

Notice of Trespass; Infringements of Constitutional Voting Rights and malfeasance of public office

To: The Town of RYE, NH

Moderator – Robert Eaton

Chairman: Selectman Bill Epperson, Bob McGrath, Tom King

Date: January 18, 2024

As per my civic duties and rights under the NH Constitution Part 1 Bill of Rights, Article 8 and Article 38. You are hereby instructed under the sovereign authority of the people, protected by Part I, art. 1. art. 2. art.7, art. 12. and art. 32. to cease and desist the use of electronic voting machines which are repugnant and contrary to the constitutional requirements for “sorting and counting votes,” as detailed in Part II, art. 32.

I am noticing you, of what I believe to be violations of malfeasance of office, as well as repugnant to my sovereign voting rights under the Nh. Constitution as well as federal law. (*42 U.S. Code § 1983 Civil action for deprivation of rights; and 18 U.S. Code § 241 - Conspiracy against rights.*

Count: 1 You as the Moderator have surrendered your sole constitutional *authority and duty to sort and count votes* (Part 2 Senate- Article #32 Nh. Constitution) to a voting machine which in fact now selects the winner, beyond the immediate authority/ scope of any audit or hand count (before the certification of election votes). This machine is operated and serviced by a private company, operating under proprietary software, with no citizen audit capability.

Count: 2 RSA 656:40 The state legislature provided the ability for the Selectmen to purchase on a “**trial basis**”, the use of Accuvote machine(s).

The legislature and or Ballot Law Commission NEVER voted to:

- a.) Suspend or amend Part 2 Article #32. Nor was the NH Constitution amended for machine voting.
- b.) The term “trial” was never officially defined, described or qualified and would require Machine/Hand count comparison to be considered a “trial”
(*Encarta Dictionary - trial- adj = *experimental*. - As a noun ...*preliminary competition*)
Therefore: Hand counting of all ballots (in machine use towns), was never suspended or amended by law.

Count: 3 A Voting Machine cannot sign an affidavit nor provide two witnesses (Selectman and Town Clerk - per Part 2 Senate Article #32)required by a court of law, for the purpose to attest votes were properly sorted and counted correctly, by at least two eye witnesses.

**I do not believe a known constitutional violation of the law by a town official; will be insured under the responsibility of the Town Insurance /Bond Holder.*

In light of the above facts -please suspend the use of voting machines immediately.

Please officially acknowledge receipt of this notice.

Respectfully,

Michael Bean
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Rye, NH
03870
978-479-1135