

Mr. CONTE. You are engaged in the rewarding, mercantile business of advising clients for a fee as to how the latter may obtain the most liberal exemptions from the Federal tax laws. Therefore, I maintain that that case is not in point.

Mr. RAY. You may maintain that, Mr. Conte.

Mr. CONTE. In other words, you are advising your client not to answer these questions, based on the first amendment.

Mr. RAY. On the fourth amendment, the right to privacy, and that he has the nexus is sufficient——

Mr. CONTE. Are you pleading the first amendment?

Mr. RAY. You forced him under the first amendment to protect himself.

Mr. CONTE. Wait a minute; I didn't force him into anything. We kicked this around for hours last week. He was not forced into anything. He wasn't coerced. You advised him as his attorney. You can go back and check the record.

Mr. RAY. I have.

Mr. CONTE. Well, don't use that word "force" loosely here. He was not forced into anything. Is that right?

Mr. RAY. Mr. Patman referred to you as an interrogating member in that exchange.

Mr. CONTE. I was questioning him, and he was not forced. Will you go back and check the record and show me where he was forced? He did it under his own free will, of his own volition, and with advice of counsel. Is that correct?

Mr. RAY. I believe——

Mr. CONTE. Mr. Hayes, may I ask you the question: Were you forced in pleading the first amendment last week?

Mr. HAYES. Will you state the question again, Mr. Conte?

Mr. CONTE. Mr. Hayes, were you forced by this committee to plead the first amendment last week? If so, will you read from the record as to just where you were forced.

Mr. HAYES. I think the demand was made.

Mr. CONTE. There was no demand made. I ask you whether or not you wanted to plead the first amendment, and you answered in the affirmative. Will you answer that?

Mr. HAYES. I refer this to counsel.

Mr. RAY. You stated after quoting *Wilson v. The United States*, Mr. Conte, which was a corporation case, about a creature of the State, and we suggested that the trust is not a creature of the State——

Mr. CONTE. I suggested that a trust comes under the jurisdiction of a State.

Mr. RAY. You also suggested——

Mr. CONTE. Somewhat analogous; right?

Mr. RAY (continuing). That this was a quasi-judicial body, and I interrupted with the *Watkins v. The United States* opinion, and you interrupted me right after I said that the Bill of Rights is applicable to these types of investigations, and you asked if we are claiming any constitutional rights. We said yes at that point, we will claim our first amendment rights.

Mr. CONTE. Exactly right. Where is the compulsion there?

Mr. RAY. Then here you said "Do you want to plead"——