

To the Honorable General Court
Of
The State of New Hampshire

A Memorial and Remonstrance

Daniel A. Richard
A Citizen Of
The State of New Hampshire

v.

President of the Senate,
Donna Soucy,
Speaker of the House of Representatives,
Stephen Shurtleff,

Under the Authority of the Constitution of New Hampshire, Bill of Rights Part I Article VIII;

“All power residing originally in, and being derived from the people, all the magistrates and officers of government, are their substitutes and agents, and at all times accountable to them.”

Now comes Daniel A. Richard of Auburn N.H. do hereby site and state the following violations of the Constitution of New Hampshire and the Constitution for the United States of America

Notice of Violation of Constitutional Articles.

Notice of Violations of the Rules of the General Court.

Notice that HB 687-FN thus violates the oath of office, and all persons concerned, are to take notice and govern themselves accordingly.

As an Inhabitant, a citizen of the said State, having taken into serious consideration, a Bill printed by order of the last Session of General Court, entitled “A Bill HB 687-FN relative to extreme risk protection orders,” and conceiving that the same if finally armed with the sanctions of a law, will be a dangerous abuse of power, I am bound as (a) faithful member of a free State to remonstrate against it, and to declare the reasons by which I am determined. I remonstrate against the said Bill,

1. Because the people hold it a fundamental truth, Part I Bill of Rights Article II,

“That all men have certain natural, essential, and inherent rights; among which are the enjoying and defending life and liberty— acquiring, possessing and protecting property —and in a word, of seeking and obtaining happiness”.

2. Because the people who established the Constitution of New Hampshire created Part I the Bill of Rights first for a reason, for enjoying and defending life and liberty, acquiring, possessing and protecting property, and in a word, of seeking and obtaining happiness. Part II Form of Government was created to protect Part I the Bill of Rights. The people’s fundamental rights are unalienable and as such cannot be deprived by legislative acts, nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body of the people (inhabitants) have given their consent by and through the amendment process of Part II Article 100. The General Court has no delegated power to amend the Constitution by legislative acts.

3. Because the Constitution of New Hampshire is a protection contract.

4. Because, Part I Bill of Rights Article XII;

“Every member of the community has a right to be protected by it in the enjoyment of his life, liberty and property; But no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. Nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body have given their consent.”

5. Because the General Court has duty to assemble for redress of grievance, Part I Bill of Rights Article XXXI;

“The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening and confirming the laws, and for making new ones, as the common good may require.”

6. Because the people have a right to petition or remonstrate the General Court, Part I Bill of Rights Article XXXII;

“The people have a right in an Orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives; and to request of the legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.”

7. Because the people have a right to require of their law-givers an exact and constant observance of them in the formation of the laws, Part I Bill of Rights Article XXXVIII;

“A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to justice, moderation, temperance, industry, frugality, and all the social virtues, are indispensably necessary to preserve the blessings of liberty and good government ; the people ought, therefore, to have a particular regard to all those

principles in the choice of their officers and representatives: And they have a right to require of their law-givers and magistrates, an exact and constant observance of them in the formation and execution of the laws necessary for the good administration of government.” and,

8. Because, HB 687-FN deprives every citizen of the State the substantive and procedural due process right required under the Constitution of New Hampshire and the rules of the General Court to create and enact any public policy, and

9. Because the General Court’s powers are defined by the people in Part II Article V, the power to enact and establish all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions and instructions, either with penalties or without; Said power also comes with the prohibition that they shall not create anything that is repugnant or contrary to said Constitution, and,

10. Because, HB 687 violates the constitutional compliance of Part II Article V and House rule 44 (d), and is repugnant and contrary to the State and Federal Constitutions.

11. Because, HB 687-FN violates the U.S. 14th amendment;

“No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

16. Because, United States Supreme Court; *Miranda v. Arizona*, 384 U.S. 436

“As courts have been presented with the need to enforce constitutional rights, they have found means of doing so. That was our responsibility when Escobedo was before us, and it is our responsibility today. Where rights secured by the Constitution are involved, there can be no rulemaking or legislation which would abrogate them.”

20. Because CHAPTER 92 TENURE AND OATH OF OFFICE IN CERTAIN CASES N.H.RSA 92:2 Oath Required. – and any such person who violates said oath after taking the same shall be forthwith dismissed from the office or position involved.

21. Because any such violation of oath office which results in the deprivation of rights under color of law is subject to 42 U.S. Code § 1983. Civil action for deprivation of rights;

“Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.”

I, Daniel A. Richard swear that all the information provided above to be true and correct.

Executed the _____ day of _____, Two Thousand, Twenty
