

1 know, from time to time, that the doctrine of the separation  
2 of powers is such that he can instruct Members of the  
3 Executive Department not to testify before Congress. I  
4 think Mr. Sayre is asking you whether that would be true  
5 as a matter of Maryland law if this Section were not here.  
6 Could the Governor say that not only he did not want to  
7 appear, but direct any Members of the Executive Department  
8 not to appear, and I think that is implicit in Mrs. Freed-  
9 lander's earlier question also.

10 MR. CASE: I think he can do it. I don't know  
11 what the Legislature could do about it.

12 THE CHAIRMAN: I take it the purpose of this  
13 Section is to make it clear as a matter of Maryland con-  
14 stitutional law that that should not be the case.

15 MR. CASE: That is right, that they have the  
16 right to call them.

17 THE CHAIRMAN: Is that your question, Mr. Sayre?

18 MR. SAYRE: Yes. Therefore, I have reserva-  
19 tions about the length to which this goes, and I don't  
20 think it is clear that you couldn't even subpoena the  
21 Governor. I think your comment should at least be, other  
than the Governor, ~~inserted there or something.~~ It