
In the One Hundred Eleventh
Congressional Session & General
Assembly
Of
The State of Tennessee

JOHN ANTHONY GENTRY;
SIMILARLY AGGRIEVED CITIZENS
OF
THE STATE OF TENNESSEE

MEMORIAL & REMONSTRANCE BY ADDRESS;
RESTORATION OF RIGHT OF PETITION &
REMONSTRANCE DEMANDED

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sui juris

Esteemed members of the House of Representatives of the 111th Congressional Session of the Tennessee General Assembly. I am approaching the members of the House in Memorial and Remonstrance by Address, on behalf of the people of this great state, and Mr. John Anthony Gentry.

We the people, citizens and inhabitants of the state of Tennessee hereby assert our unalienable and indefeasible right to reform our government pursuant to Tennessee Constitution Art. I, § 1, and we further assert our right to petition by address.

The right of petition, and the duty of the members of this House to uphold that right, guaranteed in Article I, § 23, has been forgotten by our people, causing much suffering and oppression. The fact that this right has not been formally exercised since the year 1850, before Mr. Gentry's Remonstrance last session, is proof positive that this right and our duty have been forgotten and that this constitutionally protected right is therefore unlawfully oppressed, and the government must be reformed.

This right of petition by address or remonstrance is fundamental to our form of government, and essential to the purpose of our government, defined in Article I, § 1, to provide for the peace safety and happiness of our citizenry.

Citing, *United States v. Cruikshank*, Supreme Court (1876): “*the very idea of a government, republican in form, implies a right of its citizens to petition for redress of grievances.*”

To demonstrate in the simplest of terms a petition for redress of grievance by address in remonstrance;

Imagine two siblings..., one tormenting the other. “Mom... Dad! Billy keeps pulling my hair and pinching me, make him stop!”

Imagine the parents ignoring the grievance of tormented sibling. Imagine the emotional devastation for the weaker sibling to have grievances ignored, and to be helpless in such a circumstance. Imagine no redress for the offended, no apology, no making right of the wrong, and no punishment for the offender.

For a parent to ignore a grievance like that is grossly negligent parenting. Yet, that same negligence persists in the members of these Houses as duly elected officials, whose very purpose is to ensure the peace, safety and happiness of our fellow citizens.

Since citizens no longer know of the right of petition or remonstrance, and because the members of these houses have forgotten our duty, a large number of our citizens are subjected to far worse torment by state officials.

This torment, also known as tyranny and oppression, rights violations and corruption, are much the same grievances that caused us to declare independence from Great Britain. These grievances, unheard, unredressed, often cause the same emotional trauma as that suffered by rape victims. The results of the negligence of the members of the House cause emotional and financial devastation so profound; victims turn to alcohol and drugs for relief, and sometimes suicide or vigilante justice.

In the words of our President;

Human rights abuse and corruption undermine the values that form an essential foundation of stable, secure, and functioning societies; have devastating impacts on individuals; weaken democratic institutions; degrade the rule of law; perpetuate violent conflicts; facilitate the activities of dangerous persons; and undermine economic markets. *Executive Order Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption*, December 21, 2017

This right of the people to petition for redress of grievance is not to be feared. It should be embraced!

The forgotten right of petition goes all the way back to the 12th Century Magna Carte, and in the 16th Century, the House of Commons held that all commoners have the right to prepare and present petitions.

In the Tennessee archives there are thousands of petitions filed between 1797 and 1850, sometimes as many as 100 filed in a single year, all received and considered by our predecessors. But no longer are petitions filed, no longer are petitions heard. No longer are petitions decided. No longer are grievances redressed.

The Tennessee House Journal from the year 1831 evidences that citizen petitions were referred to proper committee for deliberation, including the no longer existent Propositions and Grievances Committee. The House of Representatives must restore to the House; the Propositions and Grievances Committee as a demanded reform of we the people.

In U.S. Congress, the right of petition recognized by the First Amendment first came into prominence in the early 1830s, when petitions against slavery began flowing into Congress in a constantly increasing stream, which reached its climax in the winter of 1835. Finally on January 28, 1840, the House adopted as a standing rule: "That no petition, memorial, resolution, or other paper praying the abolition of slavery in the District of Columbia, or any State or Territories of the United States in which it now exists, shall be received by this House, or entertained in any way whatever."

Because of efforts of John Quincy Adams, that rule was repealed five years later.

Because of John Quincy Adams, the rules were revised and Rule 12 of the House Rules of Order for our U.S. congress, upholds the right and provides the process still in our U.S. Congress, although little used.

But in Tennessee, healing from the deep wounds of the civil war, and then enjoying the prosperity of the early 1900's the right of petition was not needed and never to be formerly exercised, or never recognized by the members of this House again, until just last session with Mr. Gentry's Remonstrance that remains ignored..

This House must recognize..., We dishonor those who sacrificed to establish and maintain our form of government, set forth in our constitution and the rights retained by the people stated therein including the right of petition.

From the Baron's Wars at the time of the Magna Carte, to our Independence War from Great Britain, our Civil War, World War II, and all wars this great nation has engaged, men and women have fought to defend the constitution.

In the words of Abraham Lincoln; *“that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain -- that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth.”*

It is to the honored dead, and sacrifice to whom we owe duty, as well as to our constituents whom placed us in office to provide for their peace safety and happiness.

Consider...

The oath by service members in 10 U.S.C. § 502; *““I, do solemnly swear that I will support and defend the Constitution of the United States”*

Article VI § 2 *The Senators and Representatives before mentioned, and the Members of the several State Legislatures, shall be bound by Oath or Affirmation, to support this Constitution;*

And our own state constitution; Article X, Section 1 *Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, shall, take an oath to support the Constitution of this state, and of the United States.*

There is a reason for oaths to defend and support the constitution, and we must uphold every provision, including the right of petition by address or remonstrance.

Do not fear being overwhelmed by petitions or remonstrances. Each of the members of this House is well qualified to determine what is properly before this House and what is not. Most certainly, at least some petitions or remonstrances are worthy consideration, and not all are without merit.

Do not fear redress of grievance, bankrupting our treasury.

Redress means making things right, and that may be as simple as an apology, and most certainly, it DOES NOT mean awarding millions of dollars that we see in class action lawsuits of our courts which is just a perversion of our courts to enrich attorneys. It is up to us to decide as Representatives. proper redress, and that only means making the aggrieved person whole, and making wrongs made right.

Imagine the healing of our people that would take place if we members, just took time to make a phone call, when made aware of grievance. To make a simple phone call and say listen Judge X, or Corrections Officer Y, or whatever state official... I don't care who is right or wrong and I don't care about facts at this time. If your conduct is proper, great, you have no worries. But if your conduct is wrong, you need to make things right, apologize, and correct your conduct. If I hear back again from my constituent, or another constituent for the same, I will look into the facts, and if your conduct is wrongful, I'm going to open an investigation, and if appropriate, you will lose your job or perhaps be prosecuted criminally.

This simple act alone of taking time to make a brief call, on behalf of your constituents, would solve many problems, and restore trust and faith in our government. With follow up investigation..., if warranted, a great healing of our republic would commence with state officials..., like judges, finally held accountable.

According to Mason's Manual, every time a citizen complains to us about misconduct, and we all know that happens often, whether by a visit to your office, remonstrance, email or phone call, that is an Art 1, Section 23 remonstrance. Every time we ignore

these communications, we neglect our duty, and violate that person's § 23 right, and we deny them redress.

Therefore, on behalf of the citizens of Tennessee and John Gentry, let it be RESOLVED that the House draft resolution for the members to welcome proper petitions and remonstrances, read them on the floor as required by our rules of order, and move them to the proper committee for consideration, and back to the floor of this chamber for vote, if necessary.

Let it further be RESOLVED that the Propositions and Grievances Committee to be reinstated.

Pursuant to Art. I, § 1, That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; for the advancement of those ends they have at all times, an unalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper.

The right of petition by address or remonstrance has been unlawfully oppressed and WE THE PEOPLE, here undersigned, assert our unalienable and indefeasible right to reform our government and demand that this right once again be upheld. WE THE PEOPLE approach the House, through petition by address to be presented to the full House body on behalf of WE THE PEOPLE by a member of the Tennessee House of Representatives, as provided for in House Rules of Order Rule 15, Rule 79 and Mason's Manual of Legislative Procedure § 148 ¶ 4.