

# New Hampshire Legislature

Care of: **Karen O. Wadsworth**

November 20, 2012

Dear Karen,

I have been looking for months for the proper historical format and venue by which I should seek Constitutional redress as per Article 31, yet I have failed to find any guidance to do so.

All the petitions I have found dating from 1703 to the one for the Rockingham County Race Track were either submitted directly to the Governor prior to 1784 or to the Legislature thereafter.

You are the only clerk that I'm aware of and I trust that in good faith you will take the necessary steps to insure these documents get recorded in their proper place.

Therefore, please find enclosed a notarized copy of my Article 31 "Notice of Grievance and Demand for Redress" as well as the exhibits mentioned therein.

- The Notarized Notice mentioned above (4 page)
- Exhibit A – House Findings on Redress Petition #28 (2 pages)
- Exhibit B – A Notarized Affidavit of Human Rights Violations (17 pages)
- Exhibit C – Copy of SOS Certified pages of the 1812 Senate Journal (6 pages)

6 Pages

I certify that on this 20<sup>th</sup> day of November 2012, a copy of this "Notice of Grievance and Demand for Redress" as well as the exhibits mentioned therein have been emailed to the House of Representatives at [hreps@leg.state.nh.us](mailto:hreps@leg.state.nh.us)

Please feel free to contact me should you need anything from me to help me secure justice.

Thank you for your time and assistance,

Ghislain Breton

Care of:

35 Austin street [03102]

Manchester New Hampshire

1                   **Notice of Grievance and Demand for Redress**  
2                   **By authority of the New Hampshire Constitution**  
3                   **Part the First, Article 31**

4  
5                   **Regarding acts committed by the State of New Hampshire Judiciary**  
6                   **Against Ghislain Breton and his four daughters**  
7

8  
9                   **Comes now**, Ghislain<sup>1</sup> of the family Breton, (aka<sup>2</sup> “Petitioner #28”) one of the People  
10 living on the land called New Hampshire, a contributing beneficiary to the public trust,  
11 for the purpose of laying before the New Hampshire Legislature as per Part the First,  
12 Article 31, of the New Hampshire Constitution, pertinent facts regarding this Notice of  
13 Grievance and Demand for Redress to wit;  
14

15  
16                   **Whereas** the New Hampshire House Redress Committee in the second year of the 162<sup>nd</sup>  
17 General Court, found that three of this petitioners most fundamental rights were violated  
18 by current New Hampshire supreme court justice **Robert LYNN** and retired New  
19 Hampshire supreme court justice **James DUGGAN**; those 3 violations being - 1) my  
20 **Right to a Speedy Trial**<sup>3</sup>, - 2) my **Right to the Assistance of Counsel**<sup>4</sup> and - 3) my  
21 **Right to Reasonable Bail**<sup>5</sup>, and,  
22

23  
24                   **Whereas** this petitioner was 1) without the Assistance of Counsel for his defence, and 2)  
25 was without meaningful access to any law material for his defence, this petitioner had no  
26 choice but to abstain from participating whatsoever in the sham Trial, and  
27

28  
29                   **Whereas** the injustice wrought by these two New Hampshire Supreme Court Justices  
30 resulted in the incarceration of this petitioner on three occasions, being - 1) from Monday  
31 March 22<sup>nd</sup> 2004 to Sunday July 17<sup>th</sup> 2005 for a total of 482 days and - 2) from October  
32 10<sup>th</sup> to November 2<sup>nd</sup> 2005 for a total of 22 days, and - 3) one day in February 2006; **loss**  
33 **of liberty totaling 505 days** and,

---

<sup>1</sup> Genesis 1:27 – 28 “So God created man in his *own* image,” “... and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over ...” “... every living thing that moveth upon the earth”.

<sup>2</sup> Finding of the Redress Committee for Petition 28 found at this link are attached as exhibit A  
[http://www.gencourt.state.nh.us/house/caljourns/calendars/2012/houcal2012\\_48.html](http://www.gencourt.state.nh.us/house/caljourns/calendars/2012/houcal2012_48.html)

<sup>3</sup> Speedy Trial Policy based on *Barker v. Wingo*, 407 U.S. 514... (1972)

<sup>4</sup> Part 1, Article 15 of the New Hampshire Constitution

<sup>5</sup> Part 1, Article 33 of the New Hampshire Constitution

November of the Second Year of the 162<sup>nd</sup> Legislature in Conomtion

34 **Whereas**<sup>6</sup> this same prejudice resulted in - 1) approximately 1825 days of probationary  
35 intrusion into this petitioners life as well as - 2) the humiliation of a felony conviction,  
36 and - 3) the loss of this petitioners right to bare arms in defense of self, family and  
37 property, and most importantly - 4) an excessively strained relationships between this  
38 petitioner and his 4 daughters, and,  
39  
40

41 **Whereas** this petitioner, acknowledges and accepts the Oaths of Office of all current and  
42 future members of the New Hampshire Legislature as being oaths pursuant to the New  
43 Hampshire Constitution and,  
44  
45

46 **Whereas** this petitioner, acknowledges and accepts the Oaths of Office of all current and  
47 future Governors, Secretary of State and Executive Council Members as being oaths  
48 pursuant to the New Hampshire Constitution and,  
49  
50

51 **Whereas** this petitioner, acknowledges and accepts the Oaths of Office of all past,  
52 current and future judicial officers in New Hampshire, as being oaths pursuant to the  
53 1784 New Hampshire Constitution and,  
54  
55

56 **Whereas** this petitioner, acknowledges and accepts the Oaths of Office of all past,  
57 current and future court clerks in New Hampshire, as being oaths pursuant to the 1784  
58 New Hampshire Constitution and,  
59  
60

61 **Whereas**<sup>7</sup>, the New Hampshire Constitution states "When men enter into a state of  
62 society, they surrender up some of their natural rights to that society, in order to ensure  
63 the protection of others; and, **without such an equivalent, the surrender is void.**" and,  
64  
65

66 **Whereas**<sup>8</sup> the New Hampshire Constitution states "All power residing originally in, and  
67 being derived from, the people, **all the magistrates and officers of government are**  
68 **their substitutes and agents, and at all times accountable to them.**" and,  
69  
70

71 **Whereas** "The sovereignty of a state does not reside in the persons who fill the different  
72 departments of its government, **but in the people**, from whom the government emanated;  
73 and they may change it at their discretion. **Sovereignty**, then in this country, abides with

---

<sup>6</sup> A detailed Affidavit regarding this entire matter is attached as Exhibit B

<sup>7</sup> Part 1, Article 3 of the New Hampshire Constitution

<sup>8</sup> Part 1, Article 8 of the New Hampshire Constitution

November of the Second Year of the 162<sup>nd</sup> Legislature in Conomtion

74 the constituency, and not with the agent; and this remark is true, both in reference to the  
75 federal and state government." (*Spooner v. McConnell*, 22 F 939, 943) and,

76

77

78 **Whereas** we, the people of New Hampshire, saw fit to **issue a direct mandate** to the  
79 Legislature<sup>9</sup> in 1784, stating that "**The legislature shall assemble** for the redress of  
80 public grievances and for making such laws as the public good may require.", and,

81

82

83 **Whereas** page 339 of the 1812<sup>10</sup> New Hampshire Senate Journal makes known these  
84 words "The House of Representatives are now ready to meet in **conomtion to proceed in**  
85 **the public hearings...**" and again in the next paragraph "**The Senate met the Hon.**  
86 **House in conomtion** and after attending to the hearing on the petition of Elunt Eastman  
87 & David Chens ..." and afterward the words "...**the conomtion arose** with (\*ea\*\*<sup>11</sup>) to  
88 sit again (\*\* the<sup>12</sup>) Senate returned to their Chambers",

89

90

91 **Therefore** I, Ghislain, wish to have my grievances heard before the Legislature in  
92 conomtion according to law, for the purpose of attaining Redress for the wrongs done to  
93 my daughters and I by the State of New Hampshire, that we may close this chapter of  
94 abuse on our lives and move on with the pursuit of our Natural rights as secured by Part  
95 One<sup>13</sup> Article 2 of the New Hampshire Constitution and Public Law<sup>14</sup> 97-280, and,

96

97

**It is now therefore my wish that my daughters and I, contributing  
Benefactors to New Hampshire's public trust, be made comprehensively whole.**

98

99

100

**The nature of the abuse we suffered began at the hands of the family courts;  
it was the catalyst, which led to all that is now before you.**

101

102

103

**How do I begin to address the damage done to my daughters and I, ... when  
they no longer even communicate with their dad, the ex-con?**

104

105

<sup>9</sup> Part 1, Article 31 of the New Hampshire Constitution

<sup>10</sup> (4 pages) Copy of the pages of the 1812 Journal included as Exhibit C

<sup>11</sup> Unidentified word

<sup>12</sup> Unidentified word

<sup>13</sup> [Art.] 2. [Natural Rights.] 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. Equality of rights under the law shall not be denied or abridged by this state on account of race, creed, color, sex or national origin.

<sup>14</sup> 96 Stat. 1211 aka Public Law 97-280 - October 4, 1982 Congress declares the Bible to be "THE WORD OF GOD"

November of the Second Year of the 162<sup>nd</sup> Legislature in Conomtion

106 This Article 31 Petitioner believes the following to be a reasonable list of demands, in  
107 order for Redress to be considered effectual and comprehensive,

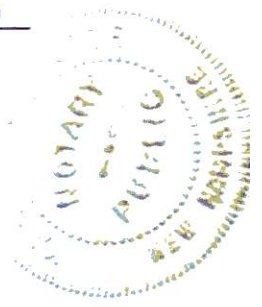
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149

1. Provide an official public apology in both the Union Leader and Concord Monitor for the damage caused us at the hands of the New Hampshire Judiciary
2. Independently compensate my four daughters as they see fit for allowing the New Hampshire Judiciary to destroy their relationship to their Father
3. Clear my criminal record of all related charges [I have no other record]
4. Return **all my property** from the Bow Police Department
5. Compensate me for every day **I was intentionally incarcerated** by these rogue agents of the New Hampshire Judiciary at \$17,000 dollars per day
6. Compensate me for 1825 days of probationary intrusion into my life at \$500 a day
7. Strip both Robert Lynn and James Duggan of their titles and public pensions for knowingly and intentionally violating my Rights, their Oaths of Office and their good behavior tenure.
8. Create an elected 25 member Judicial Review Jury for each County for the removal of Judges violating either their good behavior tenure or their Oaths of Office by a simple majority vote.

I, Ghislain of the family Breton, do hereby file this Article 31 Petition for Redress with the New Hampshire General Court as an act of my own free will as one of the people living on this soil called New Hampshire.

Ghislain of the family Breton

Inscribed before me on this 20  
Day of November 2012  
in the State of N.H.  
County of Hillsborough



KAREN KIM LIZOTTE  
Notary Public - New Hampshire  
My Commission Expires December 20, 2015

My commission expires \_\_\_\_\_

NEW HAMPSHIRE  
DEPARTMENT OF STATE

Office of Secretary of State

**APOSTILLE**

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America
2. This public document has been signed by Karen Kim Lizotte
3. Acting in the capacity of Notary Public
4. Bears the seal/stamp of Notary Public in the State of New Hampshire

*Certified*

5. at Concord, New Hampshire
6. the twentieth day of November, 2012
7. by David M. Scanlan, Deputy Secretary of State of the State of New Hampshire
8. No. 2012- 2779
9. Seal of the State of New Hampshire



A handwritten signature in black ink, appearing to read "D. M. Scanlan", is written over a horizontal line.

10. Signature

David M. Scanlan  
Deputy Secretary of State

# Exhibit A

# HOUSE RECORD

## Second Year of the 162<sup>nd</sup> General Court Calendar and Journal of the 2012 Session

---

Vol. 34 Concord, N.H. Friday, June 15, 2012 No. 48  
Contains: Governor's Veto Message on HB 1594, Meetings and Notices.

---

### HOUSE CALENDAR

#### MEMBERS OF THE HOUSE:

The House will meet in Session on **Wednesday, June 27, 2012 at 10:00 a.m.** We will take up veto messages received from the Governor.

The Committee on Redress of Grievances continues to issue its reports and findings with regard to petitions submitted to the Committee. These reports will appear in the House Calendar for informational purposes and are intended to inform legislators and the public of complaints by citizens against state government, whether those complaints appear to be founded, and possible legislative remedies. The committee does not adjudicate individual disputes; therefore, these reports are limited to proposed legislative remedies.

Members are requested to review House Rules 9 through 16, 24 and 27 with regard to decorum. As the election draws near, civility in general is obviously becoming strained, but even for those who are not well-grounded in acceptable standards of behavior and discourse, these rules establish a minimum level of expected conduct while the House is in Session. In particular, we need to be attentive to the last sentence of Rule 14, which states, "[W]hile a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation."

Starting with the month of July and continuing through the end of this legislative term, legislative mileage will be limited to reimbursement for travel on one day a week to Concord for official legislative or constituent work in addition to those days that members are required to be in Concord for official committee or leadership work. Reimbursement for committee or leadership purposes is limited to attendance as policy, chaptered or statutory committee members or for Democrat or Republican caucus leadership or legislative leadership.

**Chairmen and Vice-Chairmen will meet Tuesday, June 26, 2012 in LOB 305 – 307 at 9:00 a.m. Please make every effort to attend.**

William L. O'Brien, Speaker

### NOTICE

The House calendar closes at **3:00 p.m. on Wednesdays** for scheduling and notices. Please be sure to do your scheduling in order to meet that deadline.

**CLOSES NOON THURSDAY:**

June 21  
June 28

**AVAILABLE FRIDAY:**

June 22  
June 29

Karen O. Wadsworth, Clerk of the House



# COMMITTEE FOR REDRESS OF GRIEVANCES REPORTS

The following reports are the result of committee hearings and deliberations on the petitions presented to it. These are printed here for informational purposes.

## **PETITION # 28: grievance of Ghislain Breton.**

### **MAJORITY**

#### **Grievance Founded with Recommendations.**

##### **Committee Majority Findings:**

Having heard the testimony of and reviewed the documentation submitted by the Petitioner, the Committee finds that he was subjected to 126 days of pretrial incarceration without a "show cause" hearing being held, in apparent contravention of the Superior Court's speed trial policy (*see* Appendix, Superior Court Rules, Speedy Trial Policy), which states that "Where the defendant is incarcerated, every case pending without disposition after 4 months from date of entry of indictment shall be scheduled forthwith for a show cause hearing as to whether, under the principles of *Barker v. Wingo*, 407 U.S. 514... (1972), the case should be dismissed for lack of a speedy trial." The Committee also finds that the Petitioner, who had no prior criminal record, had never previously failed to appear in court when required, and was not charged with a violent crime, was nevertheless effectively denied bail, contrary to Part 1, Article 33 of the New Hampshire Constitution, by being subjected to an excessive cash bail and not permitted surety bail bond. Finally, the Committee found that the Petitioner was unjustifiably denied lawful counsel of his choice and access to law library resources during pretrial detention, thereby depriving him of a reasonable opportunity to prepare his defense. The Committee concludes that wrongful actions of the Petitioner, while unacceptable, were driven by the same sense of frustration and injustice in the Family Division reported independently by numerous other petitioners before the Committee.

The Committee recommends the introduction of legislation to establish a joint House-Senate committee to study: 1) whether there is a systemic problem with denial of speedy trials and/or imposing of excessive bail within our court system; 2) Whether and how to make it easier for *pro se* litigants to use counsel of their choice in criminal cases; and 3) whether to require all criminal and civil courts to protect all *pro se, sui juris* litigants *sua sponte*. The Committee further recommends the introduction of legislation making it mandatory for litigants incarcerated pretrial to have access to online legal materials and other lawful research websites, as well as access to copiers, printers and scanners at reasonable cost, in order to provide them with a reasonable opportunity to prepare a proper defense. Finally, the Committee recommends legislation to compensate the Petitioner for any time he was wrongfully imprisoned pretrial and to take the money from the budget of the judiciary. Vote 9-3.

Rep. Stella Tremblay for the Majority of the Committee

### **MINORITY**

#### **Grievance Unfounded.**

##### **Committee Minority Findings:**

Regrettably, Mr. Breton has been unable to see his children for many years due to various legal conflicts. However, the Minority saw no pattern of official wrongdoing, and they were unable to justify any finding other than "Unfounded."

Mr. Breton's legal problems mostly stemmed from an attempt to enforce a so-called common-law trademark on his name. He tried to impose one-sided contracts based on that trademark on various individuals, including two Guardians ad Litem. The Minority agrees that those contracts and that trademark were both invalid according to court rulings.

In the Minority's opinion, the courts treated Mr. Breton fairly during his many years of litigation. Mr. Breton alleges that he was denied counsel of choice, which is not exactly correct: Mr. Breton was merely denied the chance to use persons who were not recognized as expert counsel.

Rep. Timothy O. Horrigan for the Minority of the Committee

# Exhibit B

# New Hampshire House of Representatives

## Redress Petition #28

### - - - Affidavit of Truth - - -

REGARDING

### Human Rights Violations

Committed by Judges ROBERT LYNN, JAMES DUGGAN and KATHLEEN MCGUIRE  
as well as AAG ROBERT CAREY et al

COMES NOW, Ghislain: Breton, a non-corporate, natural born, living breathing being on the soil of New Hampshire, to hereby notice the New Hampshire General Court of truths and facts known and unknown to wit;

I, Ghislain, one of The People of New Hampshire do solemnly swear under the pains and penalties of perjury under the laws of the United States of America that;

- I have personal knowledge of the truths and facts stated herein
- I am not under the lawful guardianship or disability of another
- I am of lawful age to bring forth this affidavit
- The statements contained herein are to the best of my knowledge, true, correct and complete.

#### NOTICE TO PRINCIPAL IS NOTICE TO AGENT NOTICE TO AGENT IS NOTICE TO PRINCIPAL

This 17 page Affidavit can only be rebutted, point for point, by a living breathing being with first hand knowledge, under the pains and penalties of perjury under the laws of the United States of America, and must be filed with New Hampshire House Clerk Karen Wadsworth and Redress Committee members Paul Ingbretson and George Lambert  
by May 10<sup>th</sup> 2012

Failure of any interested party to rebut this affidavit in like manner according to RSA 491:8-a by May 10<sup>th</sup> 2012 will be construed as agreement by any interested parties to the facts contained herein.

**“Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.”**  
United States v. Tweel, 550 F.2d 297 (5th Cir. 04/08/1977)

#### Warning:

**WHEREAS all public officers**, within whatever branch and whatever level of government, and whatever be their private vocations, **are trustees of the people**, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts, **THEREFORE**, if you have received this Affidavit and *occupy an office of Public Trust*, You are bound by your OATH of OFFICE to act on behalf of The People.

## **“Justice Delayed is Justice Denied”**

"There is no common law judicial immunity." **Pulliam v. Allen**, 104S.Ct.

"**Immunity fosters neglect and breeds irresponsibility** while liability promotes care and caution, which caution and care is owed by the government to its people." (Civil Rights) **Rabon vs. Rowen Memorial Hospital, Inc.** 269 N.S. 1, 13, 152 SE 1 d 485, 493.

"Judges not only can be sued over their official acts, but could be held **liable for injunctive and declaratory relief and attorney's fees.**" **Lezama v. Justice Court**, A025829.

"The **immunity of judges** for acts within their judicial role is beyond cavil." **Pierson v. Ray**, 386 U.S. 547 (1957).

"**An unconstitutional act is not law**; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." **Norton vs. Shelby County**, 118 US 425 p. 442.

---

This affidavit contains a brief background, which is followed by a portion of the allegations made by me on February 7<sup>th</sup> 2012, before the House Redress Committee against Judges Robert Lynn, James Duggan and Kathleen McGuire as well as former AAG Robert Cary et al as follows:

- Denial of the Assistance of Counsel by
  - Judge Robert Lynn
  - Judge James Duggan
  - Merrimack County Jail Officers
  
- Denial of Speedy Trial Rights by
  - Judge James Duggan
  - Judge Kathleen McGuire
  - AAG Robert Cary
  
- Denial of Reasonable Bail
  - Judge Robert Lynn
  
- Denial of an Evidentiary Hearing by
  - Judge Kathleen McGuire
  
- Cruel and Unusual Punishment by
  - Judge Robert Lynn
  - Judge James Duggan
  - Judge Kathleen McGuire

## **Background**

1. In 1993 my ex-wife and I moved with our daughters from Londonderry to Bow.
2. In mid 2001 [REDACTED] moved in next door.
3. In January 2002 my ex-wife filed a [REDACTED] restraining order to get me out of the house. Concord District Court case [REDACTED]
4. [REDACTED] I convinced her to vacate the order 8 days later.
5. By Mothers Day of 2002 [REDACTED] and ex-wife were “together”.
6. They married in 2005.
7. Like many other fathers in New Hampshire I was never accused, formally or otherwise, of any wrongdoing, I was simply guilty because I was the dad.
8. I was stripped of the life I knew as a dad, stripped of my children and stripped of all local relationships in Bow by “Family” attorneys, Guardian Ad Litem, “child” therapists, etc... et cetera of the New Hampshire “**Family Court**” System.
9. As of January 2004, I had not seen my 2 oldest daughters in about 18 months.
10. In an attempt to restore those relationships and other portions of my life, I used an unpopular legal maneuver to try to reduce the impact the “**Family Court**” was having on me.
11. The courts did not look favorably on me but instead (BAR Association) retaliated against me with the help of the Attorney Generals Office.
12. In 2004, at the age of 39, I had no criminal record whatsoever.
13. In 2004, I neither harmed nor threatened harm to anyone, nor did I intend to injure any People or Property.
14. For record keeping purposes and to avoid any appearance of impropriety, all **Trademark/Tradename** contracts were served through the Sheriff's Dept.
15. Based on contract defaults, I placed a “Notice of Collateral” on 2 properties belonging to 2 different persons.
16. These 2 “liens” resulted in a temporary “cloud” on the titles to these properties, which were later removed by the courts without my consent **despite both the Secretary of State and the Registrar of Deeds testimony** that my filings were lawful and complete.

17. For these victimless crimes I did **2 years at the OLD Merrimack County Jail** and spent **5 years on probation** and was **threatened with 21 more years in prison.**

18. My 4 daughters and I have been deprived of 10 (ten) years of enjoying each others company for no reason other than to fund the Marital Master program and to bring in **Social Security Title IV money** to validate its existence!

19. **IT IS NOW 2012** and;

- a. **I have not seen my 2 oldest daughters since 2002**
- b. **I have not seen my 3<sup>rd</sup> daughter since 2007**
- c. **I have not seen my youngest daughter since January 2011**

**Obviously there is much more to this story**, but for the purposes stated in my Redress Petition, the rest of the story will only distract you from seeing the obvious.

The Attorney Generals office and the above named Judges have yet to be held accountable for the abuses they committed against my family in the name of justice in 2004.

- **NH RSA 629:3 Inchoate Crimes - Conspiracy**
  - I. A person is guilty of conspiracy if, with a purpose that a crime defined by statute be committed, he agrees with one or more persons to commit or cause the commission of such crime, and an overt act is committed by one of the conspirators in furtherance of the conspiracy.
  - II. For purposes of paragraph I, "one or more persons" includes, but is not limited to, persons who are immune from criminal liability by virtue of irresponsibility, incapacity or exemption.
  - III. It is an affirmative defense to prosecution under this statute that the actor renounces his criminal purpose by giving timely notice to a law enforcement official of the conspiracy and of the actor's part in it, or by conduct designed to prevent commission of the crime agreed upon.
  - IV. The penalty for conspiracy is the same as that authorized for the crime that was the object of the conspiracy, except that in the case of a conspiracy to commit murder the punishment shall be imprisonment for a term of not more than 30 years.
- **42 USC 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**, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

- Thus, neither Judges nor Government attorneys are above the law. See *United States v. Isaacs*, 493 F. 2d 1124, 1143 (7th Cir. 1974). In our judicial system, **few more serious threats to individual liberty** can be imagined **than a corrupt judge** or judges acting in collusion **outside of their judicial authority** with the Executive Branch to deprive a citizen of his rights.
- In *Stump v. Sparkman*, 435 U.S. 349 at 360 (1978), the Supreme Court confirmed that a judge would be immune from suit **only if he did not act outside of his judicial capacity** and/or was not performing any act expressly prohibited by statute. See Block, *Stump v. Sparkman* and the History of Judicial Immunity, 4980 Duke L.J. 879 (1980).

20. In June of 2011, on my behalf, Representative John Hikel filed a Petition for the Redress of my Grievances.

21. On February 7<sup>th</sup> 2012, I testified before the House Redress Committee about some of the abuses committed against me by The AG's Office and the above-mentioned Judges.

**The following pertains to:**

**Denial of my Right to the Assistance of Counsel of my Choice**

**Committed by then**

**Chief Justice Robert Lynn, Supreme Court Justice James Duggan**

**As well as the staff at**

**The Merrimack County House of Corrections**

**in case # 217 – 2004 – CR – 00313 - 317**

**Corpus Juris Secundum "The Body of Law" or Legal encyclopedia, Volume 7, Section 4: as quoted: "Attorney & client: An Attorney's "first duty" is to the Courts (1st) and the public (2nd) and not to the client (3rd), and wherever the duties to an attorney's client "conflict" with those interests that he/she owes his allegiance to, as an officer of the court in the administration of justice, the former must yield to the latter".**

Both Article 15 of the New Hampshire Bill of Rights and Article 6 of the United States of America Bill of Rights have secured my Right to the assistance of counsel.

They read as follows;

- [Art.] 15. [Right of Accused.] ...Every subject shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him face to face, and to be fully heard in his defense, by himself, and counsel.
- 6<sup>th</sup> Amendment; In all criminal prosecutions, the accused shall enjoy ... and to have the Assistance of Counsel for his defence

*United States v. Gonzalez-Lopez*, 548 U.S. 140 (2006),

Justice Antonin Scalia, writing for the majority (5-4), held that the denial of Gonzalez-Lopez's right of choice of counsel was a structural error, requiring reversal without harmless error analysis. The Scalia opinion reasoned that the refusal to let Low represent Gonzalez-Lopez caused effects that could never be adequately measured for harmless error, because it is impossible to speculate on what the effect that a different attorney and one that the defendant wished to have would have had on the proceedings — including, whether a trial would have occurred in the first place. The entire proceeding was therefore unfair and unreliable, and must be reversed. Justice Scalia was joined by Justice John Paul Stevens, Justice David Souter, Justice Ruth Bader Ginsburg, and Justice Stephen Breyer.

22. At my arraignment on March 22<sup>nd</sup>, 2004 Chief Justice Lynn told me that Dan McGonigle and Joe Olson could not **assist me with counsel** because they were not attorneys.
  - a. Chief Justice Lynn told me that Dan McGonigle and Joe Olson might be able to **represent me** if they filled out the proper paperwork with the court.
  - b. I demanded Counsel of my Choice and never once requested representation from the Court.
  - b. **I never waived my Right to the Assistance of Counsel of my Choice.**
  - c. On March 20<sup>th</sup> 2012, **Dan McGonigle testified** before the House Redress Committee **both verbally and with affidavits** in regards to both his **readiness and his availability as my Assistance of Counsel throughout 2004.**
23. When jailed at the Merrimack County House of Corrections (MCHOC) I listed Dan McGonigle and Joe Olson as my counsel.
  - a. In the first week at the MCHOC, I was randomly visited 3 times by my counsel Dan McGonigle. As my counsel, Dan was able to come and **go as his schedule allowed.**



- b. On the March 30, 2004, Dan once again came to assist me with counsel but was not allowed to see me.
  - c. On April 5<sup>th</sup> 2004, I noticed that **the jail had posted a notice** on their walls stating “Joe Olson and Dan McGonigle are not Breton’s Attorneys”
    - i. I was denied the Assistance of Counsel for the next 16 months of my incarceration.
    - ii. On March 20<sup>th</sup> 2012, Dan McGonigle testified before the House Redress Committee both verbally and with affidavits in support of the above facts.
24. Supreme Court Justice James Duggan offered me “stand by counsel” on the 23<sup>rd</sup> day of July 2004.
- a. I did not accept Justice Duggan’s offer because the man asked to “stand by” me as counsel **admitted that he had no idea what the case was about.**
  - b. I was denied my Right to the Assistance of Counsel at the administrative Jury Trial held by Justice Duggan on July 27<sup>th</sup> 2004

**The following pertains to:**  
**Interference with my Right to Challenge Jurisdiction**  
**Committed by then**  
**Chief Justice Robert Lynn, Supreme Court Justice James Duggan**  
**in case # 217 - 2004 - CR - 313 - 317**

25. During my arraignment on March 22<sup>nd</sup> 2004, I was asked by Judge Lynn to put in a Plea to the charges I was facing.
26. My reply to the question “How Do You Plea ... ” was “I’m not gonna Plea and confer Jurisdiction to the Court” ... to which Judge Lynn pounded his desk and angrily stated “Mr. Breton, This Court Has Jurisdiction!”, AAG prosecutor Cary never answered my Challenge to Jurisdiction.
27. On July 23<sup>rd</sup> 2004, Judge Duggan asked me a question. The partial transcript shows that I did not consent to the Jurisdiction of the Court. My answer to Judge Duggan’s question was “I AM NOT THE PERSON YOU SEEK”
28. I had demanded all of my rights at all times and had refused to waive any of my rights at any time including my right to time.
29. As a major denial to answer the challenge to the Courts Jurisdiction, the court refused to acknowledge my specific demanded to an Article III Trial BY Jury.

30. My trial was 7 days too late,
31. in an Administrative Court which lacks Jurisdiction over both The People and common law issues
32. before an Administrative Hearing Judge and
33. a misled and uninformed Jury that had never heard of Jury Nullification.
34. I was deprived of my Liberty my Property and my Due Process Rights by BAR members in an effort by the above named persons to cover up the damage caused to my children and I.
35. My April 19<sup>th</sup> 2004 Demands for a Trial by a Jury of my Peerage, in a Judicial Article III Court of original jurisdiction, were denied.

**The following pertains to:**

## **Speedy Trial Rights Violations**

**by James Duggan  
and Criminal Case Reporting Judge  
Chief Justice Kathleen McGuire  
in case # 217 – 2004 – CR – 313 – 317**

36. **The New Hampshire Speedy Trial Rule “Policy” states;**

Where the defendant is incarcerated, every case pending **without disposition after 4 months** from date of entry or indictment **shall be scheduled forthwith for a show cause hearing** as to whether, under the principles of *Barker v. Wingo*, 407 U.S. 514, 92 S.Ct. 2182, 33 L.Ed.2d 101 (1972), **the case should be dismissed for lack of a speedy trial.**  
<http://www.courts.state.nh.us/rules/sror/sror-x.htm>

37. My Speedy Trial Right was violated due to;
  - a. The 127 days that passed prior to trial
  - b. The Deprivation of my Right to the Assistance of Counsel for my defence during that same extended 127 day period of incarceration.
  - c. Lack of access to a functional law library and to proper legal research material at the MCHOC during that same extended 127 day period of incarceration.
38. I was arrested and indicted on the morning of March 22<sup>nd</sup> 2004 and was tried before a Jury 127 days latter on July 27<sup>th</sup> 2004.

- a. On July 26<sup>th</sup> the STATE chose a Jury
  - b. On July 27<sup>th</sup> 2004 the STATE held its Jury Trial
39. On July 13<sup>th</sup> 2004, Chief Justice Robert J. Lynn sent a letter to Supreme Court Chief Justice John T. Broderick stating;
- a. "Inasmuch as the case is presently scheduled for trial on July 26, 2004, and **because the defendant has asserted his right to a speedy trial,** I request that you give this matter your immediate attention.
40. On July 15, 2004, Chief Justice John T. Broderick Jr. replied to the above-mentioned letter and assigned Supreme Court Justice James Duggan to pre-side over the case.
41. During a pretrial conference held on July 23, 2004, Joe Haas told Justice James Duggan that my Speedy Trial Rights were being violated and that he should check his math.
42. On July 23<sup>rd</sup> 2004, Joe Haas filed a Motion to Intervene in which he stated that both my Right to the Assistance of Counsel and my **RIGHT to a SPEEDY TRIAL** had been violated.
43. On July 26<sup>th</sup> 2004, **Justice Duggan denied Joe Haas' Motion** to Intervene thus providing proof on the record that Justice Duggan was both willingly and knowingly violating both my Right to the Assistance of Counsel and my **RIGHT to a SPEEDY TRIAL**.
44. On March 20<sup>th</sup> 2012, Joe Haas testified before the House Redress Committee that he had personally told Justice Duggan on July 23<sup>rd</sup> 2004, that my **RIGHT to a SPEEDY TRIAL** had been violated.

**[Art.] 18**

**New Hampshire Bill of Rights**

**[Penalties to be Proportioned to Offenses; True Design of Punishment.]**

**All penalties ought to be proportioned to the nature of the offense.**

No wise legislature will affix the same punishment to the crimes of theft, forgery, and the like, which they do to those of murder and treason.

Where the same undistinguishing severity is exerted against all offenses, **the people are led to forget the real distinction in the crimes themselves,** and to commit the most flagrant with as little compunction as they do the lightest offenses.

For the same reason a multitude of sanguinary laws is both impolitic and unjust.

**The true design of all punishments being to reform,**  
**not to exterminate mankind.**

45. Merrimack County Superior Court Criminal Case Monitoring Judge Kathleen McGuire neglected her responsibility and failed to schedule a **SHOW CAUSE HEARING** and thus violated the honest service clause found at 18 USC § 1346.
46. Both Kathleen McGuire and James Duggan violated the Superior Court Speedy Trial Policy and thus Knowingly and Willfully violated my **RIGHT to a SPEEDY TRIAL** according to *Barker v. Wingo*.
47. An **uninformed and misled Jury** found me guilty.
48. Judge Duggan sentenced me to 2 consecutive years in Jail, 5 years on probation and to 21 years in prison suspended. His sentence on me constitutes a **CRUEL and UNUSUAL PUNISHMENT** because; *The entirety of my actions had resulted in 2 clouded titles.*

The following pertains to:

## **“Unreasonable Bail”**

for a Victimless Crime  
by Robert Lynn on March 22<sup>nd</sup> 2004  
in case # 217 – 2004 – CR – 313 - 317

49. Bail conditions are used to secure the presence of the accused at future hearings.

[Art.] 33.

### **New Hampshire Bill of Rights [Excessive Bail, Fines, and Punishments Prohibited]**

No magistrate, or court of law,  
shall demand **excessive bail** or sureties,  
impose excessive fines,  
or inflict **cruel or unusual punishments**.

50. On March 22<sup>nd</sup> 2004, Justice Robert Lynn set bail in the amount of \$25,000 cash in case # 217 – 2004 – CR – 313
51. Due to the following facts there was no reason to be concerned of whether or not I would show up for the next hearing.
  - a. **I have never failed to appear** for any court hearing.
  - b. I had appeared that day **knowing that I was going to be arrested** because Judge Lynn had told me as much the week before on the 17<sup>th</sup> when he threatened to incarcerate me at the March 22<sup>nd</sup> 2004 hearing.
  - c. All of my immediate family at the time was within 30 miles of that court.

- d. My income was and still is based on a Boston area trade union since 1982.
  - e. I had an ongoing relationship with my 2 youngest daughters at the time which both lived about 7 miles away.
52. The high Bail set by Judge Lynn was enough to prevent me from having access to my Counselors Dan McGonigle and Joe Olson which constitutes a **CRUEL and UNUSUAL PUNISHMENT** because:
- a. I could not make bail and was therefore denied access to legal reference material and the Assistance of my Counsel Dan McGonigle.
  - b. I was NOT able to prepare for trial.
53. This Bail amount also played a key role in the violation of my **RIGHT to a SPEEDY TRIAL** according to *Barker v. Wingo*.

**The following pertains to:**

## **Denial of my Right to an Evidentiary Hearing**

**by Chief Justice Kathleen McGuire  
on April 5<sup>th</sup> 2004 in case 217-2004-DM-00247.**

54. My ex-wife again filed a motion for a restraining order for which a hearing was scheduled for April 5<sup>th</sup> 2004.
55. The Restrain Order was based on a complaint that I was harassing my ex-wife with copies of certified documents from the Merrimack County Registry of Deeds (our joint property) and with her copies of my pleadings in our divorce case.
56. At the April 5<sup>th</sup> "hearing" Justice McGuire saw fit to listen only to my ex-wife's complaint.
57. Justice McGuire rushed me to judgment by denying me a chance to be heard at the April 5<sup>th</sup> 2004 hearing.

**[Art.] 15.**

### **New Hampshire Bill of Rights [Right of Accused.]**

No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse or furnish evidence against himself.

**Every subject shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him face to face,**

**and to be fully heard in his defense, by himself, and counsel.**

No subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled or **deprived of his** life, **liberty**, or estate, **but by the judgment of his peers**, or the law of the land; ...

58. In mid September of 2005, a Deputy at the Merrimack County Visitation Center  
[REDACTED]

59. When asked what I had to say in response to the allegations against me, I stood up, and as I began to speak, Justice McGuire terminated the hearing claiming, "I've heard this before" and rushed out the back door.

60. On October 3<sup>rd</sup> 2005, [REDACTED]  
[REDACTED]

61. At about 5pm on October 3<sup>rd</sup> 2005, I received a phone call from a friend [REDACTED]  
[REDACTED]

That phone call lasted 40 minutes and **terminated at 5:36pm.**

62. My Nextel cell phone records showed I had received that call on my cell phone while it was linked to a cell tower at 900 Elm Street in Manchester with a 3 mile working radius and proved that throughout the entirety of the call, that my cell phone was linked to that same tower **at 900 Elm Street in Manchester.**

63. On October 3<sup>rd</sup> 2005, [REDACTED]  
[REDACTED]

64. [REDACTED]

[REDACTED] My dad told me that the October 3<sup>rd</sup> game began about 5 minutes late **at approx 5:35pm.**

65. [REDACTED]  
[REDACTED]

66. On October 3<sup>rd</sup> 2005 my ex-wife accused me of **driving by her house at 5:45pm.**

67. Within a couple days I was arrested for "violating the restraining order".

68. **I was deprived of my Liberty for 22 days** without a **Trial by a Jury** of my peers before I was **allowed** to make bail.

69. I was found **Not Guilty of violating the Restraining Order** because my phone records of that earlier **phone call proved** I was no were near her house at 5:45pm. [But then neither was she]

The following pertains to:

## **Breach of Fiduciary Duty to the Public Trust**

by the Attorney General's Office

in case # 217 - 2004 - CR - 00313 - 317

and again on March 20<sup>th</sup> 2012 before the House Redress Committee

Any state agency that operates "For Profit" is not de jure but de facto and **void of immunity** thus operating like any other publicly trading corporation as declared by the U.S. supreme Court - Clearfield Trust v. U.S., 318 US 363 - 1943.

70. We The People, **have never authorized the Attorney General's office to influence** OUR Grand Jury by withholding evidence; to omit evidence violates the TRUST of The People for whose sole benefit these agencies have been ordained to exist. (See The Judiciary Act of 1789)

71. OUR **Grand Jury** can only function as intended if they, the People of New Hampshire, are allowed to properly **discern ALL evidence** available.

"An officer who acts in violation of the Constitution  
**ceases to represent the government.**"  
Brookfield Const. Co. v. Stewart, 284 F.Supp. 94.

72. To withhold evidence from **The People of any Jury** is to deny the accused of a **Trial BY Jury.**

[Art.] 3.

**New Hampshire Bill of Rights**

**[Society, its Organization and Purposes.]**

When men enter into a state of society,  
they surrender up some of their natural rights to that society,  
in order to ensure the protection of others; and,

**without such an equivalent,**  
**the surrender is void.**

73. The Attorney General's office and it's officers have therefore consistently violated their Fiduciary Duty to the Public Trust by misleading and withholding evidence from;

1. 1<sup>st</sup> the Grand Jury on March 19<sup>th</sup>, 2004
2. 2<sup>nd</sup> Chief Justice Lynn on March 22<sup>nd</sup> 2004
3. 3<sup>rd</sup> Hearing Judge Duggan and Jury on July 27<sup>th</sup> 2004
4. 4<sup>th</sup> the Redress Committee on March 20<sup>th</sup> 2012.

## **63C Am.Jur.2d, Public Officers and Employees, §247**

“As expressed otherwise, **the powers delegated to a public officer are held in trust for the people** and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.

[1] Furthermore, the view has been expressed that **all public officers**, within whatever branch and whatever level of government, and whatever be their private vocations, **are trustees of the people**, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.

[2] That is, **a public officer occupies a fiduciary relationship** to the political entity on whose behalf he or she serves.

[3] **and owes a fiduciary duty to the public.**

[4] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.

[5] Furthermore, it has been stated that **any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy.**

Fraud in its elementary common law sense of deceit-and this is one of the meanings that fraud bears [483 U.S. 372] in the statute. See United States v. Dial, 757 F.2d 163, 168 (7th Cir1985) **includes the deliberate concealment of material information** in a setting of fiduciary obligation.

A public official is a fiduciary toward the public, **including, in the case of a judge**, the litigants who appear before him and **if he deliberately conceals material information from them, he is guilty of fraud.** McNally v United States 483 U.S. 350 (1987)

74. AAG Robert Carey et al mislead the Merrimack County Grand Jury on March 19, 2004 by withholding evidence in support of my common law claims in Trademarks and Tradenames.

75. AAG Robert Carey et al also mislead the that Grand Jury on March 19, 2004 by presenting the Grand Jury with misleading evidence as follows;

f. The AG's "evidence" presented to the Grand Jury against me was the case of **FEIST PUBLICATIONS, INC. v. RURAL TELEPHONE SERVICE CO., 499 U.S. 340 (1991)** found at [http://www.law.cornell.edu/copyright/cases/499\\_US\\_340.htm](http://www.law.cornell.edu/copyright/cases/499_US_340.htm)

i. JUSTICE O'CONNOR delivered the opinion of the Court in this FEIST case and began with;

- “This case requires us to clarify the extent of **copyright** protection available to **telephone directory white pages.**”



g. This **FEIST PUBLICATIONS** case regarding copyright protection available to telephone directory white pages **was also presented to Chief Justice Lynn** at my arraignment on March 22<sup>nd</sup>, 2004

i. Whereas, it is a well-established fact that I have never claimed rights to any phonebook listing, *this was an outright lie to the Grand Jury.*

h. **At no time did AAG Robert Carey et al present to the Grand Jury** on March 19, 2004 or to **Chief Justice Lynn** on March 22<sup>nd</sup>, 2004 the following **RSA's in support of my Trademark/Tradename claim.**

i. **350-A:14 Common Law Rights.** – Nothing herein shall adversely affect the rights or the enforcement of rights in **marks** acquired in good faith **at any time at common law.**

ii. **349:11 Prior Rights.** – Nothing herein shall adversely affect the rights or the enforcement of rights in **trade names** acquired in good faith **at any time at common law.**

"The individual may stand upon his constitutional rights as a citizen.

He is entitled to carry on his private business in his own way.

**His power to contract is unlimited.**

He owes no such duty to the State,  
since he receives nothing therefrom,

beyond the protection of his life and property.

His rights are such as existed by the law of the land

long antecedent to the organization of the State,

**and can only be taken from him by due process of law,**

and in accordance with the Constitution.

Among his rights are a refusal to incriminate himself,

and the immunity of himself and his property

from arrest or seizure except under a warrant of the law.

**He owes nothing to the public**

**so long as he does not trespass upon their rights."**

**Hale v. Henkel**, 201 U.S. 43 at 47 (1905)

76. On March 20<sup>th</sup> 2012, the AG's office through AAG Richard Head testified before the Redress Committee and submitted a packet of evidence with tabs "A" through "F".

**"To say that one may not defend his own property  
is usurpation of power by legislature."**

**O'Connell v. Judnich** (1925), 71 C.A.386, 235 P. 664.

77. On March 20<sup>th</sup> 2012, AAG Richard Head pointed out to the Redress Committee that Tab B of his evidence showed the “Zephyr” affidavit of publication in a newspaper of general circulation, but that **it was hard to read.**

“The claim and exercise of a Constitutional right cannot be converted into a crime.”

**Miller v. U.S.** 230 F 2d 486, 489.

78. On March 20<sup>th</sup>2012, **AAG Richard Head FAILED** to inform the committee that in 2004, I had given Public Notice of my **common law Trademark\Tradename** locally through both the Secretary of State office and the Merrimack County Registry of Deeds.

To be that **statutes** which would deprive a citizen of the **rights** of person or property without a regular trial, according to the course and usage of **common law**, **would not be the law of the land.**

(Jury) **Hoke v. Henderson**, 15, N.C. 15 25 AM Dec 677.

79. As evidenced in the AAG Head’s packet at Tab C, **AAG Richard Head FAILED** to inform the committee that all copies of the **common law Trademark/ Tradename** contracts were served along with a copy of the Local Public Notices filed with the Secretary of State and the Registrar of Deeds.

“If the **common law** can try the cause, **and give full redress**, that alone **takes away the admiralty jurisdiction.**”

**Ramsey v. Allegrie**, supra, p. 411.

80. On March 20<sup>th</sup>, **AAG Richard Head FAILED** to point out to the Redress Committee that the (Tab B) “Zephyr” affidavit was in regards to a “**common law Copyright Notice of Tradename/Trademark**”

“The phrase ‘**common law**’ found in this clause, is **used in contradistinction** to **equity**, and **admiralty**, and maritime **jurisprudence.**”

**Parsons v. Bedford**, et al, 3 Pet 433, 478-9.

81. On March 20<sup>th</sup>, **AAG Richard Head again MISLED the Redress Committee** by his repeated use of the word “copyright” when discussing the ELIZABETH DUNN contract found in his evidence packet at Tab C; **yet the word “copyright” never ONCE appears in the contract...!**

82. On March 20<sup>th</sup>, **AAG Richard Head FAILED** to point out that the New Hampshire RSA evidence in support of a **common law Tradename/Trademark** is on the last page of Tab "C" located in his evidence packet.

"When rights secured by the Constitution are involved, there can be **no rule making or legislation** which would abrogate them."  
**Miranda vs. Arizona, 384 US 436 p. 491.**

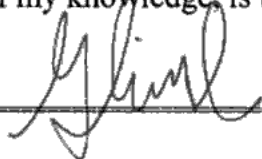
83. **AAG Richard Head FAILED** to point out that my "supporting documents" were recorded with the Merrimack Registry of Deeds at Book #'s 2611 and 2618 and later also filed in Belknap County at Book 2079 in an attempt to give "PUBLIC NOTICE" to the people in the immediate local area.

**[Art.] 12-a**  
**New Hampshire Bill of Rights**  
[Power to Take Property Limited.]  
**No part of a person's property shall be taken**  
by eminent domain **and transferred,**  
**directly or indirectly,**  
**to another person**  
if the taking is for the purpose of  
private development or  
**other private use of the property.**

84. On March 20<sup>th</sup>, **AAG Richard Head again MISLED the Redress Committee** by providing in Tab F of his evidence packet, some research done by former AAG ROBERT CARY on March 1<sup>st</sup> 2004 that only addressed "copyright" issues **to the exclusion** of the **common law Rights** I had claimed with regard to **Tradenames and Trademarks protected by NH RSA's 350-A:14 and 349:11**

I declare under penalty of perjury under the laws of the United States of America, that the foregoing, to the best of my knowledge, is true, correct and complete.

Ghislain: Breton

  
\_\_\_\_\_ LS



Subscribed and sworn to (or affirmed)

before me on this Thursday 5<sup>th</sup> day of

April Day 2016 Year

Audra J. Boynton  
Signature of Notary Public

NEW HAMPSHIRE  
DEPARTMENT OF STATE

Office of Secretary of State

**APOSTILLE**

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America
2. This public document has been signed by Audra J Boynton
3. Acting in the capacity of Notary Public
4. Bears the seal/stamp of Notary Public in the State of New Hampshire

*Certified*

5. at Concord, New Hampshire
6. the twentieth day of November, 2012
7. by David M. Scanlan, Deputy Secretary of State of the State of New Hampshire
8. No. 2012- 2775
9. Seal of the State of New Hampshire



10. Signature

A handwritten signature in black ink, appearing to read "D. M. Scanlan", is written over a horizontal line.

David M. Scanlan  
Deputy Secretary of State

# Exhibit C

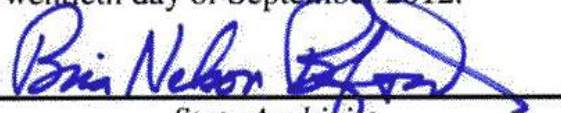
# State of New Hampshire

Department of State  
Division of Archives & Records Management



I, Brian Nelson Burford, State Archivist for the State of New Hampshire, having been duly authorized by the Secretary of State, William M. Gardner, to authenticate copies of records and papers kept by the Department of State, do hereby certify that the following and hereto attached, consisting of four page(s), are true copies of the original document(s) on file at the Division of Archives & Records Management.

**In Testimony Whereof**, I hereto  
Set my hand and cause to be affixed the  
Seal of the State, at Concord, NH, this  
Twentieth day of September 2012.

  
\_\_\_\_\_  
State Archivist

By authority of  
William M. Gardner  
NH Secretary of State



A vote for a committee to take into consideration so much of His Excellency's communication as relates to the choice of a Senator for Congress and report thereon - was brought up read & concurred -

Mr Fitch joined -

A vote for a Committee to ~~consider~~ report what compensation shall be made to the Rev. Mr. Breckford for preaching the Election Sermon, was brought up read & concurred - Mr Haven joined -

Message by Mr Ayer

"Mr President"

The House of Representatives are now ready to meet in convention to proceed in the public hearings" and he withdrew

The Senate met the Hon. House in convention and after attending to the hearing on the petition of David Chen <sup>Chas. Eastman</sup> & others and the petition Joshua F. Field the convention arose with leave to sit again & the Senate returned to their Chambers

The following Communication was received from  
His Excellency the Governor, by S. Spachhawke Esq Secretary,  
"To the Senate and House of Representatives.

I herewith communicate for the information of  
the Legislature the report of the Committee on the  
Hillsborough Bank; and the annual report of  
the adjutant General upon the Militia.

June 9. 1812-

William Plumer

On reading & considering the report of fore-  
going report voted That Mr Jackson with such  
as the House of Representatives may join be a com-  
mittee to take the same into consideration and report  
thereon - sent down for concurrence -

A vote granting the prayer of the petition of  
of Nathaniel Babbitt Jun. with liberty to bring  
in a bill, was brought up read & committed.

A vote that the remainder of the hearings which  
were to have been this day before the General



Court be postponed until tomorrow at ten o'clock in the fore noon; of which all persons concerned are to take notice and govern themselves accordingly ever brought up read and concurred.

A vote for a committee to consider the petition of John Akers and others and report thereon was brought up read and concurred.

Messrs Kimball & Quaker joined

A vote granting the prayer of the petition of Gotham Odion Bodge with liberty to bring in a Bill was brought up read and concurred.

A vote granting the prayer of the petition of Thomas Beebe and others with liberty to bring in a Bill, was brought up Read and concurred -

A resolve That Michael McLary Esq Adjutant General be allowed fifty dollars and fifty cents in full of his account and that said sum be paid him out of the Treasury, was brought up read and concurred - Presented

1  
A resolve that Daniel French Esq attorney  
General, have and receive one hundred and seventy  
five dollars in full for his ~~account~~ salary from  
his appointment to June 1812. and that said sum  
be paid him out of the Treasury, was brought up  
and read and commended.

### Presented

A vote that the account of J & W. R. Hill be  
referred to the Committee on the account of Samuel  
Whidelen and that they report thereon was brot  
up read and commended.

The Committee, appointed to prepare Rules for  
the negotiation of the Senate reported the following  
which were accepted.

I The President to see journal

A vote granting the prayer of the petition  
of Richard Morrill and others with liberty being  
in a bill was brot up read and commended.

pages 339-342 from the  
Journal of the [New Hampshire] Senate  
1810, 1811, 1812  
at NH State Archives  
bnb

I do hereby certify that the copy on this sheet is a  
true copy of the original document on file at the  
Division of Archives & Records Management, State  
of New Hampshire.

Sept. 20, 2012

Date

Brian Nelson Burford

Brian Nelson Burford  
State Archivist