

Mr. RAY. I am pleading the right to privacy of the trust in regard to Mr. Hayes as trustee. Under the common law, he has the right to privacy. That trust can be private. It does not require it to be recorded anywhere.

Mr. PATMAN. Where does the law say that?

Mr. RAY. In cases for the last 600 years.

Mr. PATMAN. Will you document that citation?

Mr. RAY. There is no specific citation.

Mr. CONTE. Of course there is not.

Mr. RAY. May I have Mr. Chartier explain that to you, Mr. Conte?

Mr. CONTE. You are an attorney. You passed the bar. I think you should be able to find some citations.

Mr. RAY. All right. May I ask you the question if—

Mr. CONTE. No; answer my question.

Mr. RAY. All right; I will find you some cases on the right to privacy of contract.

Mr. CONTE. I want it right now. You are an attorney, and I imagine you have passed the bar or you would not be here today.

Mr. RAY. Yes, sir.

Mr. CONTE. Therefore, you should be prepared to cite some cases or State or Federal laws which give you this right of secrecy.

Mr. IRWIN. Mr. Chairman?

Mr. RAY. The courts take judicial notice of the right to privacy of contract.

Mr. CONTE. I yield to my friend from Connecticut.

Mr. IRWIN. Do I understand that he is not invoking the first amendment?

Mr. CONTE. No, sir; he is not. He did not yesterday.

Mr. IRWIN. What was the reference to it for?

Mr. CONTE. I have given him the opportunity on several occasions to invoke the first amendment, and he has not done so.

Mr. RAY. If you want Mr. Hayes as an individual to stand on his rights under the first amendment to the Constitution, he may to help enforce the right to privacy.

Mr. CONTE. Why does he not do it?

Mr. RAY. The right to privacy of contract falls under the provisions of the first amendment to the Constitution.

Mr. CONTE. Tell him to plead the first amendment then, so we will have it as a matter of record.

Mr. RAY. All right, plead the first amendment.

Mr. HAYES. I will, sir.

Mr. MOORE. Mr. Chairman, I do not know whether to applaud or what to do. Have you now pleaded the first amendment?

Mr. HAYES. I have.

Mr. IRWIN. Yes, he has.

Mr. CONTE. May I finish?

As the reason that you refused to testify yesterday and today?

Mr. MOORE. That is what I wanted to ask.

Mr. HAYES. To protect the privacy of our membership.

Mr. RAY. Of contracts.

Mr. HAYES. Contracts of members.