

We challenge TVA's right to take our land for their stated reasons and are unwilling to sell to them. However, should we have to face condemnation proceedings we would hope that, at least, we would have the right of trial by jury.

The guarantee of trial by jury is a built-in bulwark of our democratic form of government, as incorporated into the Bill of Rights and a part of the Constitution since 1791.

We view with alarm and suspicion the increasing use of Executive order and administrative law and the inroads they are making into the rules established by our Founding Fathers for the separation of legislative, judicial, and executive branches of our Government. It is time for sorting out these separate responsibilities and setting the rules straight.

We are a Republic, to be sure, but we are not a Socialistic Republic. Any manipulation of judicial practices that countermand the inherent right to trial by jury for purposes of expediency is to be deplored and eliminated. It is highly unacceptable that special dispensations have been made for a Government Corporation.

In cases of land condemnation the Tennessee Valley Authority should be required to permit trial by jury instead of the use of the 3-man Commission hearing now a part of their "nontrading" land-buying formula, devised in 1946 to speed up land purchasing for the Kentucky Lake Reservoir requirements. We respectfully beseech that the right to trial by jury be restored to the people of the Tennessee Valley and that they no longer be divested of their constitutional right in matters of land condemnation by the Tennessee Valley Authority.

We urgently request that the trial by jury bill under consideration be accepted favorably by your committee and endorsed for passage into law by the House of Representatives, Congress of the United States.

Thank you, gentlemen.

RESOLUTION

Whereas, Senator Howard Baker, Jr., of Tennessee has introduced legislation which has been approved in the Senate of the United States, and

Whereas, Congressman William Brock of Tennessee has introduced legislation in the United States House of Representatives whereby jury trial would be permitted in cases of condemnation of private property by the Tennessee Valley Authority, and

Whereas, the people and property owners of Lyon County, Kentucky have been deprived of this inherent American right of trial by jury by the Tennessee Valley Authority in the acquisition of property: Now, therefore, be it

Resolved, That the Lyon County Fiscal Court go on record at this session, convening on May 7, 1968, commending the action of the United States Senate taken in its approval of Senator Baker's bill to permit trial by jury and endorsing Congressman Brock's proposition, to the same end, now under consideration; and be it further

Resolved, That a copy of this commendation and endorsement be sent to Senators John Sherman Cooper and Thruston B. Morton and Congressman Frank A. Stubblefield with the request that this statement be made a part of the record of hearings on said bill and that they use their good offices in support of this legislation, the enactment of which will restore to the people the right of trial by jury which is now denied to them by the Tennessee Valley Authority.

Signed, sealed and delivered this 7th day of May 1968.

LYON COUNTY FISCAL COURT,
ROBERT A. WHITE, *Judge*.
DON OLIVER, *Magistrate*.
SHELLEY BELK, *Magistrate*.
WM. H. TRAVIS, *Magistrate*.

LETTER FROM MR. A. J. GRAY, PRESIDENT, LAKESHORES DEVELOPMENT CO., INC.,
P.O. BOX 54, TRENTON, KY.

LAKESHORES DEVELOPMENT CO., INC.,
Trenton, Ky., February 21, 1968.

HON. FRANK STUBBLEFIELD,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR FRANK: I had hoped that I would not have to impose upon you in regard to the properties owned by my associates and myself in Stewart County, Ten-