prices paid by the Government.

Mr. SCHWENGEL. Mr. Chairman, if I may.

Mr. JONES. Direct the question to the chairman. As we are not following the proper order it will give us an opportunity to identify the member who is making the inquiry.

Mr. MILLER. I have one more question, if the chairman please.

Mr. JONES. Mr. Miller.

Mr. MILLER. We have one \$1,265,000 projected out. How many acres does TVA propose to acquire?

Mr. WAGNER. I could not answer that question. The major acquisitions for dams and reservoirs have been made, I suppose. The great bulk of that system has been built.